

MAKING HERITAGE IN POST-APARTHEID SOUTH AFRICA: AGENCIES, MUSEUMS AND SITES

A dissertation submitted for the Degree of Doctor of Philosophy in History, in the Department of History, Faculty of Arts, University of the Western Cape.



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DECLARATION

I, Sipokazi Sambumbu, declare that ‘Making heritage in post-apartheid South Africa: Agencies, museums and sites’ is my own work, that it has not been submitted for any degree or examination in any other university, and that all the sources I have used or quoted have been indicated and acknowledged by complete references.

Sipokazi Sambumbu
30 July 2017



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ABSTRACT

This work responds to the perceptions of post-apartheid heritage practices as producing an authorised heritage discourse. It contrasts this perception by approaching the making of post-apartheid heritage as not just a simple discourse, but as a broad and complicated network of many meanings, knowledges, practices and approaches. These are generated and disseminated through multiple disciplinary and practice inputs and outputs, and at different levels and scales.

This work approaches these multiple intersecting points of heritage production and reproductions as an intricate network, within and through processes of heritage making can be seen as productive and unproductive. The focus of this work is in these different facets that emerge as different role players navigate through intricate negotiations of meanings and knowledges about pasts and presents. In this thesis, these workings are repeatedly identified through the term complex, which I use to mean complicated, intricate or convoluted. The analysis applies the term differently from the theoretical concept of complex, which refers to the making of public national citizenry through a power/knowledge, rather than power and knowledge discourse.

This work therefore investigates the complicated workings of heritage by means of legislation, the complicated heritage governance by a council and agency, and the workings of heritage through equally complicated operations of museums and sites. The investigation involves focused ethnographic studies of the operations of the South African Heritage Resources Agency, National Heritage Council, Nelson Mandela Museum, Ncome Monument and Museum Complex, Freedom Park, and Robben Island Museum.

While this work might be theoretically associated within Critical Heritage Studies, especially its recent preoccupation with the notion of authorised heritage discourse, it is

framed against this concept. It argues that post-apartheid heritage is produced through intricate negotiations occurring within entanglements, rather than through simple a hegemonic discourse. It also argues that making heritage in post-apartheid South Africa occurs within a wide network of multiple practices and approaches, rather than along streamlined, simple deployments of dominant meanings and knowledges.



Keywords

Heritage, Post-apartheid, Discourse, Legislation, Agency, Council, Museums, Sites, Legacy Projects, World heritage.



List of abbreviations

ACTAG	Arts and Culture Task Group
AHD	Authorised Heritage Discourse
ANC	African National Congress
AROSA	African Renaissance Organisation of Southern Africa
CCMA	Commission for Conciliation, Mediation and Arbitration
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CHO	Chief Heritage Officer
CIA	Cultural Institutions Act
COO	Chief Operations Officer
DAC	Department of Arts and Culture
DACST	Department of Arts, Culture, Science and Technology
DCS	Department of Correctional Services
DEAT	Department of Environmental Affairs and Tourism
DoE	Department of Education
DPW	Department of Public Works
EMPDD	Environmental Management of Planning and Development Directorate (of City of Cape Town)
EPP	Ex-political Prisoner
ICCROM	International Centre for the Study of Preservation and Restoration of Cultural Property
ICMP	Integrated Conservation Management Plan
ICOM	International Council of Museums
ICOMOS	International Council for Monuments and Sites

ICTOP	International Committee for Training of Personnel
iIKSSA	Institute of Indigenous Knowledge Systems of South Africa
IUCN	International Union for Conservation of Nature
HRS	Heritage Resources Section (of SAHRA)
HWC	Heritage Western Cape
MANCO	Management Committee
MoU	Memorandum of Understanding
MRM	Moral Regeneration Movement
MSP	Maximum Security Prison
NHC	National Heritage Council
NHCA	National Heritage Council Act
NHRA	National Heritage Resources Act
NMC	National Monuments Council
NEHAWU	National Education, Health and Allied Workers Union
PMFA	Public Finance Management Act
PHRA	Provincial Heritage Resources Authority
RIM	Robben Island Museum
SACAR	South African Chapter of African Renaissance
SAHRA	South African Heritage Resources Agency
SANParks	South African National Parks
UCT	University of Cape Town, South Africa
UNESCO	United Nations Education and Scientific Organization
UWC	University of the Western Cape, South Africa
WESSA	Wildlife and Environment Society of South Africa

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INTRODUCTION

Discussions about heritage have become widespread in post-apartheid South Africa. There are post-apartheid heritage laws, which established a national heritage council, a national heritage agency, and set structures for provincial and local heritage authorities to identify, preserve, protect and promote heritage at various levels. Museums now fall within the category of heritage, and have transformed into sites of tourism, vigorous public history and memory-making, and sites of interminable contestations of knowledge and representations. Museum services at local, provincial and national levels have been coordinated through the provisions of the new heritage policy and funding mechanisms to facilitate their appropriation in the post-apartheid transformation and nation-building agenda. South Africa has eight world heritage sites, that place South Africa in the world map of universal heritage making.¹

The appearance of the term heritage in public policy documents, and its popularisation through various media, public events and public institutional work since 1994, has seen it develop into a popular concept. Indeed, Nick Shepherd has seen it fit to insert heritage in a volume of *New South African Keywords*, as a new keyword that ‘hovers uneasily between the individual consciousness and the collective, between the idiosyncratic and what is held in common’.²

Yet, there is no consensus over what heritage means and how it operates. For scholars like Sarbine Marschall, Gary Baines and Martin Murray, heritage is linked to the new nation state and its ideologies.³ For others, especially those operating within heritage institutions,

¹ ISimangaliso Wetland Park; Robben Island; Cradle of Humankind; uKhahlamba Drakensberg Park; Mapungubwe Cultural Landscape; Cape Floral Kingdom; Vredefort Dome; Richtersveld Cultural and Botanical Landscape.

² Nick Shepherd, ‘Heritage’, in Nick Shepherd and Steven Robins (eds.), *New South African Keywords* (Ohio University Press, 2008), 117.

³ For example, Sabine Marshall, *Landscape of Memory: Commemorative Monuments, Memorials and Public Statuary in Post-apartheid South Africa* (Leiden: Brill, 2010); Martin Murray, *Commemorating and Forgetting:*

heritage is a process of recovery and restitution.⁴ Some historians however, have been sceptical of the emergence of heritage, seeing it as falsifying history.⁵ But, Ciraj Rassool has argued for heritage as a new form of historical production.⁶ Thus, heritage in post-apartheid South Africa has become liked and disliked, *instrumentalised* and contested, castigated and revered.

Most of the writing on this heritage phenomenon has stressed its linkages to nation, nationalism and the state. Although this writing has used case studies such as memorial sites and statues, there is little engagement beyond mere instrumentality. How do these institutions work? How do we engage with the category of heritage? What are the different forms that heritage takes? What are the debates that take place over the implementation of heritage as a practice? A deeper engagement with the category of heritage involves, as Rassool says, taking it seriously as a mode of how ideas and forms about pasts are made in the public domain. It means approaching heritage ‘as an assemblage of arenas and activities of history-making’.⁷

Rassool has argued that, ‘the domain of heritage and public history required serious examination, for it is here that attempts were being made to fashion the categories, images

Challenges for the New South Africa (Minneapolis: University of Minnesota Press, 2013); Gary Baines, ‘Site of Struggle: the Freedom Park Fracas and the Divisive Legacy of South Africa’s Border War/Liberation Struggle’, *Social Dynamics*, 35: 2 (2009).

⁴ Patricia Davison, ‘Museums and the reshaping of memory’, Sarah Nuttall and Carli Coetzee (eds.), *Negotiating the Past: The Making of memory in South Africa* (Oxford: Oxford University Press, 1998), Andre Odendaal, ‘Museums and Change in South Africa’, <http://www.innovation.ukzn.ac.za/Innovation/InnovationPdfs/No10pp18-20Odendaal.pdf> Accessed on 2 July 2013; and Henry Bredekamp, ‘Transforming Representations of Intangible Heritage at IZIKO Museums, SA’, paper presented at ICOM ‘Museums and Living Heritage’, National Folk Museum of Korea (2-8 October, 2004).

⁵ Jane Carruthers, ‘Heritage and History’, *Africa Forum*, No. 2 (20 October 1998); Christopher Saunders, ‘Four decades of South African academic historical writing: A personal perspective’, in Hans Erik Stolten et.al. (eds.), *History Making and the Present Day Politics: The Meaning of Collective Memory in South Africa* (South Africa: UPPSALA, 2007). Similar scepticism had been expressed before by David Lowenthal, Patrick Wright and Robert Hewison Patrick Wright, ‘Trafficking in History’, in Patrick Wright, *On Living in an Old Country: The National Past in Contemporary Britain* (London: Verso, 1985), Robert Hewison, *The Heritage Industry: Britain in a Climate of Decline* (London, Methuen, 1987).

⁶ Ciraj Rassool, ‘The Rise of Heritage and the Reconstitution of History in South Africa’, *Kronos*, 26 (August 2000), 1-21.

⁷ Ciraj Rassool, ‘The Rise of Heritage (2000), 5.

and stories of the post-apartheid South African nation'.⁸ I want to take heritage seriously and engage it to enquire into the processes through which meanings and knowledges are produced, reproduced and negotiated in post-apartheid institutions of public culture. This thesis presents a detailed analysis of heritage agencies, museums, sites and heritage legislation in post-apartheid South Africa. It investigates the way in which structures of authority are deployed around heritage projects, and how certain forms of authority are seemingly manifested in the public representations that underpin heritage. It investigates the parallels between public heritage representations in the form of texts, speeches and imagery and social and political ideologies and structures within the country.

This work performs an analysis of a range of different 'texts' including acts and policy documents, and visual, auditory and written media in museums, galleries and other heritage sites, as well as performances of power through the work of these institutions.⁹ The forms and structures of power that are developed and/or reinforced, the heritage practices and meanings that are constituted, as well as the expertise deployed in various heritage projects are examined. Focus is on the supposed heritage boundaries created through particular sorts of attitudes, views, practices and structures, while excluding, dismissing or undermining authority of others. It illuminates the convoluted transactions through which heritage is produced, thus nullifying ideas of a simple authorised heritage discourse.

A particular focus is on what the archaeologist Laurajane Smith has referred to as an authorised heritage discourse (AHD).¹⁰ It is on whether the analysis of these practices fit into what she has referred to as AHD. Laurajane Smith's idea of AHD emerged out of critical interrogations of heritage over the past 30 years. The concern of Smith and other critical

⁸ Ciraj Rassool, 'Power, knowledge and the politics of public pasts', *African Studies*, 69:1 (April 2010), 5.

⁹ An approach suggested by Rodney Harrison and Audrey Linkman, 'Critical approaches to heritage' in R.Harrison (ed.), *Understanding the politics of heritage* (Manchester: Manchester University Press, 2010), 76.

¹⁰ Laurajane Smith, *Uses of Heritage* (London: Routledge, 2006).

heritage scholars is with common acceptance of heritage as that which is given or inherited.¹¹ The scholarship is critical of how cultural landscapes are approached as providing insights to people's past and present lives, cosmologies, values and practices, and as resources to be preserved for posterity. It criticises preoccupations with developing management strategies to address protection of sites and objects from 'natural and human damage', and the promotion of 'heritage resources' as inherently significant. One could say that the area of uncritical heritage studies is concerned with implementation of heritage according to structures, guidelines and manuals.

In contribution to critical heritage scholarship, Smith has spearheaded a worldwide debate on what she summarises as the 'contemporary uses and themes of heritage'.¹² She declares that 'there is no such thing as heritage' but only a process of heritage making. For her, 'all heritage is intangible', and 'there is a dominant Western discourse, an authorised heritage discourse that naturalises and privileges certain narratives, experiences and meanings'. She describes this discourse as hegemonic, highly institutionalised and reliant on the power and knowledge of the so called experts. It is this authorised heritage discourse (which she then calls the AHD) which, according to her, becomes heritage.¹³ AHD is then a craft of 'experts' and an instrument of political and cultural power, which produces packages that undermine or constrain alternative views.¹⁴

While Smith recognises existence of competing discourses, she insists on an analysis of social and political contexts, which in her analysis, reveals the way people's worlds are

¹¹ For example, Jeanette Deacon, 'A Regional Management Strategy for Rock Art in Southern Africa', *Conservation and Management of Archaeological Sites*, 2 (1997); Pascall Taruvinga and Webber Ndoro, 'The vandalism of the Domboshava rock painting site, Zimbabwe: Some reflections on approaches to heritage management', *Conservation and Management of Archaeological Sites* 6:1 (2003); and Webber Ndoro, *The preservation of Great Zimbabwe: Your Monument our Shrine* (Italy: ICCROM, 2005).

¹² Laurajane Smith, *Uses of Heritage* (2006).

¹³ Also associated with these ideas are: David C. Harvey, 'The History of Heritage', in Brian Graham et al (eds.), *The Ashgate Research Companion to Heritage and Identity* (Burlington: Ashgate Publishing Company, 2008) and Rodney Harrison, 'What is heritage?', in Rodney Harrison (ed.), *Understanding the Politics of Heritage* (Manchester: Manchester University Press, 2010).

¹⁴ Laurajane Smith, *Uses of Heritage* (2006), 29-34 and 191-192.

controlled as people are organised into nations, classes and identities. But Smith distances herself from Foucault's approach which she says emphasises control and power of discourses too much. Instead, she is interested in the power of discourses together with social and political relations, contexts and effects associated with them.¹⁵

By looking at heritage governance and management, institutions that make and dispense heritage, public heritage projects and products thereof, as well as narratives produced in and outside sites of knowledge production and consumption, Smith's postulations and applicability are interrogated in this thesis. Is it enough to see the flourishing of heritage in various forms in post-apartheid South Africa as an authorised heritage discourse?

In South Africa, the 1990s presented a fertile ground for disciplines involved in the making of public memories, pasts, histories and representations, to re-think and re-figure themselves in relation to paradigm shifts. The public hearings of the Truth and Reconciliation Commission (TRC), 'transformations' in old museums, and new heritage projects involving monumentalisation and symbolic memorialisation, all instigated a growth of literature on heritage and museums.¹⁶ Putting value on indigenous knowledge systems (IKS) and oral traditions was part of the new literature that pushed for intangible forms of heritage, which became known as living heritage.¹⁷

But this 1990s literature on public memories, pasts, histories and representations merely expanded the field of heritage. It did not look at processes of production of heritage and the politics of memory and representation. It did not critically reflect on the relations

¹⁵ Laurajane Smith, *Uses of Heritage* (2006), 14-16.

¹⁶ For example, Henry Bredekamp, 'Transforming Representations of Intangible Heritage at IZIKO Museums, SA (2004).

¹⁷ See for example, Harriet Deacon, Luvuyo Dondolo, Mbulelo Mrubata and Sandra Prosalendis, *The Subtle Power of Intangible Heritage: Legal and Financial Instruments for Safeguarding Intangible heritage*, (Cape Town: Human Science Research Council, 2004). This piece is drawn much from the international charters and conventions on conservation of intangible heritage.

between heritage and identity. Instead, the literature was primarily the work of those who were concerned with establishing links between nation and identity.

But the idea of critical heritage studies has also proliferated since the 1990s. One of the critical approaches revolves around a dominant ideology thesis, which is concerned with issues of power and dominance in heritage productions and representations. It interrogates heritage through categories of nation and nationality. Through this approach, Peter Merrington has placed heritage and identity politics at the centre of the projects surrounding invention of a South African 'nation' and the making of the union of South Africa during and beyond 1910.¹⁸ In the first decade of the making of the Union of South Africa for instance, conservation emerged and evolved within the context of efforts to unite British and Dutch heritages to forge a 'national identity'. Merrington has shown that in South Africa, just as in Australia, notions of heritage had to do with land, inheritance or *erfenis* (in Dutch), and later aesthetics, pristine-ness, exoticness, and the notions 'natural' flora and fauna.¹⁹ Merrington's work, though, is not geared towards illustrating when and how the term heritage becomes re-invented and assimilated into national discourses approaching the 'era of democracy' in the 1990s.²⁰

¹⁸ See, Peter Merrington, 'Pageantry and Primitivism: Dorothea Fairbridge and the Aesthetics of Union', *Journal of Southern African Studies*, Vol. 21, No 4, Dec. 1995), 643-656; Peter Merrington, (1996, 1997, 1998); Peter Merrington, 'A Staggered Orientalism: the Cape-to-Cairo Imaginary, in *Poetics Today*, Vol.22, No. 2, (Summer 2001), 323-364; and Peter Merrington, 'Heritage, letters and public history: Dorothea Fairbridge and loyal unionist cultural initiatives in South Africa, circa 1890 -1930', PhD Dissertation, (University of Cape Town, 2002) .

¹⁹ In a series of meticulously researched academic pieces Merrington traces the development of 'heritage-making' through efforts by organisations and later state organs, such as the National Trust for Places of Historic Interest or Natural Beauty (National Trust) of 1895, the South African National Society (SANS) of 1904 to the 1960s, the Guild of Loyal Women (The Guild) and the Violet Cecil's Victoria League. See, Peter Merrington, 'Acts of Union: 'Heritage' and nationhood in imperial South Africa, 1905-1910, paper presented at the Fault Lines Conference, Cape Town (4-5 July 1996); Peter Merrington, 'Heritage, Genealogy, and the Invention of Union, South Africa 1910', paper presented at the Africa Seminar, Centre for African Studies, University of Cape Town (7 May 1997), Peter Merrington, 'The Guild of Loyal Women, freemasonry and memorial architecture', paper presented at the UNISA Library Conference (3-5 August, 1998).

²⁰ Heritage became a matter of public concern and engagement through, for example: the 'Looking Backwards Looking Forward: Culture and Development Conference, Johannesburg, April-May 1993, organized by the ANC Department of Arts and Culture; reports prepared and circulated by the Commission on Museums , Monuments and Heraldry set up in 1991 (later replaced by Commission for Restructuring and Transformation of the Arts and Culture (CREATE) in 1993); the Museum South Africa (MUSA) established in May 1994; the Arts and Culture Task Group (ACTAG) appointed by the Minister of Arts, Culture, Science and Technology in

A significant amount of literature has dwelt on the emergence of a notion of heritage as an instrument of power, nation building and forging of unity.²¹ This literature has drawn upon older work on the invention of traditions by scholars like Eric Hobsbawm and Terence Ranger. Hobsbawm and Ranger perceived the late nineteenth and early twentieth centuries as a period, during which national and ethnic traditions were created, invested upon and used to construct identities.²² This is similar to the work of Sabine Marschall, who perceives public monumentalisation in post-apartheid South Africa as manifesting dominant ideologies, and as produced through an official, hegemonic narrative, and as constituted within a discourse authorised, made official and endorsed by 'agents of state'.²³ Marschall criticises new monumental projects as embodiments of a triumphalist 'meta-narrative' of the struggle, and as representing a 'dominant, authorised version of the past in visualised forms'.²⁴

The dominant ideology theses have also been expounded in the works of scholars like Gary Baines, Ariane Janse Van Rensburg, and Pieter Labuschagne. In this literature, sites like Freedom Park and Ncome/Blood River Monument and Museum Complex are approached as sites of political struggles, and are used to discuss issues related to subjectivity and selectivity of individual, collective and 'global' memories.²⁵ Using different approaches, this literature focuses on highlighting ethnic nationalisms, conflicting identities and ideologies, and

November 1994; as well as draft bills that were to later culminate in the *National Heritage Resources Act*, No. 25 of 1999; the *White Paper on Arts, Culture and Heritage*, 1996; and the *Draft National Heritage Bill, South Africa* (7 January 1997). The ACTAG, comprised a 'community' of arts and culture practitioners, educators and administrators.

²¹ For example, Kevin Walsh, *The representation of the past: museums and heritage in the postmodern world* (New York, Routledge, 1992); Tony Bennett, *The Birth of the Museum: History, Theory, Politics* (New York: Routledge, 1995).

²² Eric Hobsbawm, and Terence O. Ranger, *The Invention of Tradition* (Cambridge: Cambridge University Press, 1983).

²³ Sabine Marschall, *Landscape of Memory: Commemorative monuments, memorials and public statuary in post-apartheid South-Africa* (Boston: Leiden, 2010).

²⁴ Sabine Marschall, *Landscape of Memory* (2010).

²⁵ Gary Baines, 'Site of Struggle' (2009); Duane Jethro, 'Aesthetics of Power: Heritage Formation and the Senses in Post-Apartheid South Africa', PhD Dissertation, (Utrecht University, 2015); Ariane Janse van Rensburg, 'Comparing altars and agendas - using architecture to unite?' (University of the Witwatersrand, 2008); Pieter Labuschagne, 'Monument(al) meaning making in the 'new' South Africa: Freedom Park as a symbol of a new identity and freedom?' (University of Pretoria, 2010); and Pieter Labuschagne, 'Monuments and meaning making: Freedom Park and the bumpy road to reconciliation and nation-building in South Africa', *Journal/Joernaal*, 37:1 (2012).

exclusion or marginalisation of certain groups in post-apartheid heritage projects. By placing emphasis on exclusion, isolation, and alienation of segments of the South African population in heritage representations, these works have reinforced ideas of a hegemonic heritage practice and a particular heritage discourse.²⁶

Scholars like Chris van Vuuren and Tony King and Kate Flynn are quite overt in their utilisation of the concept of AHD to characterise the ‘entire’ post-apartheid heritage practice.²⁷ These draw from Smith’s methodology of discourse analysis, to analyse the constructions of heritage in relation to, for example, the Constitution Hill in Johannesburg and Ndebele earthen architecture. Assertions made in relation to AHD in post-apartheid South Africa are largely formulated on the basis of the state’s overt use of heritage as a nation-building tool. They are based on assumption that the notions of human rights and reconciliation set post-apartheid heritage apart from the previous heritage practices. Thus, post-apartheid heritage practice is assumed to produce a peculiar discourse that is seen to serve new legitimisations of a new dispensation. And an AHD is largely regarded as absolute, and generic in the entire heritage practice in post-apartheid South Africa.

Critical heritage scholarship has identified and debated many issues related to contemporary heritage. Yet, there exists a widening schism between loose application of AHD, and concerns with issues in the production of public histories and heritages, especially with regards to the politics and economy of knowledge. On the one hand, the post-apartheid heritage practice is analysed as largely simply hegemonic and suppressive of alternatives voices. On the other hand, the practice is analysed as complex and involving intricate negotiations of meanings, knowledges, practices and approaches.

²⁶ Pieter Labuschagne, ‘Monuments and meaning making’ (2012), 167.

²⁷ Chris J. Van Vuuren, ‘The intricacy of intangible cultural heritage: some perspectives on Ndebele earthen architecture’, *South African Journal of Art History*, 23:2 (2008), 14-24; Tony King and Kate M. Flynn, ‘Heritage and the post-apartheid city: Constitution Hill, Johannesburg’, *International Journal of Heritage Studies*, Vol. 18, Issue 1 (2012), 65-82.

Scholars such as Gary Minkley, Leslie Witz and Ciraj Rassool use the term complex in two ways. In their writings, complex is used to mean intricacies related to politics and poetics of heritage knowledge production.²⁸ Minkley, Witz and Rassool also use complex to refer to a theoretical formulation of power/knowledge. They utilise complex in the same way that Tony Bennett does, to illuminate politics of identity and memory and representation, as reflected in what has become known as the ‘post anti-apartheid heritage complex’.²⁹ In this context, complex refers to a ‘mode of cultural production’, mode of contextualising, and forms of representation of particular objects, sites and practices as heritage.³⁰ It is that whole constitution of meanings and agency, which in the post-apartheid context has constituted itself through a summoning, canonisation, and conjoining of different meanings; and which has enabled a defining and demarcation of collective memories, and framings of narratives of nation with hegemonic discourses.

Different from Smith, this approach aligns itself with Foucault and Tony Bennett’s ideas in relation to power and knowledge.³¹ They are interested in the production, contestations and negotiations of power, rather than settling for the idea of a simple, authorised discourse. For some of them there is no given ‘reality’ which is being represented, as all heritage is made through the invocations and contests over the sites, meanings and contents of knowledge. Coombes and Witz evaluate the complexities in the ‘reanimation of particular sites and spaces’ through new modes of historical enquiry and knowledge

²⁸ See for example Leslie Witz and Ciraj Rassool, ‘Making histories’, *Kronos*, No. 34 (November 2008), 6-15; Gary Minkley, Leslie Witz, and Ciraj Rassool, ‘South Africa and the spectacle of public pasts: heritage, public histories and the post anti-apartheid South Africa’, paper presented at the ‘Heritage Disciplines’ Colloquium, University of the Western Cape, (8-9 October 2009); Ciraj Rassool, ‘Power, knowledge and the politics of public pasts’ (April 2010); Leslie Witz, ‘Making Museums as heritage in post-apartheid South Africa’, paper presented at the Inaugural Conference of the Association of Critical Heritage Studies: Re/theorising heritage, University of Gothenburg (5-8 June 2012).

²⁹ See, Gary Minkley, Leslie Witz, and Ciraj Rassool, ‘South Africa and the spectacle of public pasts: heritage, public histories and the post anti-apartheid South Africa’, paper presented at the ‘Heritage Disciplines’ Colloquium, University of the Western Cape (8-9 October 2009); see also Tony Bennett, *Pasts Beyond Memory: Evolution, Museums and Colonialism* (London: Routledge, 2004).

³⁰ Gary Minkley, ‘A fragile inheritor’: the post-apartheid memorial complex, A.C. Jordan and the re-imagining of cultural heritage in the Eastern Cape’, *Kronos*, Vol. 34, No.1 (Nov. 2008), 29 and 40.

³¹ See Michel Foucault, ‘Governmentality’, in Graham Burchell, Colin Gordon and Peter Miller (eds.), *The Foucault Effect*, (London: Wheatsheaf Harvester, 1991), and Tony Bennett, *Pasts Beyond Memory* (2004).

production, to demonstrate that transformation was not as simple as: ‘out with the old and in with the new’.³²

Through studies of various public representations, Witz, Rassool, Minkley and Mnyaka call for a more critical engagement with the genealogy and mutations of a heritage complex that has come to constitute and reconstitute itself in different ways.³³ Minkley et.al. argue that the ‘prevailing perception of heritage as a ‘mediator of identity formation’, is an over-simplification of heritage, since it ignores how knowledges and meanings have been produced, reproduced and negotiated over time.³⁴ According to Minkley and Mnyaka, although many heritage representations are fraught with ‘dominant, discursive and visual repertoires of indigenisation and liberation’, boundaries of ideas of vernacular narratives versus the ‘official’ or ‘authorised’ require a collapsing.³⁵

It is in particular the site of Duncan Village Memorial where disputes between a ‘past according to the authorities of the Buffalo City Municipality’ and a ‘past according to the residents of Duncan Village’ are displayed in visual forms, that Minkley and Mnyaka caution against an understanding of heritage as ‘caught between the official and the vernacular’.³⁶

They assert that at the site of the visual, both the ‘official and the vernacular’ should be

³² Anne Coombes, *History After Apartheid* (2003), Introduction; Leslie Witz, ‘Museums, Histories and the Dilemmas of Change in Post-Apartheid South Africa’, *Working Papers in Museum Studies*, No. 3, University of Michigan (2010).

³³ See for example, Leslie Witz, ‘Museums, Histories and the Dilemmas of Change in Post-Apartheid South Africa’, *Working Papers in Museum Studies*, No. 3, University of Michigan (2010); Gary Minkley and Phindezwa Mnyaka, ‘Seeing Beyond the Official and the Vernacular: The Duncan Village Memorial and the Politics of Heritage in Africa’, in Derek Peterson, Kodzo Gavua and Ciraj Rassool (eds.), *The Politics of Heritage in Africa: Economies, Histories and Infrastructures* (New York: Cambridge University Press, 2015).

³⁴ Gary Minkley, Leslie Witz, Ciraj Rassool, ‘South Africa and the spectacle of public pasts: heritage, public histories and the post anti-apartheid South Africa’, paper presented at the ‘Heritage Disciplines’ Colloquium, University of the Western Cape, (8-9 October 2009). Their view posed a direct attack on the ideas of Lowenthal, Caruthers, Saunders, Guy, Bundy, Cobley and Grundlingh, which simplified heritage to a ‘selective’, ‘sentimentalised’ view of the past, ‘a bogus history’ and ‘a tourism commodity’.

³⁵ Gary Minkley and Phindezwa Mnyaka, ‘Seeing Beyond the Official and the Vernacular: The Duncan Village Memorial and the Politics of Heritage in Africa’, in Derek Peterson et.al. *The Politics of Heritage in Africa* (2015). See also, Leslie Witz and Noeleen Murray, ‘Fences, Signs, and Property: Heritage, Development, and the Making of Location in Lwandle’, in Derek Peterson et.al. *The Politics of Heritage in Africa* (2015).

³⁶ Gary Minkley and Phindezwa Mnyaka, ‘Spears, warriors and a victorious past, visibility and the post-apartheid heritage complex’, paper presented at the ‘Politics of Heritage Conference’, Johannesburg (7-9 August, 2011), 17-18.

perceived as mutually producing meanings pertaining to governing knowledges about the past.

Another dynamic to the critical heritage debates, is that of Nick Shepherd, who perceives heritage as occupying a ‘uniquely paradoxical conceptual space’, which allows it to be viewed simultaneously as that of the past, and of the present; as of a collective and of an individual; as ‘heritage from above’ and as ‘heritage from below’, as hegemonic, and as ‘democratic’; and as ‘authorised’ and ‘un-authorised’.³⁷ At the same time, Shepherd identifies an ambiguity in the idea of a heritage discourse that entrenches cultural identities, while allowing social rights, secular citizenship and dissenting views.³⁸

What is apparent though is that the debates in the South African context are related to the complexities of the nature of heritage discourses in the post-apartheid, especially around the idea of heritage as an authorised heritage discourse. As debates dwell more on stark contrasts and binaries of tangibility versus intangibility, the known versus the imagined and the ‘authorised’ versus the ‘non-authorised’, further assumptions on the nature of the supposed AHD are applied to South Africa without probing the validity of the very concept of AHD. What is lacking is a thorough investigation of each of the prevailing heritage notions in a manner that focuses on disentangling their complexities both as contestation and also as form of knowledge/power.

It is therefore crucial that the nature of this rather highly presumed discourse be investigated and qualified. It is in its manifestations through strategies, approaches, operations, and ‘products’ that any heritage practice can possibly be comprehended and discerned without assuming an authorised discourse.

³⁷ Nick Shepherd, ‘Heritage’ (2008).

³⁸ See, Nick Shepherd, ‘Heritage’ (2008), 122-125. The preamble of the South African National Heritage Resources Act No. 25 of 1999 reflects this ambiguity, for it enacts new heritage forms at the same time as it presents an idea of a nation making itself.

Methodology and approach

This study utilised a variety of investigative methodologies of historical enquiry. I performed a thorough study, review and critical analysis of heritage legislation, the establishment of the South African Heritage Resources Agency (SAHRA) and the National Heritage Council (NHC), museums and sites, and their mandates, frameworks and operations. I made use of the parliamentary debates on heritage policy found in the Parliamentary Library in Cape Town, the African National Congress (ANC) policy documents on arts, culture and heritage published on the ANC website, as well as government publications and materials on heritage policy and projects found in the SAHRA archives in Cape Town, public libraries and the internet. I critically analysed academic literature related to each of these bodies, institutions, sites and projects.

I also interviewed and communicated with heritage practitioners currently and previously associated with the National Monuments Council (NMC), Arts and Culture Task Group (ACTAG), SAHRA, NHC, post-apartheid national museums, monuments, memorials and world heritage sites. I was interested in their knowledge and views regarding the establishment and development of these bodies and institutions, their mandates, roles, structures, decision making processes and operations. I was also interested in the roles of these individuals and their associations, and how those merged and/or intersected with others in the wide web of post-apartheid heritage making.

I also analysed institutionally generated knowledge of SAHRA, NHC, the Department of Arts and Culture (DAC) and museums and sites, some of which were organised into neatly classified and catalogued institutional libraries and archives.³⁹ These contained the

³⁹ All the institutions studied in this work have online libraries and archives with annual reports, speeches, press releases, and publications. In additions, SAHRA, Freedom Park and Ncome Monument and Museum Complex have sections of their buildings designated for libraries and archives that keep a range of institutional

institutions' mission and vision statements, policies, strategic plans, Conservation Management Plans (CMPs), publications, press releases and materials generated during sessions involving planning, consultation, interpretation and curating. I performed critical analyses of textual, visual and audio representations produced by national museums or declared cultural institutions and world heritage sites that this work studied. These are; Nelson Mandela Museum, Ncome Monument and Memorial Complex, Freedom Park, and Robben Island Museum.

It is worth mentioning however, that the range of institutional knowledge studied barely reflected the politics and poetics of their work of these institutions, the workings of culture within their summoning and appropriation of concepts, strategies and approaches, and the constitution and deployment of knowledge in different contexts. These institutional archives were constituted along the lines of actions and effects, plans and their implementation, or simply, linear flows of events between beginnings and endings.

Thus, to perform a thorough and critical study of the operations of national museums and world heritage sites, I used institutional memories to launch further searches into what was not documented. My observations, investigations, interviews and personal communications focused in the 'spaces in-between spaces', as well as the knowledge produced independently of the institutions. But the scope of this work was limited to national and world heritage projects and world heritage sites launched or declared in and after 1994. I avoided the case study or comparative approach and instead studied and drew from a range of institutions to formulate discussions and arguments.

The reference I made to each of the institutions was predicated by relevance of my analysis of that particular institution in various sections of this thesis. I visited these institutions several times to observe operations, and sometimes speak to staff about their

documents. These are easily made accessible to researchers on request. Robben Island Museum has a library, but it is deficient in institutional knowledge.

roles. My focus was on who performed what role/s, how decisions were taken and implemented, what happened in the course of implementation of such, and what was the outcome thereof. I paid attention and made a lot of reference to activities and developments taking place around these heritage institutions and sites. In what seemed like an ethnography of agencies, museums and sites, I sat in offices, alleys, galleries and wondered about, observing staff going about their work and visitors processed from entry to exit.

I noted how banal the operations of these heritage institutions were, in that they revolved around protocols, meetings, plenaries, consultations, protracted event planning, phone calls, emails, report writing. When, once in a while, events were hosted, major attention was paid to profiling the institution through the event, and through media briefing and some publications. Again, these were followed by another cycle of review meetings and reporting.

I also noted how conscious these institutions were with regards to protecting certain institutional knowledge or information from researchers. I was not permitted to sit in meetings or view minutes of meetings of the 'current tenure'. It was almost as if there was a five-year rule with regards to making certain information available to the public. It was frustrating to be denied insight into the most current politics of heritage making. As a result, for each post-apartheid heritage institution I studied, I opted to focus more on previous rather than in-progress administrations. I found that institutional knowledge related to past administrations was easily made available for public scrutiny, and that my informants could speak freely about previous administrations without fear of victimisation.

Chapter One provides a review and analysis of literature and debates around heritage conceptualisations and the notion of authorised heritage discourse (AHD). The chapter also performs an analysis of legislative framework that defines the post-apartheid heritage practice, the structures and institutions it establishes for heritage governance, and the

mandates it gives these institutions. The chapter focuses on drawing attention to the intricate network and bureaucracies that the legislation set in place, and through which post-apartheid heritage is made.

Chapter Two discusses the National Heritage Council (NHC) and the South African Heritage Resources Agency (SAHRA) as institutions of heritage governance. The chapter investigates their establishment, constitution, frameworks and operations, with a focus on their part in the bureaucratic set-up through which post-apartheid heritage is produced, processed and managed. The focus of the chapter is on explicating the contributions of these institutions in the complex transactions involving intermittent summoning, deployment, appropriation, negotiation, distraction and subversion of knowledge and rules regarding heritage making and management.

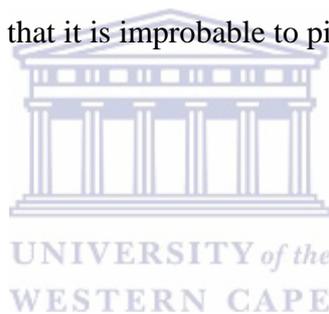
Chapter Three focuses on heritage as produced and channelled by the state institutions in the form of national museums. Through a study of the conception, establishment, development and sustenance of three national heritage institutions, this chapter explicates the nexus of heritage-making disciplines, practices, approaches and methods, through which the so called national heritage is produced. Its focus is on the meeting of the concept of museum, with the concepts of heritage and national in the post-apartheid context, to establish what it means for museums to become heritage and national.

Chapter Four focuses on the idea of heritage as a resource, and investigates the making of heritage sites conceived as monuments or memorials into resources explicitly intended for 'the nation'. Through a study of Freedom Park, the chapter traces and analyses the development of a project into an institution, to establish what it means for a heritage site in the form of a monument or memorial to become a 'national' heritage resource.

Chapter Five focuses on the heritage produced and channelled by the state institutions in the form of world heritage sites. Through a study of Robben Island and its makings of

world heritage, it analyses the structures, processes and transactions through which ‘ordinary’ sites, objects and practices are made world heritage. It looks at the site’s navigations of its meanings, concepts, natures and management styles around knowledge forms, conventions and rules deployed in the domain of world heritage. It scrutinises the complex knowledge/power relations within the web of disciplines and practices operating within national and global contexts to produce world heritage.

The conclusion returns to the central questions of this work, and in summary restates the main argument that post-apartheid heritage practice, as studied through agencies, museums and sites, does not simply produce an authorised heritage discourse that is suppressive of ‘other unofficial discourses’. Instead, it embodies the workings of complex networks of heritage-making, and that it is improbable to pinpoint a thriving singularised or simplified discourse.



CHAPTER ONE

Assembling and legislating heritage

The era generally dubbed apartheid has no specific determined period.¹ Sometimes it is referred to as beginning in 1948 and the Truth and Reconciliation Commission regarded 1960 as the cut-off inaugural date. Yet, in disciplines like history, some historians have drawn distinctions between what they recognise as precolonial, colonial, segregation, apartheid and post-apartheid eras, and designed hallmarks creating palpable contrasts between practices over centuries. Many scholars and commentators of South African heritage practices have attempted to mark distinctions between what they recognise as the protecting, conserving, preserving and monumentalising work of the segregationist state from 1910, the monumentalising architecture-*alising* and culture-*alising* work of the apartheid state, and the redressing, empowering and symbolic-memorialising work of the democratic state.²

Apartheid and democracy are generally construed as representing not just peculiar political systems, but distinct eras marked by difference, rupture and departure from certain pasts. It is common to perceive post-apartheid heritage legislation as representing a disjuncture from an undesirable heritage practice typified as colonial, partial, exclusive, and stereotyping, towards a democratic, inclusive, and unprejudiced heritage practice.

Ndukuyakhe Ndlovu identifies major distinctions between ‘previous’ and ‘current’ heritage laws, emphasizing how the ‘current’ statutes have failed to effectively democratise heritage, how it is ‘not an effective instrument of heritage management’, and how ‘it is reactionary

¹ Here I draw from Premesh Lalu’s arguments that there is no such thing as a linear sequence of events from colonial to post-colonial, no distinct rupture from apartheid to post-apartheid, and that apartheid is discursive, just like anything else premised on the concept. Premesh Lalu, ‘When was South African history ever postcolonial?’, *Kronos*, 34:1 (Cape Town, November, 2008).

² Nick Shepherd for example asserts that there were significant shifts from heritage management of the period between 1911 and the late 1940s, that was concerned with ‘settler histories, the British Empire and the role of the sciences’, to a conception of heritage around a ‘more narrowly conceived white Afrikaner cultural history’, between 1948 and late 1980s, and later to emphasis conceptualisation of heritage as a ‘process of socio-economic development’ in the post-1994 era. See, Nick Shepherd, ‘Heritage’, in Nick Shepherd and Robins Steven (eds.), *New South African Keywords* (Johannesburg: Jacana, 2008), 119-121.

more than proactive'.³ My approach to South African heritage legislation and practice avoids concrete designations and distinctions, and so is my use of the term post-apartheid. I use post-apartheid heritage not to designate a distinct body of items or activities of any particular epoch, but to refer to a complicated negotiation, production and reproduction of heritage knowledges, meanings and memories, characterised by evocation and derivation of ideas and practices from different pasts and presents.

Certainly, markers of difference or newness may well be identified in post-apartheid heritage practice. After all, 'heritage is a new mode of cultural production, and it produces something new. There is no turning back'.⁴ Firstly, the practice was legally defined by a term heritage, which featured in the *National Monuments Act*, Act No. 28 of 1969 and its subsequent amendments. Without offering a heritage definition, the Act established a National Monuments Council (NMC)⁵

to preserve and protect the historical and cultural heritage, to encourage and to promote the preservation and protection of that heritage, and to co-ordinate all activities in connection with monuments and cultural treasures in order that monuments and cultural treasures will be retained as tokens of the past and may serve as an inspiration for the future.⁶

Heritage was limited to 'monuments and cultural treasures' and did not include museum collections, works of art or forms of tradition. The museum practice, which existed outside the heritage category, was characterised by categories like 'natural' and 'cultural'. These categories were in many cases used to stereotypically represent African archaeological, anthropological and ethnographic collections, by mingling 'natural history and ethnography', or 'African cultures and nature', and 'separating white culture from ethnographic material'.⁷

³ Ndukuyakhe Ndlovu, 'Legislation as an instrument in South African heritage management: Is it effective?', *Conservation and Management of Archaeological Sites*, 13:1 (2011), 53.

⁴ Barbara Kirshenblatt-Gimblett, 'Theorizing Heritage', *Ethnomusicology*, 39:3 (Spring 1995), 370.

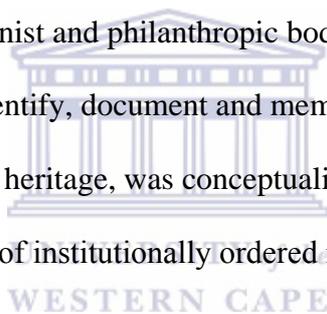
⁵ NMC replaced the Historical Monuments Commission of 1923.

⁶ *National Monuments Act* No. 28 of 1969, S. 2A.

⁷ Elizabeth Rankin, 'Creating/Curating Cultural Capital: Monuments and Museums for Post-Apartheid South Africa', *Humanities* 2 (2013), 80.

Undoubtedly, the apartheid heritage practice was in its own complexity a nexus of grand narratives of Afrikaner nationalism infused with Calvinistic ideas of inherent superiority, and influences of ‘unofficial’ discourses, including anti-imperialist ideologies; hence its dynamism and fracturing.⁸ Before the apartheid heritage practice, there had been a different invocation of mutualising traditions, cultures, pasts and presents between the supposedly separate English and Dutch entities, which established and sustained the idea of a Union of South Africa.⁹ Also, the SANS, The Guild, The Victoria League, SAVF and the Imperial War Graves Commission, were in effect propagandist and even Masonic agents deployed to advance imperialist but self-vindicating objects of the British and the Dutch collectively or on separate occasions.¹⁰ These were bodies so previously posed and represented as simply conservationist and philanthropic bodies, established to identify places or sites of natural beauty, or to identify, document and memorialise war graves.

In contrast, post-apartheid heritage, was conceptualised as unifying, and as referring to an assemblage of a wide range of institutionally ordered material and immaterial ‘things’



⁸ See, Leslie Witz, *Apartheid's Festival: Contesting South Africa's National Pasts*, (Bloomington & Indianapolis: Indiana University Press, 2003), Introduction.

⁹ The Union of South Africa was created in 1910 to unite under one government four British colonies, the Cape, the Natal, the Transvaal and the Orange Free State, the last two being former independent Afrikaner republics until they lost their independence in the South African War (Anglo-Boer War) of 1899 to 1902.

¹⁰ In a series of meticulously researched academic pieces Merrington traces emergence in of organisations and later state organs, such as the National Trust for Places of Historic Interest or Natural Beauty (National Trust) of 1895, the South African National Society (SANS) of 1904 to the 1960s, the Guild of Loyal Women (The Guild) and the Violet Cecil's Victoria League. The Guild was found in 1900, during the South African War by women loyal and committed to the British imperialist cause in South Africa. It is reported to have performed memorial work of erecting steel crosses as memorials for the graves of fallen soldiers during the South African War. During the First World War, this task was carried out by the Imperial War Graves Commission which was set in 1910. During that time, the 'Guild' had since 1911 merged with the Violet Cecil's Victoria League which later incorporated Dutch women and extended its work to cover graves of fallen Afrikaner soldiers and to support Afrikaner women. The Victoria League was founded in 1901 by British pro- Alfred Milner women such as Violet Cecil and Edith Lyttelton who became powerful British imperialist propagandists, to advance British imperialist objectives. The Suid-Afrikaanse Vrouwe Federasie (SAVF; South African Women's Federation) formed in 1900 was a pro-Afrikaner nationalist federation purposed at providing support to Boer women in the post-war period. See, Peter Merrington, 'Masques, Monuments and Masons: The 1910 Pageant of the Union of South Africa', *Theatre Journal*, 49:1 (March 1997); Peter Merrington, 'Heritage, pageantry and archivism: creed systems and tropes of public history in Imperial South Africa, circa 1910', *Kronos*, 25 (1998) 129-151; and Peter Merrington, 'The Guild of Loyal Women, freemasonry and memorial architecture', paper presented at the UNISA Library Conference (3-5 August, 1998). See also, Julia Bush, *Edwardian Ladies and Imperial Power* (London: Leicester University Press, 2000) and Elizabeth van Heyningen, 'Women and Gender in the South African War, 1899-1902', in Nomboniso Gasa (ed.), *Women in South African History: They Remove Boulders and Cross Rivers* (Cape Town: HSRC Press, 2007).

under the umbrella of national estate.¹¹ Secondly, the post-apartheid heritage practice presented a shift of inclination and approach from monumental to memorial. It was a shift from a conservation practice dominated by a materials-oriented settler culture of commemorating and preserving aspects of the past through museums, monuments and sites. This was confirmed by the replacement of the National Monuments Council (NMC) with the South African Heritage Resources Agency (SAHRA)¹², an agency mandated not to erect monuments but to declare and protect a range of sites and objects composing what is called the national estate. Thirdly, the ‘three-tier system’ adopted for classification of heritage resources into national, provincial and local levels of significance was a new feature. In addition to SAHRA, the legislation provided for the establishment of Provincial Heritage Resources Authorities (PHRA) for the outspreading of declarations and conservation to provincial and local levels.

Despite the obvious newness in approach, there was no clean departure from the past conservation approaches and their hierarchisation of knowledge. Although there were claims to community consultations and alternative knowledge, it was still the knowledge contained within academic disciplines that prevailed. Identification of ‘potential’ heritage sites and implementing heritage projects were still made verifiable by ‘experts’ such as archaeologist, historians and heritage practitioners. Besides, collecting and conservation approaches derived from racial, ethnic and cultural classificatory systems prevailed. Nonetheless, power/knowledge was negotiable rather than coercive or repressive. While a network of scientific disciplines, institutions and agencies produced the ‘regimes of truth’, through which things were accorded value and preserved for posterity, these were negotiated, contested, reinforced, redefined and diffused, rather than imposed.

¹¹ A concept adopted from the Australian heritage law. For example, *Australian Heritage Commission Act* (1975) and its *Register of National Estate*.

¹² SAHRA was established by the *National Heritage Resources Act No. 25 of 1999* (NHRA), to ‘safeguard, protect and manage declaration, preservation and conservation or heritage resources comprising all heritage resources comprising the ‘national estate’.

This chapter addresses the questions of what it meant to legislate, nationalise, collectivise, institutionalise, and designate heritage; how the law created a framework for heritage production; how the legal framework reinforced notions of heritage as concerning built environment; and how, by creating an inheritance for ‘the nation’ called national estate, it effectively wrote a will for ‘the nation’.¹³ The focus is the network of institutions and agencies that the legislation established, and their scopes of operation within the nexus of knowledge production.

I evaluate post-apartheid heritage legislation through a study of the various deliberations and discussion documents which informed the heritage bills, the policies and practices it informs, the bodies it established, the discourses it produces and the apparatus it deploys. I argue and illustrate that there has been no clean disjuncture of the post-apartheid heritage legislation from the historicising, memorialising and conserving practices of the ‘colonial’ eras. In fact, many features point to the continuities rather than discontinuities. I also discuss the new heritage practice as one that constitutes itself in relation to a nationalising and nation building trajectory. At the same time, I represent temporalities and shifting trends that cannot be held down to account for any particular era or dispensation. I demonstrate that there are many features of the previous practices in what might appear as peculiarly post-apartheid.

Making a new heritage assemblage

In his analysis of the work of culture, Tony Bennett considers the material processes through which culture is made as assemblages of networks of relations. The processes involve accumulation, classification, codification and ordering of varied kinds of objects, knowledge

¹³ Leslie Witz, ‘Transforming Museums of Postapartheid Tourist Routes’, Ivan Karp, Corine Kratz, Lynn Szwaja and Tomás Ybarra-Frausto with Gustavo Buntinx, Barbara Kirshenblatt-Gimblett and Ciraj Rassool (eds), *Museum Frictions: Public Cultures/Global Transformations* (Durham: Duke University Press, 2006).

and practices to constitute culture. Bennett likens these processes to, for example, ‘the bringing together of various kinds of writing to form literature or of painting to constitute art’.¹⁴ Similarly, an assemblage of buildings, sites, objects, cultures, traditions and knowledge systems, that are produced, stored, accumulated, codified and disseminated by a network of institutions and agencies, has come to constitute heritage. As Bennett demonstrates regarding culture, designating heritage involves setting in place ‘specific relations between objects and practices’, ‘institutionally produced zones of cultural action’, and ‘institutional mechanisms and the forms of expertise’.¹⁵ Thus, analysing the work of post-apartheid heritage involves attending to the assemblage of legislations and policies that set the work into motion; the varied structures and frameworks of the institutions and agencies established to facilitate the making of heritage; as well as the knowledges and meanings giving rise to differentiated ensembles such as tangible and intangible heritage.

The post-apartheid practice legislated as heritage emerged out of processes of robust rationalisation of what arts, culture and heritage would mean and do to a post-apartheid nation. The arts and culture categories approached and expressed as liberating and enabling freedom of expression had been to the liberation movement powerful tools of mobilising the masses. While the liberation movement was initially not concerned with heritage, it adopted the category of heritage amidst preparations for acquisition of state power and for becoming government.¹⁶

¹⁴ Tony Bennett, ‘The Work of Culture’, *Journal of Cultural Sociology*, 1:1 (2007), 5.

¹⁵ Tony Bennett, ‘The Work of Culture’ (2007), 5-6.

¹⁶ Among the ANC, the concept of heritage only became a matter of concern and engagement in the early 1990s, though for example: the ‘Looking Backwards Looking Forward: Culture and Development Conference, Johannesburg, April-May 1993, organized by the ANC Department of Arts and Culture; reports prepared and circulated by the Commission on Museums, Monuments and Heraldry set up in 1991, which was later replaced by Commission for Restructuring and Transformation of the Arts and Culture (CREATE) in 1993; the deliberations and reports by the Museums South Africa (MUSA) established in May 1994 in which the ANC had inputs; the deliberations and reports by the Arts and Culture Task Group (ACTAG) appointed by the Minister of Arts, Culture, Science and Technology in November 1994; as well as draft bills that were to later culminate in the *National Heritage Council Act* and the *National Heritage Resources Act* in 1999.

The ANC proposed a sectionalised approach for a post-apartheid ministry of Arts and Culture, which was to have three sub-ministries or directorates namely; performing arts, visual arts, and heritage.¹⁷ Thus, the ANC envisaged a separation of arts from heritage. There would be a directorate of arts, culture, education, sports and recreation, concerned with promoting artistic expressions of African-ness, within and through education and training, sports and recreation, performing arts (music, theatre, dance), visual arts (arts, crafts, photography), media, publishing and libraries. There would also be a heritage directorate concerned with monuments, museums, historical buildings and sites, archives, place names, and symbols. The heritage directorate was to be further divided into three administrative units: museums, monuments, historical buildings and sites; archives; national symbols, including place names.

Two years later, in November 1994, the Minister of Arts, Culture, Science and Technology of the new 'government of national unity' (comprising the ANC and the National Party) appointed and commissioned the Arts and Culture Task Group (ACTAG). Its mandate was in essence to review and recommend reforms of the arts and culture legislation existing at the time, of which heritage was a small component. At its very early stages ACTAG identified in the *National Monuments Act* (NMC) and within the work of NMC a 'bias' towards conservation of heritage associated with European colonists.¹⁸ The group subsequently recommended among other things the idea of inclusivity, to include for example, 'graves of all victims of conflict in South Africa, from land struggles to wars and the struggle against apartheid'. The document that largely informed the heritage bills; the *White Paper on Arts, Culture and Heritage* of 1996 (hereafter *White Paper*) was a combination of many view and proposals.¹⁹ It combined the ACTAG's proposals,

¹⁷ See, *ANC Draft National Cultural Policy* (1992).

¹⁸ *Arts and Culture Task Group, Second Draft Report* (May 1995).

¹⁹ Bills developed from the *White Paper on Arts, Culture and Heritage* included the *Draft National Heritage Bill, South Africa* of 1997 and the *National Heritage Bill* of 1998-1999.

investigations by the Department of Arts and Culture, inputs from the writers of the Draft White Paper on Arts, Culture and Heritage and its Reference Group, and the Arts and Culture Ministry's own views based on its understanding of the workings, possibilities and constraints facing the Government.²⁰

But, the influence of the ANC's *Draft National Cultural Policy* is very evident in the *White Paper*, which discussed a broad assortment, including:

archives, arts, culture and heritage associations and organisations, arts galleries and collections, choirs, cultural industries, historic places, individual practitioners, educators and learners in the arts, culture and heritage, institutions carrying out associated education, training and research, libraries and information systems, media and advertising, monuments, museums, performing arts institutions, and symbols.

By the end of 1998, these had been arranged in clusters and legislated in separate laws.²¹

To single out heritage, the main focus of its rationalisation was to revamp the apartheid memorialisation and monumentalisation centred on the concept of *erfenis*²², which fostered European identities and celebrated imperialist achievements.²³ While *erfenis* invoked meanings of the current concept of heritage, its scope of 'inheritance' was exclusive of traditions, values, customs and practices deemed African. It was an 'inheritance' conceptualised around land and built environment.

As an alternative, the liberation movement projected extension of the monumental practice to include preservation of values, customs, practices and knowledge systems deemed African, indigenous and timeless. There was an anti-apartheid and redress-oriented approach, propagating among others symbolic memorialisations for representation of 'the intangible'. It

²⁰ See, *The Arts and Culture Task Group, Second Draft Report* (May 1995), 80-81.

²¹ For example, the National Archives and Record Service of South Africa Act (No. 43 of 1996), National Film and Video Foundation Act (No.73 of 1997), National Arts Council Act, 1997 (No. 56 of 1997), South African Geographical Names Council Act (No. 118 of 1998), Cultural Institutions Act (No. 119 of 1998), National Library of South Africa Act (No. 92 of 1998), South African Library for the Blind Act (No. 91 of 1998), National Heritage Resources Act (No. 25 of 1999), National Heritage Council Act (No. 11 of 1999), and National Council for Library and Information Services Act (No.6 of 2001).

²² A Dutch or Afrikaans word for inheritance.

²³ Franco Frescura, 'National or Nationalist? A Critique of the National Monuments Council, 1936-1989', in Derek Japha and Vivienne Japha (eds), *National or Nationalist: The Work of the Monument's Council, 1936-1989*, Proceedings of the National Urban Conservation Symposium held at the University of Witwatersrand, Johannesburg, 12-14 July 1990.

was later translated into ‘living heritage’ and made a major feature of post-apartheid heritage legislation. After 1994, the ‘old’ were not entirely rejected, but were, as Coombes has demonstrated, refigured through new modes of historical inquiry and knowledge production.²⁴ The idea promoted was that,

we’ve got museums, monuments... national monuments should not be seen in isolation, but should be identified in a systematic programme for “cultural mapping”.²⁵

The coexistence of the ‘old’ and the ‘new’, and the different approaches they represented produced a bilateral effect in what became post-apartheid heritage legislation, which appeared to be founded on two phenomena.

On the one hand was the ANC’s pre-1991 arts and culture rhetoric dominated by calls for revival, recognition and appreciation of arts, cultures and traditions designated as African.²⁶ The rhetoric rejected the categories of heritage and heraldry as produced by the apartheid state. It promoted ‘consolidation of a cultural community, for national statehood, national territory, a national economy’.²⁷ It harnessed to the ANC’s anti-apartheid ideology an idea of culture as potentially liberating and resourceful, and not necessarily fixed or stagnant.

On the other hand there was the post-1994 deliberations among ACTAG and the Department of Arts, Culture, Science and Technology (DACST)²⁸, which embraced and refigured some of the apartheid heritage and heraldry, and harnessed them to the vehicle of arts and culture. In the new conceptualisations of tangible and intangible cultural heritage presented through ACTAG reports and the *White Paper*, sites, monuments and objects

²⁴ Annie Coombes, *History After Apartheid: Visual Culture and Public Memory in a Democratic South Africa* (London: Duke University Press, 2003)

²⁵ The *White Paper* (1996).

²⁶ The vibrancy of the ANC’s Department of Arts and Culture can be seen in its numerous papers, discussions and reports published in the ANC Journals: *Sechaba*, 1967-1990 and *Mayibuye*, 1991-1994.

²⁷ Alex La Guma, ‘Culture and Liberation’, *Sechaba*, Vol. 10 (Fourth Quarter, 1976), 52.

²⁸ On 1 August 2002, the department was divided into the Department of Arts and Culture (DAC) and Department of Science and Technology (DST).

forming part of the heritage landscape had their place and could be refigured, but the arts and cultures with ‘African’ tag were particularly a new addition to be given special attention.

Admittance of the museums category into heritage was a new and striking feature of the new assemblage. So was the insertion of the new heritage category of human remains and graves of the martyrs of liberation. Nonetheless, there was more emphasis on symbolic reparations and memorialisations, which seemed easily extendable to become all-encompassing of different interests than solid monuments. Symbolic reparations also seemed more compatible with the reconstruction and reconciliation agenda, and appeared to provide better sustainability, than incidental enactments and provocative performances of pasts.

While the two approaches later developed overlaps, it was such perceived dualism that informed the National Assembly’s vote on 8 February 1999, to split the *National Heritage Bill* into two, which effectively produced the *National Heritage Council Act* and the *National Heritage Resources Act*.²⁹ The two acts established two heritage entities; a council and an agency, one to focus on cultural expressions, and the other on ‘heritage’³⁰. The *Heritage Agency CC: Record of Consultative Meeting* analyses the two with an analogy of the National Heritage Council as a container and the South African Heritage Resources Agency as an institution that adds content.³¹ Nonetheless, further productions and reproductions of heritage and power dynamics at policy-making and implementation stages became so intricate as to dispel this notion of dichotomised heritage practice.

I discuss the split and its effects in detail in the next sections. But, it suffices to state in conclusion of this section that the coming together of ‘old’ and ‘new’ heritage conceptualisations produced a heritage assemblage drawn from ideas generated at different

²⁹ The National Assembly of the Republic of South Africa, ‘Leave given to split the National Heritage Resources Bill, (Draft Resolution)’, *Hansard, Portfolio Committee Debates* (8 February 1999).

³⁰ Almost similar to the heritage subsection 1.1.3 in the *ANC Draft National Cultural Policy*, which presented heritage as comprising monuments, museums, historical buildings and sites, archives, place names, symbols.

³¹ *Heritage Agency CC: Record of Consultative Meeting*, 24.

forums, among different groups and even around certain personalities.³² For instance, in 1996 UNESCO approached Mongane Wally Serote, the chairman of Parliament's Arts and Culture Portfolio Committee, to establish the South African Chapter of the Slave Route Project. Although the project did not take off in the envisaged manner, the *National Heritage Council Act*, No. 11 of 1999 particularly made provisions for protection of heritage produced around slavery. Slavery became one of the eight conflicts to be memorialised by Freedom Park for which Serote was the Chairperson of the Board of Trustees, and later the Director. Thus, it was a concept of heritage founded upon selected and/or merged pasts and histories across centuries, which relied largely on invoking vacillating notions of memory, traditions, culture and identity. Since the concept largely drew from these dynamic social constructs, it was a malleable heritage. It was adaptable to narratives of dispossession, resistance, reconciliation, nation-building, and even the rhetoric of an African renaissance that was later espoused by South Africa's second post-apartheid president, Thabo Mbeki.

From these deliberations, a heritage definition carried through the arts and culture and heritage commissions and bills was that of,

a sum-total of wildlife and scenic parks, sites of scientific and historical importance, national monuments, historic buildings, works of art, literature and music, oral traditions and museum collections and their documentation which provides the basis for a shared culture and creativity in the arts.³³

Such was the summary of the assemblage of heritage that the subsequent legislations dubbed heritage resources or national estate. It encompassed a whole lot of different 'things', within which was a number of ensembles such as living heritage via differentiated sub-divisions established by different sets of laws.

³² At the Myths, Monuments and Museums Conference held at the University of Witwatersrand in 1992, the concept of heritage only featured in three papers, one from the archaeologist Janette Deacon, one from the environmentalist Farieda Kahn, and another from the National Museum in Pretoria. But through the ANC's Commission for Restructuring and Transformation of the Arts and Culture (CREATE), Southern African Museums Association (SAMA), Museum South Africa (MUSA), and Arts and Culture Task Group (ACTAG), the concept gained currency as 'all-encompassing'.

³³ This is the definition provided by the *Arts and Culture Task Group (ACTAG) Report* (1995) and the *White Paper on Arts, Culture and Heritage* (1996).

It also created an imagining of heritage as a discernible and describable object with specific features and functions. Heritage was imagined as classifiable according to its various components, manageable uses and forms, such as heritage as a therapy, heritage as an economic resource, heritage for social cohesion, natural heritage, cultural heritage, national heritage, and living heritage. Thus, heritage easily became an object of study, monitoring, and control, which opened heritage up to scrutiny for 'its' failures and successes as either this or that.

Legislating heritage

Three main pieces of legislation emerged out of attempts to facilitate the making of a 'new heritage' for the 'new nation'. The first was the *Cultural Institutions Act*, Act No. 119 of 1998 (CIA), which re-worked the assemblage discussed above by separating museums from, for example, archives, libraries and national monuments, thus creating an ensemble within the heritage assemblage. The Act established the Northern Flagship and Southern Flagship institutions,³⁴ and a National Museums Division.³⁵ It also defined the composition and functions of the councils of the declared institutions, regulated use of property at the disposal of councils, and provided for payment of government subsidies to the declared institutions.

Out of the apartheid category of museums, the Act also declared a selection of ten institutions as national museums, and added to them Robben Island Museum as the first post-apartheid national museum.³⁶ The remaining museums were still coordinated and provided

³⁴ The Northern Flagship amalgamated the National Cultural History Museum, South African National Museum for Military History, and Transvaal Museum. The Southern Flagship amalgamated Michaelis Collection; South African Cultural History Museum; South African Museum; South African National Gallery; and William Fehr Collection.

³⁵ The National Museums Division consisting of directors of the declared cultural institutions was to advise the Minister of Arts, Culture, Science and Technology and perform duties as directed by the minister.

³⁶ The institutions were: Afrikaans Language Museum and Language Monument; Engelenburghuis Art Collection; Foundation for Education, Science and Technology; JLB Smith Institute for Ichthyology; Natal Museum; National English Literary Museum; National Museum; National Zoological Gardens of South Africa;

for in terms of ordinances, such as the Cape Province's *Museums Ordinance No.8 of 1975*, and were responsibilities of provincial governments. This created five museum categories: national, provincial, province-aided, local and independent museums. South Africa was therefore still dotted with museums legislated separately, operating independently, and with different frameworks.³⁷

Nonetheless, the museum practice took on a new shape. In terms of Section 4 of the *Cultural Institutions Act* all national museums whether a flagship institution or established as a separate entity like Robben Island Museum, became corporate bodies 'under control, and management and direction' of councils. The council consisting of at least seven members appointed by the Minister of Arts, Culture, Science and Technology, in turn appointed a Chief Executive Officer (CEO) responsible for the management of the flagship institution and reporting to the council on management affairs.³⁸

Under the dispensation of the CIA of 1998, the intangible aspect of heritage became a new 'object' of collection for many museums from the apartheid days that were previously fixated with conserving the material. From as early as 1997, in institutions such as the South African Museum (SAM, later part of Iziko Museums), the old category of cultural history adopted a new 'social history' tag. This occurred as some of the archaeological, anthropological and ethnographic collections and displays in these institutions came under scrutiny in the name of redress.

The next two pieces of heritage legislation to be promulgated were the *National Heritage Council Act*, Act No.11 of 1999 (NHCA) and the *National Heritage Resources Act*, Act No. 25 of 1999, which resulted from the heritage bill split I introduced in the previous section. The NHCA was informed by the *White Paper* of 1996, which proposed that a

Robben Island Museum; Voortrekker Museum; War Museum of the Boer Republics; and William Humphreys Art Gallery.

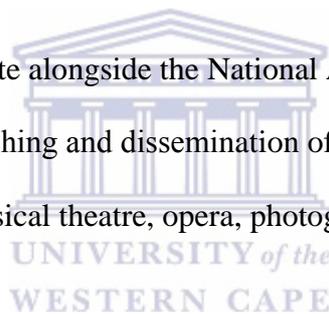
³⁷ For example, the *South African Museum Act* (1857) and its Amendment Act (1925).

³⁸ *Cultural Institutions Act* (1998), S 6.

heritage council be established. It also proposed that the National Monuments Council (NMC) be reconstituted as a division within a broader heritage council, alongside a division concerned with geographical names. This was based on the idea that the term monuments was narrow, and that heritage resources would be a preferred term.³⁹ The envisioned heritage council would essentially be at the centre of governance of all heritage resources, including monuments. It would also make policy and recommendations for heritage declaration, protection and conservation, and develop strategy and code of ethics for use of living heritage resources for cultural tourism.⁴⁰ Living heritage was defined as,

the intangible aspects of inherited culture, which include: cultural tradition; oral history; performance; ritual; popular memory; skills and techniques; indigenous knowledge systems; and the holistic approach to nature, society and social relationships.⁴¹

The heritage council would operate alongside the National Arts Council (NAC), whose role was ‘to promote the creation, teaching and dissemination of literature, oral history and storytelling, music, dance, theatre, musical theatre, opera, photography, design, visual art and craft’.⁴²



There was a general excitement about the ‘revival’ of African arts and cultures, and more especially around the imagined synergies between those arts and cultures and a desired citizenry. African culturalism was trending in policy-making, especially in the context of Deputy President Thabo Mbeki’s ‘I am an African’ speech, which he delivered on the occasion of the adoption of the new *Constitution of the Republic of South Africa* on 8 May 1996. Through the speech, Mbeki expressed ideas of a black African identity as intrinsically traditional, cultural and resilient to suppression, which he infused with the new national ideology of freedom, human rights, reconciliation and unity in diversity.

³⁹ *White Paper on Arts, Culture and Heritage* (1996).

⁴⁰ *White Paper* (1996), Chapter 5.

⁴¹ *The National Heritage Council Act No. 11* (1999).

⁴² *White Paper* (1996), Chapter 4.

It was in the same context that DACST Deputy Minister Bridgette Mabandla said as she presented the draft heritage bill to the National Assembly:

now is our time to sing, to dance, to paint, and to create. This is our right as citizens of South Africa. There is so much to look forward to, and so much work to be done. I trust we can do this as a united community with a common goal in mind.⁴³

It was a classic case of summoning cultural expressions in the work of making a post-apartheid nation with a collective cultural identity. Being cultural was turned into a right, similar to being alive, which therefore justified the setting up of institutions and structures of heritage ‘justice’ as proposed by the *White Paper*.

On 15 October 1998, the *Draft Heritage Bill*, B 138 of 1998 was tabled before the National Assembly. The document was slightly different from the *White Paper* for its new additions of Heritage Resources Division and South African Heritage Agency as divisions to fall under the envisioned national heritage council. At that stage, the NMC was omitted in the draft bill and would no longer constitute a division of the proposed National Heritage Council, but would be completely replaced by a heritage resources agency. The proposed agency would be in charge of the entire assemblage discussed in the previous sections. A new document, the *National Heritage Bill*, B139 of 1998 identified this assemblage as ‘national estate’ and ‘living heritage’, separated as follows:

National Estate:

places, buildings, structures and equipment of cultural significance; (b) places to which oral traditions are attached or which are associated with living heritage; (c) historical settlements and townscapes; (d) landscapes and natural features of cultural significance; (e) geological sites of scientific or cultural importance; (f) archaeological and palaeontological sites; (g) graves and burial grounds, including (i) ancestral graves; (ii) royal graves and graves of traditional leaders; (iii) graves of victims of conflict; (iv) graves of individuals designated by the Minister by notice in the Gazette; (v) historical graves and cemeteries; and (vi) other human remains which are not covered in terms of the Human Tissues Act, 1983 (Act No. 65 of 1983); (h) movable objects, including (i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens; (ii) ethnographic art and objects; (iii) military objects; (iv) objects of decorative or fine art; (v) objects of scientific or technological interest;

⁴³ <http://www.dac.gov.za/content/white-paper-arts-culture-and-heritage-0> Accessed on 20 May 2014.

and (v) books, records, documents, photographic positives and negatives, graphic, film or video material or sound recordings.⁴⁴

Living heritage:

(a) cultural tradition; (b) oral history; (c) performance; (d) ritual; (e) popular memory; (f) skills and techniques; and (g) the holistic approach to nature, society and social relationships.⁴⁵

I cite this extensively to illustrate how the two divisions informed rationalisation for the establishment of two independent bodies of heritage governance.

On 8 February 1999, after a brief discussion, the Parliamentary Portfolio Committee on Arts, Culture, Language, Science and Technology voted to split the new bill named *National Heritage Bill* into two; one for the establishment of a heritage resources agency, and another for the establishment of a heritage council.⁴⁶ The split effectively separated the ‘national estate’ and ‘living heritage’ outlined above, so they would be provided for by different laws. It distributed the draft bill’s multi-divisional framework between two pieces of legislation. Thus, the split informed rationalisation of separate bodies of heritage governance: a heritage agency set to regulate conservation management of objects and human remains, and a heritage council set to make heritage policy and promote arts and cultures. The implication was the birth of a heritage practice divided between scientific expertise in the resources agency and cultural ideologies and practices in the heritage council.

From the split, another new bill named *National Heritage Council Bill* was first to be presented for a second reading on 23 February 1999, and was promulgated as the *National Heritage Council Act*, Act No.11 of 1999. The Act established the National Heritage Council to:

develop, promote and protect the national heritage for present and future generations; coordinate heritage management; protect, preserve and promote the content and heritage which resides in orature in order to make it accessible and dynamic; integrate living heritage with the functions and activities of the council and all other heritage

⁴⁴ *National Heritage Bill* (B139-98), S.4

⁴⁵ *National Heritage Bill* (B139-98), S.5

⁴⁶ The National Assembly of the Republic of South Africa, ‘Leave given to split the National Heritage Resources Bill (Draft Resolution)’, *Hansard, Portfolio Committee Debates* (23 February 1999), 616.

authorities and institutions at national, provincial and local level; promote and protect indigenous knowledge systems, including but not limited to enterprise and industry, social upliftment, institutional framework and liberator processes; intensify support for promotion of the history and culture of all our peoples, and particularly support research and publication on enslavement in South Africa.⁴⁷

The Act also outlined how the council would be composed, its functions, powers and duties, term of office, meetings, committees, reimbursement of expenses, employees, finances, audits and reporting, the exercise of its powers outside the Republic of South Africa and the regulations it could make.

In April 1999, the *National Heritage Resources Act (NHRA) No. 25 of 1999* was written into law. The Act repealed the *National Monuments Council Act, Act No. 28 of 1969*, and replaced the National Monuments Council with the South African Heritage Resources Agency (SAHRA). It amalgamated the ‘heritage resources’ identified by the *White Paper* into an assemblage called national estate, and entrusted its declaration, safeguarding, protection, preservation and conservation to SAHRA. The Act’s definition of the national estate included places, buildings, structures, equipment, places, settlements, townscapes, landscapes, sites, graves and burial grounds, and objects, but omitted the term ‘monuments’.

Monuments appeared in the explication of the national estate presented in sections, as follows:

Section 32 and 33: heritage objects; section 34: structures or built environment; section 35: archaeology, palaeontology and meteorites; section 35: maritime and underwater cultural heritage section, ‘provided that the protection of any wreck in the territorial waters and the maritime cultural zone shall be the responsibility of SAHRA’; section 36: burial grounds and graves; section 37: public monuments and memorials; section 39: national inventory; section 13: Centre for Training, Research and Education.⁴⁸

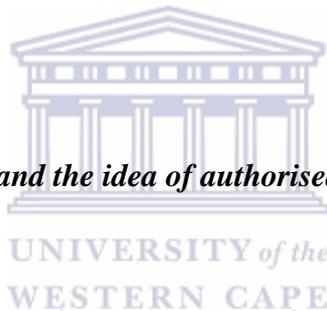
Section 37 stated that ‘public monuments and memorials must, without the need to publish a notice to this effect, be protected in the same manner as places which are entered in a heritage

⁴⁷ *National Heritage Council Act, No. 11 (1999)*, emphasis added.

⁴⁸ *National Heritage Resources Act, No. 25 (1999)*.

register referred to in section 30'.⁴⁹

Thus, national museums, the NHC and SAHRA were established by different laws, and so were other statutory bodies like the Geographical Names Council, and the National Arts Council, which were initially discussed together under arts, culture and heritage.⁵⁰ Essentially, the bill was separated between the draft bill's distinctions, such that the NHRA covered national estate, while the NHCA covered living heritage; hence the NHCA makes no reference to, or mention of national estate, just as the NHRA only makes reference to living heritage with regards to its association with objects or as an aspect of heritage. Also, the NHRA refers to management of heritage resources, defined as 'any place or object of significance', a term that does not appear in the NHCA.



A post-apartheid heritage sector and the idea of authorised heritage discourse

The *Cultural Institutions Act*, *National Heritage Council Act* and *National Heritage Resources Act* were by object and design predicated on notions of reconstruction and transformation. They formed part of a set of legislation aimed at establishing an integrated, state-funded and state-monitored system for conservation of cultural property, as well as construction of public historical knowledge about and for a new public citizenry.⁵¹

Democratisation was the central theme. From the ACTAG reports and the *White Paper*,

⁴⁹ *National Heritage Resources Act* (1999), Section 37.

⁵⁰ The National Arts Council and the Geographical Names Council were established ahead of the NHC and SAHRA, through the enactment of the *National Arts Council Act No. 56* (1997) and the *South African Geographical Names Council Act No. 118* (1998). Whereas the two pieces of legislation that established NHC and SAHRA were passed in 1999.

⁵¹ Also promulgated alongside the NHCA and NHRA were the *National Environmental Management Act*, No. 107 of 1998, the *Environmental Conservation Act*, No. 73 of 1998 and the *Cultural Institutions Act*, No. 119 of 1998.

through the heritage bills, heritage policy making was infused with 20 ‘transformation imperatives’:

human rights, freedom of expression, access, equity, redress, nation-building, multilingualism, diversity, autonomy, arms length, participation, accountability, transparency, conservation, achievement, innovation, co-operation, exchange, security, and sustainability.⁵²

It was a reformation project characterised by rejection of particular pasts, and establishment of new memories on new premises.

The NMC, sensing the blowing winds of reformation in the late 1990s, launched projects like ‘Claim your heritage’, through which the council engaged publics to nominate sites that they considered significant to their communities, ‘to honour democracy’.⁵³ Between 1999 and 2000, the NMC focused its work on what it called ‘historically neglected sites’. Together with the DACST, the NMC made noteworthy contributions to conservation and legal protection of sites linked with disadvantaged groups. Included in these were Legacy Projects⁵⁴ such as monumentalisation of the death site of Samora Machel in Mbuluzini; Nelson Mandela Museum in Mthatha; and the Constitution Hill in Johannesburg. Other projects included works at the Mapikela House in Mangaung; the Robert Sobukwe House in Graaff-Reinet; the Egazini battlefield site in Grahamstown; and Freedom Square in Soweto, as well as the ‘cultural places survey’ of Soweto; and surveys of Clainwilliam’s ‘Onderdorp’ and Waenhuiskrans, Canteen Kopje and Galeshewe in Kimberly.⁵⁵ Such activity won the NMC

⁵² ACTAG *Final Report* (1994), *White Paper* (1996) and the *National Heritage Resources Act* (1999).

⁵³ The project was launched in 1998. See, the NMC poster in, Gavin Whitelaw, ‘New legislation for cultural change’, *Natalia*, 30 (2000), 59.

⁵⁴ In 1996 the Department of Arts, Culture, Science and Technology (DACST), which split into two departments in 2002: Department of Arts and Culture (DAC) and Department of Science and Technology (DST), launched the Legacy Projects to ‘establish commemorative symbols of South Africa’s history and to celebrate its heritage’. In 1998, Cabinet approved and budgeted some 7 million rands for the initial eight projects. These were the Women’s Memorial, Ncome/Blood River Project, Samora Machel Monument, Albert Luthuli Museum, the Constitution Hill, Freedom Park, Nelson Mandela Museum and the Khoisan Heritage Project. See, Department of Arts and Culture website, <http://www.dac.gov.za/content/legacy-projects> Accessed on 15 September 2014. See also, Sabine Marschall, *Landscape of Memory: Commemorative monuments, memorials and public statuary in post-apartheid South Africa* (Leiden: Brill, 2010), 175-207.

⁵⁵ NMC *Annual Report* (2000), Executive Summary, 3.

consideration for being reconstituted as a division within a larger heritage council. This, as seen above, did not materialise with the actual constitution of the NHC.⁵⁶

A new heritage sector was born, within which museums, monuments, objects, sites and ‘cultural expressions’ were, through legislation, amalgamated under heritage. It was the notion of heritage as useable in many ventures. With such intensive, seemingly ‘democratising’ heritage policy-making, the outcome was an explosion of heritage activity across the country. And it seemed, it was heritage used to regulate narratives, facilitate nation-building, identity-making, and social and cultural change, in the manner that Smith describes the uses of heritage in the context of an authorised heritage discourse.⁵⁷

New public memory and heritage projects permeated the public landscape. New museums were launched, new sites, monuments and symbolic memorials were erected, new objects were declared heritage, just as the old museums, monuments and sites went through robust revisions. More Legacy Projects were launched, including the Women’s Memorial, Ncome/Blood River Project, Albert Luthuli Museum, the Constitution Hill, Freedom Park, and the Khoisan Heritage Project. Besides, the old museums particularly became epitomes of change, effecting complete overhaul or partial adjustments of their collections and exhibitions.⁵⁸ The museum sector documented and publicised numerous actions involving temporary or permanent removal, from the public eye, of exhibitions associated with stereotypical ethnographic classifications and depictions of certain races and ethnicities.⁵⁹ At the same time, awareness of heritage’s potential for economic benefits, mobilised communities to embark on new cultural-tourism ventures marketed as heritage. post-apartheid

⁵⁶ See the *White Paper for Arts and Culture*, Chapter 5.

⁵⁷ See, Laurajane Smith, *Uses of Heritage* (London: Routledge, 2006).

⁵⁸ Leslie Witz, ‘Museums, Histories and the Dilemmas of Change in Post-Apartheid South Africa’, *Working Papers in Museum Studies*, No. 3 (University of Michigan, (2010).

⁵⁹ For example, Iziko Museum (formerly South African Museum) closed down its ‘Bushmen’ diorama in April 2001.

With such booming heritage activity, what post-apartheid heritage legislation appeared to have produced was new conceptualisation of heritage. Through the legislation, the government appeared to have successfully ‘democratised’ heritage, and heritage appeared to be state-created and controlled. The legislation purportedly enabled involvement and participation of individuals and groups from all walks of life in heritage production, and made diversity in race, ethnicity, class, gender, creed and cultural practices a central mission of heritage work.

Indeed, South Africa was applauded for what commentators saw as an iconic post-apartheid heritage legislation and practice. Vincent Négri, a legal expert and consultant for international heritage organisations, commented that post-apartheid heritage legislation epitomised commitment to ‘proclaiming the principle of continuity in legal domain’.⁶⁰ Négri considered it a better recourse to embrace rather than reject former colonial powers, for the sake of economic benefits and stability. Webber Ndoro, an archaeologist and world heritage expert, also compared the heritage assemblage produced by the NHRA with the heritage laws of other post-colonial states. Ndoro was pleased with its width, depth and inclusivity.⁶¹ He argued that South Africa was exempted from a scenario of a heritage discourse dominated by notions of heritage as ‘old or ancient’, but reflected a legislation informed by current trends.⁶²

In the opinion of a South African architect and heritage scholar Karel Bakker, post-apartheid heritage practice is iconoclastic, for removing representations of certain pasts including statues and place names. Yet, Bakker acknowledges that the practice tactfully embraces and reconciles elements of the past with the present.⁶³

⁶⁰Vincent Négri, ‘Introduction to heritage law in Africa’, in Webber Ndoro, Albert Mumma and George Abungu (eds.), *Cultural Heritage and the Law: Protecting immovable heritage in sub-Saharan Africa*, ICCROM Conservation Studies 8 (Italy: ICCROM, 2008),

⁶¹ Webber Ndoro, ‘Legal definitions of heritage’, Table, 33.

⁶² Webber Ndoro, ‘Legal definitions of heritage’, 31.

⁶³ Karel A Bakker and Liana Müller, ‘Intangible Heritage and Community Identity in Post-Apartheid South Africa’, *Museum International*, 62: 1-2 (2010), 1.

What then was the meaning of this supposed ‘change’ that took on the appearance of democratic participation? What did it mean for sites, objects and cultural expressions to become heritage through a set of laws called post-apartheid heritage legislation? Did the legislation enable an authorised heritage discourse? To answer these questions, I consider the frameworks that the legislation created for the management of heritage sites, objects and practices. I consider the forms and structures of power it established in the form of administrative systems. I consider whether or not these were set to enable a particular discourse that could naturalise and privilege certain narratives, experiences and meanings, and create boundaries to exclude, dismiss or undermine the authority of others. And I argue that although post-apartheid heritage legislation took a particular form, and was fundamentally authorised through government, the assemblage of things, people, ideas, meanings, practices, and approaches that it created, operated in very complicated ways. The operations developed into an entanglement that undermined the notion of authorised heritage discourse.

Firstly, the legislation opened the scopes of sites, objects, and cultural expressions to virtually anything ‘of cultural value’. It opened the role of declaring and protecting these to ‘heritage authorities’ at different levels, including local, provincial and national. It also opened participation in identifying, producing, conserving, preserving and restoring cultural heritage items of different forms to ‘communities’ represented or led by practitioners with different interests and specialisations. Indeed, becoming a domain of practitioners could easily be interpreted as becoming an authorised heritage discourse.

But the legislation established a bloated industry of manifold heritage productions. For sites, objects and cultural expressions to be virtually anything, the legislation was made so broad as to allow for multiplicity of heritage meanings and practices. While, the legislation was at different stages of its implementation praised for successfully democratising heritage-

making and improving access and participation, the supposed success has been queried by, for example, Ndukuyakhe Ndlovu.⁶⁴ Multiplicity opened up almost every stage of implementation for contestations. As scopes for diverse inputs were widened, competing interests sometimes generated tensions and accounted for delays and even unproductivity.

But this thesis is more interested in the negotiations, manoeuvres and improvisations, through which heritage was not just made and governed, but constantly revised and refashioned. SAHRA and the NHC, and museums and sites, all had tensions and conflicts developing within different areas and at different stages of their operations. Their inputs and outputs were not simple manifestations of dominant ideologies, by virtue of their utilisation to produce and disseminate grand narratives for nation-building. The knowledge produced, practices and approaches did not simply contribute to an authorised heritage discourse, by virtue of their *structuralisation*, institutionalisation and expertise-orientation. The post-apartheid agencies, councils, and institutions implemented the legislation by means of a string of revisions of not strategies and approaches, but the legislations itself and its founding meanings and knowledges. As I demonstrate in chapters Three, Four and Five, power, knowledges and meanings were extremely dynamic and constantly shifting; such that no particular heritage discourse could be particularly sited.

Secondly, post-apartheid legislation established a heritage practice of many contradictions. It established systems of control and set in place guidelines. For example, through the Cultural Institutions Act, museums were amalgamated into flagships, whose affairs were ‘under the control, management and direction of the council’ with determined functions, roles and responsibilities.⁶⁵ These, together with the chief executive officers they appointed, were accountable to the ‘minister’ for every action they implemented, and had to report of every operation and account for every cent. Also, declared cultural institutions could

⁶⁴ Ndukuyakhe Ndlovu, ‘Legislation as an instrument in South African heritage management’ (2011).

⁶⁵ *Cultural Institutions Act* (1998), S 5 and S 8.

not acquire, hire, sell, let, dispose or alienate any movable property, specimen, collection ‘without prior approval of the Minister’.⁶⁶

Yet adherence to policy in the execution of actions like appointments, reporting and accounting became a common challenge. This is not to say that compliance was the main indicator of whether or not post-apartheid heritage practice produced an authorised heritage discourse. But non-compliance was a highlight of a convoluted practice. It highlighted the magnitude of the network of role players and institutions, meanings, practices and approaches, and the complicated knots that role players had to detangle in their own fulfilment of policy. And, the contradiction was in that the legislation appeared to have established a practice of order and control. It created an impression of a heritage made simple by means of distinct administrative structures. Yet it created crisscrossing roles and responsibilities, which DACST acknowledged from ‘the beginning’ and mulled over for years.⁶⁷ It also deliberately set means for ‘redress’ through inclusions and exclusions, and negotiations to ‘bridge the divides’, and forge new canons and trajectories. It deliberately invoked particular ‘pasts’ and presents, to forge a collective but diverse memories, creativity and expressions.⁶⁸

Since I have already deliberated on the extent of the heritage assemblage that the legislation established, the next sections will dwell on the argument about a heritage practice of contradictions. I first consider the contradiction of order, standards and multiplicity through an example from the NHRA. I then consider the contradictions of authenticity, historicity and change. Lastly, I interrogate the very notions of change, transition and newness with regards to the post-apartheid legislation.

⁶⁶ *Cultural Institutions Act* (1998), S 4.

⁶⁷ Cultural laws such as the *National Heritage Council Act* were from as early as 2001 revised and amended over stages. See for example, *Cultural Laws Amendment Act*, No. 36, 2001; *Cultural Laws Second Amendment Act*, No.69, 2001; *Cultural Laws Third Amendment Bill*, G31082 / Gen 652, 2008).

⁶⁸ The White Paper of Arts, Culture and Heritage, which largely informed post-apartheid heritage legislation, invoked both collectivity and diversity to define the practices it envisaged.

Considering the NHRA, the three-tier system of identification, classification, declaration and management of heritage resources, which SAHRA implemented, was on its own a guideline. From it, SAHRA developed various other policies, standards and guidelines for the management of a range of heritage resources. Thus, the legislated category of heritage, which was meant to be a category of democratisation, became a category of governmentality, whereby everything called heritage had to be identified, classified, listed and managed. It reflected what Barbara Kirshenblatt-Gimblett has argued, that inventories and lists of declared objects and sites, like the world heritage concept of masterpieces, create standards.⁶⁹

This contradiction of freezing and fixing ‘things’ through standards manifested itself in a practice that was both forward and backward looking, and that commutes between making and unmaking of histories and heritages, pasts and presents. Looking backwards, it set out to unmake ‘the past’ and set new standards. Looking forward, it summoned histories, narratives, traditions and cultures that were deliberately fixed in some pre-colonial past, to make new pasts, histories and heritages, and to unmake undesired presents. But through all this, prerogatives of knowledge and meaning-making drifted from moment to moment between heritage ‘authorities’ and practitioners within DACST/DAC, SAHRA, NHC, museums, and sites, consultants, communities and stakeholders. Therefore, meanings constantly shifted, and so was the power that seemingly rested with heritage authorities and experts.

As another contradiction, institutions set to implement the legislation purported to be concerned with expression of authenticity, and with finding or collecting objects to authenticate narratives or histories. Yet their actual operations reflected the opposite.

Fundamental to the supposed authenticity quest was the notion of history as empirical or

⁶⁹ Barbara Kirshenblatt-Gimblett, ‘World Heritage and Cultural Economics’, Ivan Karp, Corinne Kratz, Gustavo Buntinx, Barbara Kirshenblatt-Gimblett, Ciraj Rassool, Lynn Szwaja, and Tomás Ybarra-Frausto (eds.), *Museum Frictions: Public Cultures/Global Transformations* (Duke University Press, 2006).

history as facts. Thus, the category of legislated heritage was about locating facts, drawing from the practices of the 'past'. Quite similar to the apartheid discourses that invoked, for example, *volk* as a category encompassing a specific people or nation, heritage too was brought in to govern by means of entrenching particular meanings.⁷⁰

For self-validation, heritage landed itself into the trap of the category of facts. Some were derived from romance or histories with happy endings. Some were derived from histories in the making, which represented perpetuity and notions of future hope. Narratives of colonial domination, suffering and fighting against 'it' were made facts and produced 'heroes of the struggle'. This in many ways implied replacing 'unwanted pasts' with wanted continuous presents, and conserving the presents through glances into some fixed pasts.

In that vein, old museums claimed transformation without 'paying attention to histories of collection, histories of categories and histories of classifications'.⁷¹ Human remains repatriated in terms of the NHRA, and as part of the transitional justice that sought to undo the dehumanising human studies and collecting methods of the past, were 'returned' to the same categories that enabled their collection.

For example, Sarah Baartman and Klaas and Trooi Piennar were, in the form of remains, 'returned' into Bushmanhood and Khoisanhood.⁷² Reporting about the 'return' of Klaas and Trooi Piennar, the Communications Director of the Department of Arts and

⁷⁰ *Volk*, a Dutch word for people or nation, was in that context particular to the Afrikaner people.

⁷¹ Ciraj Rassool, 'Towards the repatriation of skeletons in South Africa's museums: sacred and sensitive materials', *South African Museums Association Bulletin*, 27: 1 (June 2001).

⁷² Sarah Baartman, who had left the Gamtoos River valley in the Eastern Cape for England around 1810, had been made an object of curiosity and a subject of humiliating racial scientific studies in different parts of Europe, until she died in 1815, when the curiosity was turned to her physical remains. But 'her remains' were repatriated and buried in Hankey in 2002. Her grave was monumentalised as part of the Legacy Projects. In 2008, Baartman's grave site was declared a National Heritage Site through the work of SAHRA. See *Government Gazette*, No. 30987/460 (25 April 2008). The dead bodies of Klaas and Trooi Piennar had been extracted from their graves in the Karoo by an Austrian Anthropologist Rudolph Pöch, only to be identified about 100 years later in a Natural History Museum in Vienna, Austria. In April 2012, their remains were repatriated to South Africa and reburied in August 2012 in Kuruman in the Northern Cape.

Culture, Mark Lewele referred to them as the Khoisan couple.⁷³ And, the minister of Arts and Culture Minister Paul Mashatile said, ‘it is important for us that people realise that the Khoi and Bushmen do exist’.⁷⁴ Moreover, the remains were ‘matched’ with the living and buried among ‘their people’ near Hankey in the Gamtoos River Valley in the case of Baartman, and near Kuruman in the Kalahari region in the case of Klaas and Troy Pienaar. While further invasive scientific studies on black bodies were prohibited, and their ‘findings’ rejected, the categories of bushmen, Khoi, San and Khoisan were validated as reality and facts, by means of un-interrogated ‘physical remains’ like rock art, languages and practices. Although, as Ciraj Rassool has shown, this was ‘new knowledge’ produced for the purposes of facilitating the repatriation and reburials, which was new heritage made possible by the new legislation, the old essentialised categories of ethnicity remained the vectors of association.⁷⁵

While the whole quest for historicity and authenticity outlined above might be read as a classic case of AHD, Rassool’s deeper analysis of these processes reveal big contradictions pointing to the complexity of heritage-making. First of all, South Africa had no clear policy and guidelines for repatriation. The function was ambiguously placed under both SAHRA and the NHC, without any outline of implementation, and this is an issue I discuss in greater detail in Chapter Two. Rassool states that although the Austrians had seemingly ‘gone through all their bureaucratic requirements’, and made all necessary arrangements to return the Pienaars’ to South Africa,

from the South African side, there was no national policy on repatriation and thus no technical instrument to carry it out. The return of Sarah Baartman from the Muse´e de l’Homme in Paris 2002 had been an ad hoc presidential project.⁷⁶

⁷³ Mark Lewele ‘The Khoisan couple home at last’ (24 April 2012), <https://www.brandsouthafrica.com/people-culture/arts-culture/pienaar-240412> Accessed on 15 September 2016.

⁷⁴ ‘Return of Khoisan remains a milestone – minister’, News24 Archive (20 April 2012), <http://www.news24.com/SouthAfrica/News/Return-of-Khoisan-remains-a-milestone-minister-20120420-3> Accessed on 15 September 2016.

⁷⁵ Ciraj Rassool, ‘Re-storing the Skeletons of Empire: Return, Reburial and Rehumanisation in Southern Africa’, *Journal of Southern African Studies*, 41:3 (2015), 664.

⁷⁶ Ciraj Rassool, ‘Re-storing the Skeletons of Empire’ (2015), 664.

Thus, while the processes seemed bureaucratically ordered, they were mere improvisations driven by occasions.

Secondly, while the processes seemed to present opportunities for seamless performances of power by the state through its agencies, there were many opportunities for disruptions of such. Indeed, the highly publicised abroad missions, returns, burial ceremonies and physical memorials spelt-out government agency. But the episodic performances of ‘rehumanisation’ of Klaas and Troy Pienaar that were ‘laid’ at the hands of Petrus Vaalbooi had a big impact on the course, nature and public image of the repatriation. Vaalbooi was merely represented as ‘Bushmen traditional leader and healer’, who, as he featured at national and international events seized every opportunity to stall the processes so he could burn incense and meditate for and on behalf of the dead. But through his performances, he was ‘able to mediate the worlds of community, performative culture and international discourses of indigenous land and cultural rights’.⁷⁷ In fact, his invitation to participate was informed by a policy review related to recognition of the rights of ‘indigenous peoples to practise and revitalize their cultural traditions and customs’, as recognised by the *United Nations Declaration on the Rights of Indigenous Peoples* of 2007.⁷⁸ It was such malleable points in the legislation that opened way for performance of group identities.

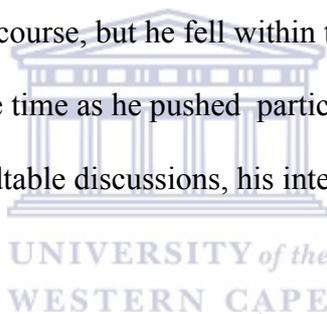
Nonetheless, while Vaalbooi’s role could be interpreted as a mere use of heritage to perform an identity, and therefore considered part of AHD, his contribution was not part of, or towards a particular discourse. Vaalbooi commuted between at least two fluid identities. One was that of a political and social activist for the rights and recognition of Khoisan communities, who dressed in western clothing, spoke Afrikaans, appeared in TV documentaries, and who was a trustee of multi-million rands royalties received by ‘his people’ in recognition of their indigenous knowledge. Another was that of a traditional

⁷⁷ Ciraj Rassool, ‘Re-storing the Skeletons of Empire’ (2015), 664.

⁷⁸ National Heritage Council, ‘Position Paper on a proposed Policy Framework on the Repatriation of Heritage Resources’ (January 2011).

healer, who dressed in animal skins, spoke Nama or ‘San languages’ and performed ‘San rituals’. His performance was carefully negotiated into the programmes and within periodic bounds, both spatially and in relation to time. It was a posed genuineness that had previously prompted Steven Robins to interrogate and analyse the supposed contrast between the ‘westernised’ Vaalbooi and the ‘more traditional’ Dawid Kruiper, both being leaders of the Khomani San. In Robins’s work, each character was presented as very carefully crafted, complicated, and dynamic behind the mask of rigidity.⁷⁹

The bottom line through was that these ‘shifting and incomplete’ identities were both manifestations of and responses to the pasts and new premises brought about by new legislations and new opportunities.⁸⁰ Vaalbooi positioned himself to produce not just as counter or alternative heritage discourse, but he fell within the ‘official’ structures as part of ‘national’ delegations, at the same time as he pushed particular agendas of his constituency. Like other ‘parties’ in those roundtable discussions, his interests were ‘served’ in consideration of those of others.



Nonetheless, the idea of newness or new premises was another contradiction that post-apartheid legislation transmitted, even when it contradicted with its material yields. While the idea was embraced by the likes of Vaalbooi for creating impressions of new opportunities, its contradiction was that most of the ‘new’ was reproduction of the ‘old’. Indeed, the legislation had been informed by debates about the grand transformation project of the post-apartheid state. According to those debates, change was not just imminent, and would be visible, it was necessary. The new heritage legislation was about transformation, not only of the heritage landscape, but also of meanings, for the benefit of ‘the previously

⁷⁹ Steven Robins, *From Revolution to Rights in South Africa’: Social Movements, NGOs and Popular Politics After Apartheid* (Suffolk: James Currey, 2008), 59-62. Steven Robins, ‘Silence in my father’s house: memory, nationalism, and narratives of the body’, in Sarah Nuttall, Steven Robins and Carli Coetzee (eds.) *Negotiating the past: The making of memory in South Africa. Southern Africa* (Oxford University Press, 1998).

⁸⁰ Anthea Simoes, ‘Bushman Identity as Shifting and Incomplete: A response to cultural tourism’ (Durban: Graduate Programme in Cultural and Media Studies, University of Natal, 1999).

marginalised'. For example, the *White Paper's* preference of the term heritage resources to the term monuments, which was in the *White Paper's* context shunned for narrowness, was not necessarily indicative of an inclination towards abundance. It was infused with meanings of heritage as intrinsically beneficial tangibly and beyond.⁸¹

Certainly, change occurred and manifested physically and in new meanings. The heritage sub-ministry of DACST erected some new post-apartheid monuments. At the same time, the practice changed and manifested a new epistemological project, a project of changing ways of knowing and understanding pasts and histories. Themes such as slavery, liberation and arts and culture were refigured and translated into heritage by means of material representations and mnemonic devices. These came in the form of ambiguous monuments posing as museological collecting institutions on the one hand, and sites of symbolic memorialisation on the other hand. Thus, heritage seemed to be made and governed in new ways.

But also manifesting deep contradictions, the 'new' practice, as in the old regimes, sustained itself through bare elimination, marginalisation and privileging of particular knowledges and meanings at the expense of 'others'. There was no perceptible difference between the object of heritage during the period 1948 to 1994, and the making and sustaining of the Union of South Africa between 1910 and 1948. Common trends across these political eras could be drawn through a common discourse of nation-building, which clued upon commonality in appreciating struggles, resistance and resilience of a particular human-kind against all odds,⁸² commonality in appreciating political, cultural, and artistic and aesthetic

⁸¹ *White Paper for Arts, Culture and Heritage*, Chapter 4.

⁸² By this I refer to the supposed 'noble' struggles and scavenges for survival by the European settlers in southern Africa as from the 1600s. For the sake of common heritage-making, narratives of the 'struggles' of settlers from different parts of Europe, who acquired the collective name of Dutch in southern Africa, and settlers from Britain, were brought together to a point of commonality. They were made to share a common narrative about struggling to survive and flourish in a new land.

scientific ‘achievements and advancements’, as well as commonality in appreciating the ‘natural’.

As it transpired, effecting transformation was more complex than a simple physical evidence of the ‘old’ versus the ‘new’. Neither tangible nor intangible beneficiation translated to simple binaries of producer and consumer, especially along the lines of power and control or domination. As Annie Coombes has demonstrated, the processes were not a simple matter of replacement of old with new.⁸³ Predominantly, not all ‘colonial’ histories and heritages were rejected; written-off or declared undesirable, but new historicisation involving refiguring of the past became the basis of a new desired heritage. Indeed, the new heritage-making and governance seemed to be about change to ‘do away with the past’. Yet it set and sustained itself by negotiating rather than removing ‘the past’.

For example, histories consumed in public domains had since the 1970s and 1980s been subject to vigorous discussions among and between academics and publics, especially during popular meetings and classes hosted by the History Workshops at the University of Witwatersrand and the University of Cape Town. But schools’ history, being a big concern of the liberation movement especially during the transition to democracy, saw establishment of commissions and special committees to see to the writing of new histories.⁸⁴ But these did not entirely exclude voices of the colonisers but refigured and re-appropriated them.⁸⁵

While this might appear as a state-sanctioned manoeuvre with pasts and histories to produce an authorised heritage discourse, the merits of these negotiations are worth considering. As discussed earlier in this chapter, post-apartheid heritage legislation was a product of deliberations among and between different commissions, and by task teams

⁸³ Anne Coombes, *History After Apartheid: Visual culture and public memory in a democratic South Africa*, (Durham: Duke University Press, 2003); Leslie Witz, ‘Museums, Histories and the Dilemmas of Change’ (2010).

⁸⁴ The struggle for the history discipline to reassert its positions was long and with a number of revisions. It is particularly interesting that history almost disappeared from the school syllabus after 1994 to be replaced by social sciences, which was divided between history and geography.

⁸⁵ Deborah Posel, ‘Social History and the Wits History Workshop’, *African Studies*, 69, 1 (April 2010).

composed of practitioners from the ‘previous’ heritage sector, activists, traditionalists, artists and academics with diverse interests in what would be a very vast arts and culture sector.

While the *White Paper on Arts, Culture and Heritage*, the resultant document of such negotiations seemed like a transcript of dominant ‘African nationalistic’ ideologies, its deep contradictions, ambiguities, overlaps and gaps evidenced difficult negotiations, compromises and new inventions. Therefore, conservation for posterity was not necessarily confined to preserving ‘natural beauty’, the ‘pristine’ or ‘rare’ things, people and places, or to memorialising historical events and cultural pride through monuments.⁸⁶ Neither was it confined to ‘the cultural, traditional and performative’, in accordance with the struggle discourse expressed in the ANC’s arts and culture policy documents, records of festivals and other cultural debates.⁸⁷

Moreover, while post-apartheid heritage legislation and its implementation seemed to rely much on disciplines and scientific practices like archaeology, anthropology, ethnography and architecture, these interacted with other structured and unstructured voices, knowledges and practices. Indeed, these scientific disciplines were generally ‘slow to transform’, especially with regards to their ways of producing, collecting, interpreting and disseminating knowledge, as some studies have shown.⁸⁸ And drawing from them, the legislation was premised on some fixed categories of African-ness, culture and tradition. But, post-apartheid heritage practice was such that deliberations, planning and implementation involved ‘experts’, government officials, non-governmental organisations, different interested or invited communities, groups, individuals and practitioners outside formalised disciplines.

⁸⁶ This refers to a phenomenon of heritage as encompassing preservation of buildings through restoration projects; protection and preservation of nature and wildlife called African heritage; promotion of particular cultures through preservation of household artefacts, dress, food, songs, folklore, and sports; and protection and restoration of ruins and artefacts from archaeological sites such as the Mapungubwe.

⁸⁷ For example, *ANC Draft National Cultural Policy* (African Studies Centre, University of Pennsylvania, 1994), http://www.africa.upenn.edu/Govern_Political/ANC_Cult.html Accessed on 12 February 2014.

⁸⁸ For example, Ciraj Rassool, ‘The Rise of Heritage and the Reconstitution of History in South Africa’, *Kronos*, 26 (August 2000); Ciraj Rassool, ‘Human Remains, the Disciplines of the Dead, and the South African Memorial Complex’, in Derek, Peterson, Kodzo Gavua and Ciraj Rassool (eds.), *The Politics of Heritage in Africa: Economies, Histories and Infrastructures* (New York: Cambridge University Press, 2015).

Public history production and heritage-making and work unfolded through negotiations between these groups, and in intermittent phases characterised by continuities and disruptions. Like public history production in the apartheid era, an era that has been discussed as complicated⁸⁹, post-apartheid heritage making was of no particular discourse and could not be fixed to a specific characterisation.

Thus, assuming a stark distinction between ‘colonial’ or ‘apartheid heritage practice’ and ‘post-apartheid heritage practice’ would be to commit what Gary Minkley has explained as divorcing discourses of the post-apartheid era from those of the modern.⁹⁰ In Minkley’s analysis, the post-apartheid heritage complex presents even more interesting surprises to the modernist approach. He demonstrates that there is not just one but many modernities in which post-apartheid heritage can be located, and that the ‘transition should not be viewed as mere shifts from one modality and modernity to another.

This complexity is also demonstrated by Madeleine Fullard and Nicky Rousseau, as they argue in relation to the TRC that, it is illusionary to imagine new historical, heritage and memory projects as representing a clean break from the past traditions of meaning and knowledge-making in South Africa.⁹¹ Just as the discipline of history has a tradition of nationalism and a ‘birth of a new official history’ and ‘a common national memory’ is not a new phenomenon. As in the case of the TRC, it was illusory to fathom new memory and heritage projects as marking a dawn of a ‘pre-ordained unfolding of a nationalistic core’, or official discourses of history and heritage.⁹²

Instead, as Thiven Reddy also asserts, the process was messier than commonly acknowledged through an ‘event history’ of transition from apartheid to democracy, which is

⁸⁹ See for example, Leslie Witz, *Apartheid’s Festival: Contesting South Africa’s National Pasts* (2003).

⁹⁰ See, Gary Minkley, ‘A fragile inheritor’ (Nov. 2008).

⁹¹ See, Madeleine Fullard and Rousseau Nicky, ‘Uncertain borders: The TRC and the (un) making of public pasts’, *Kronos: Southern African Histories*, 34 (2008), 215-239.

⁹² Madeleine Fullard and Nicky Rousseau, ‘Uncertain borders’ (2008), 217.

presented through a string of neatly bound ‘key moments in transition’.⁹³ There were continuities, just as there were ruptures between pasts and presents. Indeed, making ‘new’ histories and heritages involved ‘particular invocations and generation of a variety of ideological appeals to individuals and groups’, which might be interpreted as dominant ideologies.⁹⁴ But the invocations and appeals were not just one way, from ‘authorities’ to the ‘masses’, but back and forth. Besides, at the operational levels, no dominant ideologies sustained themselves through some continuous treads of deployment of power and knowledge. While the legislation seemed to create means for bold and forceful heritage governance, the implementation was carried out with much uncertainty, hesitancy, confusion, and trials and messy errors. Attempts at transforming museums created a host of uncertainties, which continued to emerge as the established and previously verifiable pasts underwent continuous probing and adjusting.⁹⁵

In the next chapters, I explicate the complexity of these processes. But at this stage I can reiterate the central argument of this chapter; that it is apparent that development of a post-apartheid heritage legislation emerged out of a resistance and struggle for new trajectories of conservation. The exercise seemed to be productive of authorising and formalising heritage discourse, since it set structures of heritage governance, within which particular notions of past, history, culture, tradition, memory and identity were to be processed for a desired nationhood and citizenry.

Yet none of these could always hold. At operational levels, the notions were constantly revisited and revised, interrupted, contested, negotiated, and manipulated, which

⁹³ Thiven Reddy, ‘From apartheid to democracy in South Africa: a reading of dominant discourses of democratic transition’, in Hans Erick Stolten (ed.), *History Making and Present Day Politics: The Meaning of Collective Memory in South Africa* (UPPSALA: Nordiska Afrika Institutet, 2007), 163. Reddy refers to divergent marginal, radical, revolutionary, reform and revenge discourses from among the leadership of the liberation movement and many heterogeneous groups that form the ‘masses’, as opposed to the conservative ‘reform from above’ but similarly heterogeneous discourses from the side of the regime and its supporters.

⁹⁴ Jan Blommaert, *Discourse: Key Topics in Sociolinguistics* (2005), 162.

⁹⁵ Leslie Witz, Museums, Histories and the Dilemmas of Change in Post-Apartheid South Africa, *Working Papers on Museum Studies*, 3 (2010), University of Michigan. The dilemma labels were in this case signs that museums displayed to inform visitors that certain exhibitions were undergoing change.

exerted pressure on the government for revision of the entire legislation. The merger of the discourses of the liberation struggle and the colonial historicising and conservation practices produced a network of multiple, diverse but interlinking inputs and outputs. First of all, distinctions between ‘the new’ and ‘the old’ could not be told, as ‘the old’ was no longer confined to the past, but was accorded new meanings and re-appropriated. Just like the new was no longer in the counter or alternative but proactive form.

Also, power/knowledge dynamically interchanged spaces between government officials, academic, professionals, practitioners and publics. Very intricate negotiations of these occurred in forums and processes of knowledge production, whereby mediations destabilised what could have been neat distinctions between the past and struggle ideologies and traditions. As I illustrate through examples in the next chapters, it becomes evident that the practice launched by post-apartheid heritage legislation, cannot be schematically analysed through dominant ideology theses. It also cannot be studied through authorised heritage discourse analyses. Besides, the emergence of some heritage work outside the ambit of the legislation was not necessarily heritage from below, or the countering of dominant ideologies or AHD.

CHAPTER TWO

Institutions of heritage governance

In setting up structures for the making of post-apartheid 'national' heritage, the new heritage legislation established a council and an agency, which became institutions of heritage governance. By definitions and roles, the National Heritage Council was visualised as a body of experts in cultural matters with enthusiasm for what was to become collective traditions, cultures and heritage, and which would devise means to forge a common meeting point for these in their diversity of formulations and meanings. In essence, the council was an extension and *permanentalisation* of the work of ACTAG, so that there was always a formal body with the structure and powers of an institution or a body corporate to nurture heritage-making, guard heritage, and steer its trajectories by making policy and advising the Minister of Arts and Culture. Looking at the new heritage legislation, it is apparent that the policy makers visualised the South Africa Heritage Resources Agency as the executive arm of the council, which would see to the actual implementation and enforcement of heritage rules and set trajectories.

In terms of the law, both institutions had set functions and activities. As it seemed, the agency was to produce and manage something called heritage resources, and the council was to coordinate the overall management of something called national heritage. In the *National Heritage Council Act*, No.11 of 1999 (NHCA), national heritage was not defined, whereas the *National Heritage Resources Act*, No.25 of 1999 (NHRA) defined heritage resources as encompassing a vast range of 'places and objects of cultural significance'. The National Heritage Council then was to become the organiser, director and supervisor of something not bounded by a definition in the legislation. It was about mobilising and being visibly active in the overall, although ambiguous in details with regards to what encompassed national

heritage. And, to become a heritage agency entailed being productively professional, and paying attention to detail in the operations of each of the vast and diverse areas in the new heritage practice. But is also involved being conflictingly ‘powerless’ and limited in the face of multiplicity of ‘other authorities’ identified as local and provincial in the NHRA.

This chapter performs a study of the operations of a council and agency established to manage production, safekeeping, and dissemination of the ‘nation’s’ heritage resources, with a focus on what the creation of the two institutions did to the nature of the post-apartheid practice. These were in effect supposed to be the two overarching authorising heritage bodies of post-apartheid South Africa. This chapter critically examines the processes through which SAHRA and the NHC have been organized, the form that each institution assumed in relation to the scope and frameworks created by the legislation, and more especially the actual operations of each institution, based on their interpretations of their mandates, and other factors constraining or empowering them.

The origins of the council and agency is the separation of the *National Heritage Bill* into two, which resulted in the promulgation of two pieces of legislation; the *National Heritage Council Act*, Act No.11 of 1999 (NHCA), and the *National Heritage Resources Act*, No. 25 of 1999 (NHRA). But the ‘split’ does not necessarily foreground this chapter’s interrogation of ways in which the two institutions might be considered. This is because the split creates an impression of dichotomised heritage governance. Although, the two bodies indeed developed into separate institutions of heritage governance, they operated separately, collaboratively and sometimes divergently. Thus, this chapter considers the two pieces of legislation as having widened avenues of heritage production and negotiation of meanings and knowledges, by multiplying the means, levels and fields of operation in a wide variety of areas. This opens a question of whether or not multiplicity achieved heritage democratisation and increased productivity, or complicated what could have been a simple practice

centralised between one government ministry and one council or agency. This chapter addresses this question by highlighting that post-apartheid heritage was produced through a multiplicity of scopes and levels of operation. Its production involved complex negotiations of inputs, such that the practice was too intricate to be simply analysed as AHD.

The main focus of this chapter is investigating the operations of the two institutions through the operational structures, sub-structures and procedures that each sets in place in order to fulfil its mandate and in order to be deliberately separate and different from the other. The chapter studies the roles of each, such as receiving, processing, and reviewing application and issuing permits and grants in the case of SAHRA, and promoting management of heritage resources in the case of NHC. This chapter analyses the separate, duplicated and overlapping frameworks of the two institutions, and the gaps, contradictions and ambiguities on which they are set up. But it is more concerned with what each sets out to do notwithstanding and withstanding the gaps, contradictions and ambiguities. Overall, this chapter investigates the manner in which these institutions govern heritage, to address the question of whether or not their operations produce authorised heritage discourse. It studies and discusses the nature of the heritage processed in these institutions, by examining their systems of thoughts, ideas, attitudes, courses of action, beliefs, practices and operations.

Constituting the institutions of heritage governance

In terms of the *National Heritage Council Act*, the body called National Heritage Council was a 23-member council consisting of five members, appointment by the Minister of Arts, Culture, Science and Technology; nine provincial representatives appointed by ‘the MEC concerned’; and the chairpersons of SAHRA, National Archives Commission, Heraldry Council, Board of the National Library and the two museums flagship institutions. make. The

23 members would elect from among themselves a chairperson and vice-chairperson.¹ To constitute SAHRA, the NHRA stipulated that the Minister of Arts, Culture, Science and Technology appointed 9 to 15 members representing each of the nine provinces of South Africa. The two Acts stipulated that appointments be based on the principles of transparency, representivity, ‘special competence, experience and interest in the field of heritage resources’.² The NHC and SAHRA were established as body corporates with fiduciary responsibilities including managing public finances. Thus, their performance, management and accounting standards were regulated by various other policies beyond the scopes of the NHCA and NHRA.³

In addition to the structures largely constituted by the ‘Minister’, who met at least twice a year in accordance with the NHCA and NHRA, both institutions had other structures of office or field-based ‘experts’. These were constituted to perform various operational functions aligned with the mandates of the NHC and SAHRA. The structures were expertise-oriented as the outline that follows will show, and might easily be associated with AHD. But the actual operations evidenced intersecting associations that transcended disciplinary and institutional frameworks. It is the complexity of these intersections that this chapter and the rest of the thesis focus on establishing.

The NHC and SAHRA organised their operational staff into units and committees. Each of these seemed to have a specific area of specialisation and focus very different from the other. These, being mainly in full-time employment and in constant contact with each other and with various publics, became the profiles of the institutions.

¹ *National Heritage Council Act*, (1999), S 6 (3a).

² *National Heritage Council Act* (1999), S 5; *National Heritage Resources Act* (1999), S 14.

³ Including the *Public Finance Management Act* (PFMA), Act No. 29 of 1999.

SAHRA accommodated its office-based staff at head offices on Harrington Street in Cape Town, and in satellite offices such as the ones on Paul Kruger Street in Pretoria.⁴ The NHC became more centralised, as it accommodated all its staff at the Dyster House on Sherborne Road in Parktown, Johannesburg, and later rented a bigger office space at Lynwood Glen in Pretoria. This was with the exception of the Provincial Coordinators who operated from different provinces. The operational teams in both institutions were headed by chief executive officers appointed by the institutions' respective councils, as stipulated in the NHCA and NHRA. And it transpired for both institutions that the 'executive powers' of the CEO expanded into an executive office with 'two or three centres of power', which included the Chief Financial Officer (CFO), and in the case of SAHRA, the Executive Officer: Cooperate Affairs and Executive Officer: Heritage Resources, or the Chief Operations Officer (COO) in the case of the NHC.

As shown in Chapter One, the organisation of SAHRA's units was patterned on sections of the NHRA. The units were;

Archaeology, Palaeontology and Meteorites; Built Environment; Burial Grounds and Graves; Grading and Declarations; Heritage Inspectorate; Heritage Objects; Maritime and Underwater Cultural Heritage; National Inventory.

To perform the functions of these units SAHRA employed practitioners qualified in archaeology, palaeontology, marine biology, geology, anthropology, architecture, history, art and cultural studies. All these were appointed as support officers for the 'Executive Office: Heritage Resources Management'.⁵ To support the 'Executive Office: Corporate Affairs', SAHRA employed registry clerks, office administrators, receptionists, librarians, human resources officers, data and information officers, caretakers and general assistants. Most of these were qualified in the areas of office administration, information systems and

⁴ The building on 111 Harrington Street, Cape Town is a Western Cape provincial heritage site due to its age, as it was built in 1834, and its former use, such as, by the first Attorney General of the Cape Colony, as the St George's Orphanage for Girls.

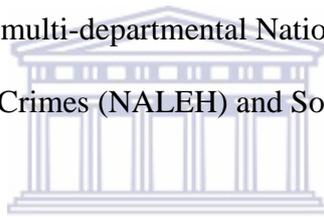
⁵ South African Heritage Resources Agency, 'Organogram' (1 April 2006), SAHRA Archives.

technology. To support the financial executive office, SAHRA employed a Chief Financial Officer, a Senior Financial Officer for ‘managerial finance’, a Senior Financial Officer for ‘monitoring and evaluation’, a Finance and Property Officer, an Assistant Property Officer and a ‘general’ Financial Officer.

Interestingly though, the NHRA dedicated its entire section 37 to public monuments and memorials, just like structures or built environment had their own section 34. Yet SAHRA created no unit for public monuments and memorials, but provided for them under the Built Environment Unit. This, as I show in the next sessions, was an early positioning of SAHRA, like its predecessor the NMC, as a preserving and memorialising rather than a monumentalising agency. As it transpired, SAHRA did not asset itself to erect any new monuments other than construct memorials on graves that its researchers and heritage officers ‘identified’ by as belonging to ‘heroes’ and ‘heroines’ of various anti-colonial struggles. In some instances, such items were ‘identified’ or recommended for declaration and protection by interested individuals and groups, or the government through departments like Arts and Culture. SAHRA then performed the turning of graves into monumental heritage resources through its Burial Grounds and Graves Unit, a unit staffed with professionals qualified in history, arts, cultural studies, heritage studies, archaeology, anthropology and heritage conservation.

In addition to the office or site-based operational teams, the councils or trustees of SAHRA, whose roles could have been non-operational or limited to overseeing operations, also organised themselves into committees shaped and positioned to take major operational decisions. For instance, the council of SAHRA organised itself into the Executive Committee, Audit Committee, Ad Hoc Permit Committee, Education, Research and Development Committee, Legal and Finance Committee, Living Heritage Committee, and

Transformation Committee, according to their areas of expertise.⁶ The council also appointed into these committees persons considered competent or possessing specific skills and expertise, as stated in Section 18 of the NHRA. Members of professional societies such as archaeological, geological and palaeontological societies were also invited to participate. The committees, together with SAHRA operational staff, met on demand to consider strategic plans and resolve issues pertaining to declarations, permits, applications and disputes tabled by SAHRA's executive officers and unit managers. They also held annual meetings with professional associations, hosted workshops, and represented SAHRA at professional and academic conferences related to their different areas of specialisation. Through the committees, SAHRA was also represented in other national and provincial committees, agencies and councils such as the multi-departmental National Agency for the Law Enforcement of Heritage Related Crimes (NALEH) and South African World Heritage Committee.



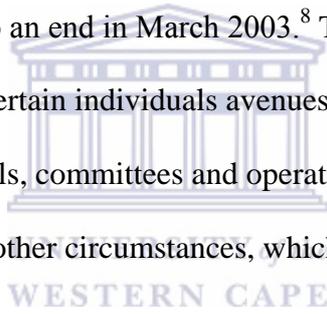
The committees developed regulations, guidelines, procedures and forms for SAHRA's major areas of operation, against which the committees would evaluate submissions including permit applications. *Regulations for Archaeological and Palaeontological Sections of the NHRA* for instance specified application procedures, minimum qualifications for archaeologists or palaeontologist to be issued with permits for work on national heritage sites. They also specified standards of practice for excavation and removal of deposits of objects from a heritage site and conditions for temporary and permanent exports of objects.⁷ With these in place, different committees with different approaches generated what eventually seemed to be autonomous knowledge and protocols through which SAHRA, governed heritage making. But as I argue in the next sections, these

⁶ South African Heritage Resources Agency, *Minutes of SAHRA Council Meeting* (16-17 August 2003), SAHRA Archives.

⁷ South African Heritage Resources Agency, *Regulations for Archaeological and Palaeontological Section of the National Heritage Resources Act* (2000).

were always subject to negotiations and subversions, and were in no ways SAHRA's instruments of authorising heritage.

In fact, the committees enlarged SAHRA's personnel to incorporate a wide range of professional networks, which then opened the agency's knowledge and meaning scopes to wider influences and opportunities of negotiation. Indeed, it was through the committees that SAHRA made major conceptual and operational decisions, from which national heritage resources were to take their dynamic shapes. For example, in 2002 the SAHRA Executive Committee (EXCO) made a crucial recommendation to the SAHRA Council, which saw the declaration of Mapungubwe Site and Makapansgat as National Heritage Sites. This was a strategic decision taken in order to achieve a declaration of at least two sites before the term of SAHRA's first council came to an end in March 2003.⁸ This example illustrates the lines of communication that afforded certain individuals avenues of influence. But as I expound in the next sections, different councils, committees and operational teams operated under different political, economic and other circumstances, which saw a number of twists and turns in SAHRA's operations.



Similarly, the NHC had such portfolio committees as;

Auditing, Corporate Services (renamed Human Resources and Remuneration); Marketing and Communications; Procurement, International Relations; Policy and Programmes; Research and Development; Finance, Fundraising and Funding.⁹

But to make up its operational team, the NHC did not necessarily create jobs in accordance with the committees, but created a structure to enable a corporately managed system at office level and in the implementation of its various projects. In 2004, the NHC launched with a simple organogram that linked the Chief Executive Officer, Chief Operations Officer and the Chief Financial Officer with support functions and positions such as the Human Resources Manager, Marketing Manager, Funding Manager, Finance Officer, Senior Administrative

⁸ South African Heritage Resources Agency, *Minutes of SAHRA Executive Committee Meeting* (4 September, 2002), SAHRA Archives.

⁹ National Heritage Council, *Annual Report* (2005-2006).

Officer, personal assistants to each executive officer, two researchers, a receptionist, at least one driver and one cleaner.¹⁰

But by 2014, the NHC's organogram had developed into a bloated system, which appended to the offices of the Chief Executive Officer (CEO), and Chief Financial Officer (CFO) such comparable titles and duplicated positions as:

Deputy Chief Financial Officer, Company Secretary, Senior Administrator, Executive Manager, General Manager, Personal Assistant to the General Manager, Project Manager, Heritage Manager, Heritage Administrator, Marketing Manager, Marketing Administrator, Funding Manager, Funding Coordinator, Funding Administrator, Finance Administrator, Management Accountant, Supply Chain Manager, Supply Chain Administrator, Senior Accountant, Senior Manager: General Ledger, Human Resource Manager, Human Resource Administrator, Internal Risk Manager, World Heritage Specialist, Media Officer, Public Relations Officer, nine Provincial Coordinators, Coordinator: Education and Advocacy, Coordinator: Heritage Programmes, Liberation Heritage Route Stakeholder Relations Officer, Research Specialist, Researchers, Receptionist, Driver, Registry Clerk, Housekeeper.¹¹

Among these, only the Project Manager, Heritage Manager, Heritage Administrator, World Heritage Specialist, the nine Provincial Coordinators, Coordinator: Education and Advocacy, Coordinator: Heritage Programmes, Liberation Heritage Route (LHR) Stakeholder Relations Officer, Research Specialist, and researchers worked with the concept of heritage. The rest made up a support system with an indirect contribution to heritage-making. Besides, among the portfolio committees mentioned earlier, only the Policy and Programmes Research and Development Committee was organised around the concept of heritage. For the rest of the committees, heritage was viewed through considerations of other matters related to financial and human resources, and public relations. Nonetheless, in its annual reports, the NHC presented this compound as a coherent organisational structure that accounted for efficiency in the NHC's fulfilment of its mandate.

¹⁰ National Heritage Council, *Annual Report* (2005-2006).

¹¹ National Heritage Council, *Annual Report* (2013-2014), 6; National Heritage Council, 'Organisational Structure', <http://www.nhc.org.za/about-us/nhc-business-structure/> Accessed on 25 August 2016.

Such was the constitution of SAHRA and the NHC, and their development into multi-tiered, multifarious networks of professions and expertise, although with varied inputs in the actual work of heritage governance. As it seemed, the two institutions were by design and outlook bureaucratic organisations of heritage governance. Their structures can be seen as representing governance through professionalism, expertise, rules, regulations and guidelines, and stringent reporting and accounting procedures.

Indeed, it was through these structures that SAHRA and the NHC represented themselves as images of coherent processes, congruence and efficiency, which were in essence parades of uniformity rather than representations of reality. Their annual reports were such opportunities for councils, executive officers and heads of departments, units and programmes to present harmonized accounts designed to mask irregularities. There were even occasions for convoys of these officials to present their work before parliamentary portfolio committees, which evaluated them on their adherence to the laws and the stipulations thereof. For example, the NHCA stipulated 'submission of a business plan to Treasury no later than a month before commencement of each financial year', after which the NHC was to publish an annual report, and provide annual parliamentary briefings.¹² Failure to do so might result in a harsh reprimanding by the parliamentary portfolio committee concerned, and even suspension of government subsidy by DAC until the issues were resolved. The laws were specific, and demanded a resolute resolve to adhere, and to ensuring adherence by all participants in the heritage practice.

But, this chapter argues that bureaucracy was but one element of a more complicated system of heritage governance, which seemed highly ordered, although it sometimes was chaotic, as the structures sometimes could not hold. From what it seemed, there were clear lines of authority and protocol. Yet, at times there were inadequacies causing delays and

¹² *National Heritage Council Act* (1999), S 12 (3) (a).

breaks in the systems. There were also misperceptions and inconsistencies about the scopes and spheres of influence and control over the various areas and levels of heritage work. Actually, heritage governance sometimes fell simultaneously within and outside the spheres of SAHRA and the NHC, or within and outside any structures of regulation.

In this chapter I critically examine how SAHRA and the NHC actually operated to implement the NHCA and NHRA. With a focus on the frameworks, scopes and limitations of the two bodies, I examine the networks that intersect around the inter-institutional objectives of governing or managing a section if not ‘the entire’ assemblage of heritage resources designated by the post-apartheid heritage legislation. Thus, rather than pin-point an epicentre of productivity, the question of who governs post-apartheid heritage seeks to highlight these intersections, that sometimes reinforce and sometimes revoke one another within a broad nexus of heritage governance.



Who governs post-apartheid heritage?

There are three general misperceptions about post-apartheid heritage governance addressed in this chapter. The first is the notion of absolute powers and distinct mandates and roles vested by the legislation in SAHRA and the NHC, such that each seems bounded and unambiguous in scope and functions.¹³ The second is the notion of parallel operations or dual heritage governance shared between SAHRA and the NHC, which is perceived to create a dichotomised heritage practice.¹⁴ The third is the notion of coherent multi-level protocols of heritage governance, of which SAHRA and the NHC are considered part.¹⁵

¹³ Sonwabile Mancotywa, ‘National Heritage Council and its role, achievements and commitment to promoting cultural diversity museums in South Africa’, Address made at the Inclusive Museum Conference held at the University of Witwatersrand (1 July 2011).

¹⁴ Nick Shepherd, ‘Heritage’ (2008).

¹⁵ Ndukuyakhe Ndlovu, ‘Legislation as an instrument’ (2011).

(1) The idea of absolute powers, distinct mandates and bounded institutions

Regarding the perceptions of SAHRA and the NHC as insular and unambiguous in their operational scopes, I argue that none of the two had a mandate distinct and empowering enough to endow it with conclusive authority over post-apartheid heritage practice. Indeed, the terms of the NHCA and NHRA regarding the constitution of SAHRA and the NHC created an impression of clear-cut formats based on stipulated procedures, such as open nominations followed by formal appointments of council members by ministers, the setting-up of operational structures, and receipt of government subsidies, concluded by accounting and reporting. But, these processes were from the onset negotiated and intermittent than strictly structured and bounded.

Firstly, the mandates of the two institutions were ambiguous, overlapping and obfuscated in many ways, rather than distinct and simple. Both institutions began operations with a number of operational matters still ambiguous or pending. The Minister and MEC's played their part in appointing the councils, who were expected to assume their duties upon their formal inauguration. But the councils launched with a number of pending decisions and guidelines to draft. One concerned the means by which the full-time staff components would be constituted. No time specifics were stated for the drafting of organograms and formal appointment of operational staff. For such, the discretion of the councils applied. Another matter concerned reimbursement of members of the councils. Both the NHCA and NHRA indicate that the 'Minister may, with the concurrence of the Minister of Finance, determine the reimbursement of expenses incurred by members of the Council'.¹⁶ But for both SAHRA and the NHC, no clear directive came from the arts and culture and finance ministries. The matter was also left to the discretion of the councils.

¹⁶ *National Heritage Council Act* (1999), S 9; *National Heritage Resources Act* (1999), S 19.

As a result, from the passing into law of the NHCA in 1999, there were ‘delays’ before the first NHC was formally established in 2004. The NHCA was by the end of 2000 still scheduled for amendments, a process which stalled the constitution of the NHC for more than three years. Certain laws associated with the composition of the NHC were due for amendments, including a name change for the National Archives Commission listed in the NHCA, to the National Archives Advisory Council.¹⁷ The NHCA in particular was amended by means of the *Cultural Laws Second Amendment Act*, Act No. 69 of 2001, which shifted the role of appointing the council’s chairperson from the council members to the DACST Minister. The amendments eliminated waiting for a quorate debut council meeting to elect the chairperson of the NHC. Another amendment introduced an exclusion of council members employed by the state from receiving honoraria and/or reimbursements for expenses incurred for their council services.¹⁸ But the amendments were only intervention measures reflecting initial vacillations with regards to heritage governance.

Only in February 2004 was the first NHC formally constituted by DACST Acting Minister Mlambo-Ngcuka, who briefed the council to ‘coordinate, identify, promote and nurture our living heritage and history’.¹⁹ It was a team of academics, activists, and practitioners with expertise in areas such as history, arts, culture, language, archives, law and politics, chaired by historian and previous NMC, ACTAG and SAHRA council member Luli Callinicos.²⁰ Callinicos was a social historian with a ‘history from below’ approach to historical knowledge-making.²¹ Other members like Yonah Seleti, Demark Tungwana, Crain

¹⁷ *Cultural Laws Amendment Act*, No. 36 (2001).

¹⁸ *Cultural Laws Second Amendment Act*, No.69 (2001).

¹⁹ National Heritage Council, *Annual Report* (2005-2006).

²⁰ The first members were Luli Callinicos, Prof Yonah Seleti, Mr Stephan Welz, Ms Edith Morongwa, Ms Marie van Heerden, Prof Julia Wells, Ms Gladness Sibongile Mapalala, Mr Mxolisi Mlatha, Mr Ramakuntwane Selepe, Ms Mana Ramphele, Mr Denmark Tungwana, Dr Sifiso Ndlovu, Prof Crain Soudien, Prof Rocky M D Ralebipi-Simela, Dr Edna van Harte, Prof Alex Duffey, Prof Stanley Ridge, Prof Muzi Orman Ndwandwe, Prof Langalibalele Mathenjwa, Prof Dirk J van den Berg, Prof Louis J S Changuion, Judge Justice Moloto, Ms Dirkie Offringa, Mr Vuyani Jarana, and Prof Themba Msimang.

²¹ By ‘history from below’ I refer to the approach developed by the Wits History Workshop since the late 1970s, which promoted the notion of histories of ‘ordinary people by ‘ordinary people’.

Soudien, Ralebipi-Silimela, Langalibalele Mathenjwa and Vuyani Jarhana were involved in different heritage projects with SAHRA, the Freedom Park Trust, Robben Island Museum, District Six Museum, Ncome/Blood River Monument and Museum and Nelson Mandela Museum.

To add to the 23-member council stipulated in the Act, the minister permitted invitation of museums like Robben Island, Voortrekker, Nelson Mandela, Natal, National English Literary, Bloemfontein National, National War and William Humphrey's Art into the council, which raised the number to 27. Indeed, the team looked wisely constituted and balanced in many ways. Yet it still lacked representatives of KwaZulu-Natal and Gauteng Provinces. While members like Mathenjwa and Ndwandwe were from KwaZulu-Natal, the two technically represented the Voortrekker and Natal Museums respectively, and not the province. The 'omission' was in contravention of the NHCA. But since the implementation was approached with tentativeness and acknowledgement of grey areas, the NHC developed through improvisations and negotiation. Accounting for the 'omission', the chairperson of the Parliamentary Portfolio for Arts and Culture Wally Serote referred to 'some practical technicalities known to the Minister'. His was an outright acknowledgement that certain issues would prevent the NHC from absolutely becoming the institution of national heritage management defined in the NHCA.

The need to exercise discretion in order to complement tentativeness and a lack of definite directives was evident in the early strategies of the first council too. With the first R14 million allocated by DAC, the NHC appointed its first office-based staff in November 2004. The former Eastern Cape MEC for Sports, Recreation, Arts and Culture, Sonwabile Mancotywa was appointed into the position of Chief Executive Officer (CEO). A young accountant, Kholiwe Makhohliso became the first NHC's Chief Financial Officer (CFO), and a political analyst and academic, Somadoda Fikeni became the Chief Operations Officer

(COO). The next positions filled through a hurried recruitment process were for functions like marketing, human resources, research, administration and reception. But the NHC opted to outsource functions like information technology, internal auditing and performance management through tendering processes. As for performance management, the decision to outsource involved allowing an external body to guide the organisation on matters as crucial as developing criteria to profile jobs, evaluate the performance and competence of its staff, and recommend skills development. The result was performance monitoring and evaluation that relied on monthly and quarterly reports by staff. When these were unavailable, the outsourced auditors were in no position to perform monitoring and evaluation.²² It was such kind of improvisations to mitigate ambiguity that kept the first NHC ‘absorbed with laying the foundational structures’ rather than ‘discussing what [it] considered to be [its] core business, and doing what [it] most enjoyed’.²³

Similarly, the early days of SAHRA were characterised by impulsive improvisations and commitment of irregularities. These included deployment of a team of DACST officials to work with SAHRA, and ad hoc staffing, which were not provided for in the NHRA. SAHRA’s first general meeting held on 31 March 2000 was even chaired by DACST Deputy Director-General Professor Musa Xulu.²⁴ In May 2000, DACST indicated its intention to withdraw its participation in the affairs of SAHRA, but SAHRA negotiated for further mentorship, which saw a continued participation of DACST members in SAHRA council.²⁵

Moreover, the first council meeting of SAHRA created interim positions not provided for in the NHRA. The former NMC and ACTAG member Professor Jabulani Maphalala was

²² See for example, South African Heritage Resources Agency, *Annual Report (2007)*, ‘Report from the Auditor General’, 143.

²³ National Heritage Council, *Annual Report*, ‘Foreword by the Chairperson: Luli Callinicos’ (2005-2006).

²⁴ South African Heritage Resources Agency, *Minutes of Meeting (31 March 2000)*, SAHRA Archives.

²⁵ South African Heritage Resources Agency, *Annual Report, 2001*, 3. Members of the first members of SAHRA council were, Henry Bredekamp (Western Cape), Luli Callinicos (Gauteng), Jeanette Deacon (Western Cape), J Dlamini (KwaZulu-Natal), R Harber (KwaZulu-Natal), Wandile Kuse (Eastern Cape), J Looock (Free State), C Louw (North West), H Manzini (Mpumalanga), Jabulani Maphalala (KwaZulu-Natal), V Marumo (NC), M Mojapelo (Gauteng), M Mosimege (Gauteng), K Ranchod (Northern Province), Ciraj Rassool (Western Cape).

elected into the position of interim chairperson of the council. The same council created an interim CEO position, into which it appointed another former NMC member, Andrew Hall. But tentativeness remained the order of the day for a while, as Maphalala resigned within two months of his election. Another former NMC and ACTAG member Wandile Kuse, a professor of languages, linguistics and arts and culture, replaced Maphalala as the council's chairperson.²⁶ And, in January 2001, the CEO position was finally offered to Pumla Madiba, who had previously held management positions in the Gauteng Department of Sports, Arts, Culture and Recreation. Madiba had studied 'world cultures and religions' at Cambridge University in the United Kingdom, and had a keen interest in policy development.

To understand SAHRA's early reliance on a range of experiences from the previous bodies like the NHC, it is imperative to consider what presented as an exigency for SAHRA. DACST considered it urgent for the sector to consolidate, integrate and coordinate the various arts and culture projects into a coherent sector, as the department's instalment onto the nation-building project. For what seemed like SAHRA assumption of an authorised heritage discourse, the institution was from the onset the face of South Africa's heritage professionalism. While the task of coordinating the heritage sector fell within the framework of the NHC according to the new heritage legislation, the lapses in amending the 'cultural laws' meant that SAHRA would solicit more 'expertise' than envisaged, in order to tap into arenas like museums, archives, libraries, and heraldry. Thus, the outgoing NMC was for a while a support system for the fledgling SAHRA, such that the first annual report to be published in the name of SAHRA in 2000 was prepared by the outgoing NMC.²⁷

²⁶ Wandile Kuse was ACTAG's Convenor of the Living Culture and Oral traditions subcommittee. Other members of the SAHRA council who previously served in the NMC were K Ranchod and J Lookk.

²⁷ The first SAHRA council took office in March 2000, and therefore had five months to submit an annual report to the Department of Arts, Culture, Science and Technology and the Auditor-General of South Africa, in accordance with the *Public Finance Management Act*. Thus the outgoing NMC prepared the report for the year 1999/2000. See, National Monuments Council, *Annual Report (2000)*, Executive Summary, 3.

The Parliamentary Portfolio Committee on Arts and Culture therefore understood some of SAHRA's early failures to comply with the NHRA. It noted without taking action, that the first SAHRA council failed to comply with Section 65(1)(a) of the *Public Finance Management Act*, by submitting its *Annual Report* late.²⁸ The committee also noted that SAHRA's 'financial statements [did] not disclose the movement of assets', that 'depreciation for additions were calculated for the full year, irrespective of the actual purchase date', and that the submitted report 'contained several over- and understatements, which were referred back to the management'.²⁹ Thus, as an institution still finding its feet, SAHRA began as an institution more concerned about functionality and operation, rather than compliance with the Act. I discuss the issue of compliance in detail in the next sessions, but its mention at this stage is to highlight how SAHRA was from the beginning an institution of improvisations rather than strict adherence to 'rules'.

It is also important to highlight at this stage that SAHRA and the NHC set out to operate in completely different ways, each carving what seemed like an independent area of dominance. But none achieved absolute autonomy to govern heritage with some contained authority. The NHC set itself up as an inward-looking knowledge and policy manufacturing plant, while SAHRA set itself up as an outward-looking service institution. Indeed, the two institutions seemed dissimilar. The most obvious contrast was in the heavily corporate managerial staffing of the NHC, as opposed to the heritage practice, skills-oriented staffing of SAHRA. Outwardly, each institution seemed to be an outpost of heritage authorities, whose work contributed to some central authorised heritage discourse engulfing 'the nation'. But tracing these institutions through their operations reveals many ways in which each institution

²⁸ The report for the financial year 2000/1 was submitted in 2002.

²⁹ Parliamentary Portfolio Committee on Arts and Culture, *Minutes of the Meeting* (5 February 2003), <http://pmg-assets.s3-website-eu-west-1.amazonaws.com/docs/2003/comreports/030402pcpaccountsreports.htm> Accessed on 17 August 2016.

failed to generate an authorised heritage discourse, or to exercise its given powers authoritatively.

As for SAHRA, the patterning of its units and committees on the sections of the NHRA created what seemed like neatly defined lines of communication, planning and implementation. As it seemed, the operational staff researched and ‘identified’ ‘potential’ national heritage resources. They also received applications and recommendations, and made recommendations to committees and/or the institution’s executive officers. The committees, where applicable, reviewed applications, dis/approved and made their recommendations with regards to the implementing teams. Similarly, the executive officers evaluated the proposed projects, recommendations, plans and budgets against the institution’s mandate, resources and capacity, and dis/approved. Operational staff, through the institution’s procurement procedures, implemented according to the committees’ and executive officers’ dis/approval. SAHRA then presented these processes through its annual reports as reflective of an effective but challenging heritage governance.

But the processes were fraught with challenges and largely reflective of inefficiency in governing heritage as stipulated in the law. Frustrations for those involved often emanated from funding deficiencies, which affected the capacity and efficiency of the entire organisation.³⁰ With such deficiencies, the bureaucracy was a cause for bottlenecks and a general frustration internally and between SAHRA and other parties. There was often a protracted turn-around time between the actions of ‘line staff’, committees and the ‘executives’. Both the executives and ‘line staff’ complained about overload. At the same time, committees did not meet as often as they should due to members’ other commitments. Thus, deadlines were missed, and implementation plans were often revised. Budgets were

³⁰ Interview with Dumisani Sibayi, SAHRA Heritage Executive Officer (29 July 2014).

also revised time and again to meet contingencies such as legal costs, which were often incurred as a result of SAHRA's failure to take and implement the right decisions, on time.

Slightly differently, the NHC appeared successful in fulfilling its mandate, although its operational structure lacked much of the internal consultative processes seen in SAHRA. The NHC was project oriented and operated more with committees and multi-sectoral teams coordinated by project managers. Its approach was largely unambiguously top-down, in the sense that projects were conceived and initiated within the NHC, or between the NHC and the Department of Arts and Culture, executed by invited multi-sectoral officers or representatives, and then 'rolled-out' to various publics. The NHC allowed the office of the CEO and its appendages such as the heritage managers and coordinators much scope of influence and dominance. A lot of praise for the achievements of the NHC was attributed to the 'personality and indefatigable activities' of Sonwabile Mancotywa, who held the CEO position in the NHC for more than 10 years.³¹

The first focus under the direction of Mancotywa was 'unearthing' histories of early southern African societies such as the Khoikhoi and San, 'recovering' and promoting works of African intellectuals, and travelling across the country promoting the 'new national heritage'.³² So much was the travelling that the largest spending in the first five years was on the administrative functions associated with travelling and marketing. Most of the travelling was carried out by Mancotywa and Fikeni, who became the faces of the institution in its early days. But the NHC also carried out most of its operations through portfolio committees comprising members of the council, the CEO, CFO, COO, and the managers.

³¹ See National Heritage Council, *Annual Report*, 'Foreword by the Chairperson: Luli Callinicos' (2005-2006); Sonwabile Mancotywa, *Critical conversations about heritage: popularising contemporary heritage issues* (Pretoria: National Heritage Council, 2014), Preface by Mxolisi Zwane. Luli Callinicos was the chairperson of the Council or Board of Trustees of the NHC from 2004 to 2007. Mxolisi Zwane became the chairperson of the Council or Board of Trustees on the NHC in 2011.

³² Parliamentary Portfolio Committee on Arts and Culture, *Meeting Summary* (20 May 2005), <http://pmg.gov.za/committee-meeting/> Accessed on 17 August 2016.

Certainly, the work of the NHC was candidly centred on transmitting dominant anti-colonial ideologies of resistance and triumph, and on mobilising ‘the nation’ around these as a common national heritage. In that way, the NHC seemed fitting a simple reading, as nothing but another validating agent of the post-apartheid state. But there was a lot more sophistication in the actual operations, which the NHC might not have anticipated. The work of ‘recovering’ and ‘promulgating’ required ‘quarterly or more meetings’ of the council.³³ It demanded so much beyond the council’s scope, that the first council self-admittedly spent the four years of its term without paying much attention to its ‘core business’.³⁴

From the onset, the NHC could not strictly adhere to its mandate, scope, and organisational structure. Its portfolio committees’ approach involved active engagement of members of the council in operational affairs encompassing planning and implementation. This then placed council members like Luli Callinicos at a level of direct engagement with challenges and contestations directed at the work of the NHC. By the end of 2008, some of the NHC’s interpretations of concepts like culture, traditions, identities, had been contested by the stakeholders and practitioners it worked, and had caused a number of revisions of strategies. In the NHC’s *Annual Report* of 2008, Callinicos reflected on these as challenges that directly confronted the council, rather than the operational team.

One of the issues that bothered the NHC, and directly challenged what seemed to be the ascendancy of the council and executive officers like Mancotywa and Fikeni, was overlaps and duplications in the national heritage legislation. Faced with conflicts of action plans with SAHRA, DAC and the DEAT, the NHC had to take ‘breaks’ and develop guidelines for its work and policies. Furthermore, while NHC seemed organised in order to easily comply with the government’s institution-monitoring tools like the *Public Finance Management Act* (PFMA), Act No. 29 of 1999, the actual operations got so messy that the

³³ National Heritage Council, *Annual Report*, ‘Foreword by the Chairperson: Luli Callinicos’ (2008).

³⁴ National Heritage Council, *Annual Report*, ‘Foreword by the Chairperson: Luli Callinicos’ (2008).

NHC ‘failed’ to comply with the PFMA in the 2005-2006 financial year. Its failure to comply was ‘in respect of policies and procedures that [were] not developed, updated or approved regularly’.³⁵ Therefore, Procurement Policy was among the NHC’s first guidelines and policies to be developed, alongside the Heritage Transformation Charter, and Terms of Reference for the Committees of the Council. In its institutional knowledge, the NHC apparently did not consider these contestations, failures and lapses as that which could hamper the heritage coordination and promotion work of the NHC. But they were enough for the chairperson of the NHC to proclaim effusively (and perhaps justify the immediate problems and failures) that the concept of heritage was ‘more complex, more nuanced, more exciting, more challenging, more consultative – more demanding!’³⁶

In 2007, the NHC reported that it had ‘entered the maturity and consolidation phase’ focused on quality and effectiveness, delineating roles, and ‘defining niche areas more clearly’.³⁷ The new council appointed in 2007 saw a need for the establishment of a new and larger organisational structure to increase the capacity of the NHC. With increased operations, the subsequent years also saw an increased need for development of more internal policies such as Promotions and Transfers Policy, Overtime and Acting Policy and Remuneration Policy. The NHC also expanded its programmes in a bid to widen its ‘national coverage’. But even with those in place, the NHC got into deeper financial compliance problems, which evidenced its failure to fall neatly within the government’s requirements for all government-subsidised institutions. By 2011, the NHC was still criticised for failure to make its programmes accessible to all, for irregular expenditure, for its outsourcing strategies, and for not yielding to threats and demands by the Minister of Arts and Culture.³⁸

Basically, the NHC was failing to govern heritage as authoritatively as mandated. It was

³⁵ See, National Heritage Council, *Annual Report* (2005-2006), 25.

³⁶ National Heritage Council, *Annual Report*, ‘Foreword’ by the Chairperson: Luli Callinicos (2008).

³⁷ National Heritage Council, *Annual Report* (2008), 17.

³⁸ Parliamentary Portfolio Committee on Arts and Culture, *Meeting Summary* (4 June 2011), <http://pmg.org.za/committee-meeting/13073> Accessed on 17 August 2016.

failing to be productive of a straightforward discourse of heritage, or to be all about planning according to a legislative mandate and executing plans. This then necessitated an 'organisational turning point' in 2010, to involve more stakeholders and mobilise 'the public' more.³⁹

Another interesting feature to note about the complexity of the NHC is that between the NHC and SAHRA, there was some level of interdependence on each other that complicated certain stages of establishment and development of these institutions. For example, the NHC could not be constituted until SAHRA and other councils like the Heraldry Council were appointed. The structure of NHC was by its design reliant on these chairpersons, as stipulated in Section 5 of the *National Heritage Council Act*. Without SAHRA, the National Archives Commission, the Heraldry Council; the National Library, the Northern Flagship Institution, and the Southern Flagship Institution, there was no NHC.

Furthermore, the appointment of most council members of the NHC was the Minister's prerogative, but was supposed to take cognisance of the 'principles of transparency and representivity, and special competence, experience and interest in the field of heritage' as stipulated in the NHCA and NHRA.⁴⁰ The processes involved careful consideration and negotiation of people's racial identities, in order to fulfil particular cultural and demographic representations and sectorial interests. While this would have rendered the NHC a mere post-apartheid nation-building agent constrained by transformation imperatives, the same 'requirement' landed the NHC in complex bureaucratic entanglements.

Since the council of the NHC comprised representatives of different institutions, forming the council of the NHC depended on various developments in the broader networks of institutions of public culture, and on various personalities in those networks. This was more complicated than a simple deployment of politicians or experts. The stipulations for

³⁹ National Heritage Council, *Annual Report* (2009-2010), 'Overview' by the CEO: Adv. Sonwabile Mancotywa, 6.

⁴⁰ *National Heritage Council Act* (1999), S 5; *National Heritage Resources Act* (1999), S 14.

careful consideration of personalities were at times restrictive to a point of causing significant lapses in the NHC's work. For example, when the term of the first council expired on 30 September 2006, there was almost a year long delay in replacing the expired council through new nominations and appointments.⁴¹ From what transpired, a number of provincial sports, arts, culture and recreation offices were either disorganised, undecided and uncertain of their roles, or more concerned with sports, arts and culture than heritage matters. Thus, the NHC committed a number of irregularities including operating without a formally constituted council.

The same occurred between October 2010 and September 2011, following a dismissal of the entire council by the Minister of Arts and Culture, Lulu Xingwana, and a brief closure of the NHC offices. The Minister was 'unhappy about the mismanagement of funds arising from the council's annual report', and 'failure to disclose and declare material information at the time of their appointments'.⁴² One council member, Roy Ledwaba on the other hand was convinced that the Minister targeted the CEO, Sonwabile Mancotywa and sought to dismiss him.⁴³ Relations between the Minister, the CEO, and some council and committee members got strained to a point of a 'communication breakdown', until President Zuma replaced Minister Xingwana with Paul Mashatile during the cabinet reshuffle of October 2010.⁴⁴ In January 2011, President Zuma also ordered a special investigation into the operations of the NHC, which verified irregular and wasteful expenditure.⁴⁵ Tenders had been awarded and contracts renewed without following due procedure.⁴⁶

⁴¹ National Heritage Council, *Annual Report (2007-2008)*.

⁴² 'Zuma orders enquiry into National Heritage Council', *New Age* (19 January 2011); Maureen Isaacson, 'Minister Xingwana in new race spat', *The Sunday Independent* (17 October 2010), <http://www.pressreader.com/> Accessed on 12 April 2014.

⁴³ Parliamentary Portfolio Committee on Arts and Culture, *Meeting Summary* (14 June 2011), <https://pmg.org.za/committee-meeting/13073/> Accessed on 17 August 2016.

⁴⁴ Parliamentary Portfolio Committee on Arts and Culture, *Meeting Summary* (14 June 2011).

⁴⁵ *Staatskoerant/Proclamation by the President of the Republic of South Africa*, No.33697 / No. R. 2, 2011 (14 January 2011).

⁴⁶ National Heritage Council, *Annual Report (2010-2011)*.

While the organisation under the direction of Mancotywa forged ahead, some ‘key’ staff and council members either resigned or declined offers for re-appointment. Between 2010 and 2011, the NHC lost its ‘experts’ in different areas, including the Heritage Manager Thabo Manetsi and the Council Chairperson Advocate Loyiso Mpumlwana. As Ledwaba expressed, the councillors found it ‘challenging to try to work in an environment where threats were made that if board members did not comply with certain demands or work, they would be dismissed’.⁴⁷ It seemed that the Minister had authoritative powers over the direction of the NHC.

But the case also seemed to revolve around more personalities than just the Minister. There was Mancotywa and what seemed to be his manipulation of the council around certain operational directions. And there were other executive officers, council members, managers and staff, whose ‘expertise’ and knowledge seemed valuable for the NHC at a given time, but not to a particular minister. The instance was therefore a reflection of fleeting moments of heritage governance, in particular ways, and between different ministers, councils, committees, the executive officers, managers and staff. It was not necessarily a matter of institutionally bounded authority generated and deployed by experts.

Moreover, not only were identities and personalities such important factors as to put on hold crucial procedures like the constitution of the council, it had also taken a while for the members of any council, to be in one accord and to can possibly generate a particular discourse. The first NHC chairperson Luli Callinicos reflected that the term of the first NHC came to an end just as the members were,

in [their] diversity beginning to bond’ and ‘become sufficiently comfortable to raise concerns and issues around inclusiveness and redress, and to agree that key concepts such as the meaning of ‘race’, ‘ubuntu’, ‘nation-building’ and even ‘heritage’ need to be interrogated.’⁴⁸

⁴⁷ Parliamentary Portfolio Committee on Arts and Culture, *Meeting Summary* (14 June 2011).

⁴⁸ National Heritage Council, *Annual Report*, ‘Foreword by the Chairperson: Luli Callinicos’ (2008).

Thus, there was no singular institutional ideology and discourse from the beginning, but deliberations, negotiations, and exchanges of various ideas and influences among individuals with or without defined constituencies, and between those individuals and the broader society for whom heritage was being managed. The progress of the NHC was significantly linked to the dynamics of relationships and networks, and constantly required careful negotiations of these by all parties involved.

(2) The idea of parallel institutions of heritage governance

Regarding the perception of a clear-cut dichotomised heritage practice, the impression was that institutions of heritage governance existed and operated in parallel, to produce a dichotomised heritage. This dichotomised heritage was imagined to be driven by experts with different focus areas, and who operated within a specific professional domain, or a specific official heritage discourse. It was a means of heritage governance imagined as discernible, and with self-contained powers, which got deployed at specific intervals to address specific heritage-related matters. It supported for example,

the notion of heritage as ‘divided between the material and the intangible...buildings, monuments, landscapes and artefacts, but it can also refer to values and ideas held in common bodies of memory and even personality traits’.⁴⁹

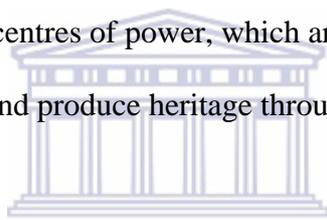
Indeed, the birth of a dual system of heritage governance through the split of the heritage bill into two, created an impression of a dichotomised practice or parallel operations between the two institutions of heritage governance, which is not the case.⁵⁰

However, the scopes and powers of SAHRA and the NHC were but fragments of a multifaceted, multi-institutional and multi-departmental practice. These did not represent

⁴⁹ Nick Shepherd, ‘Heritage’ (2008), 117.

⁵⁰ See for example Thabo Manetsi, ‘Can Intangibles be Tangible?: Safeguarding Intangible Heritage in the New South Africa: Towards Formulating Policy for the Conservation and Sustainable Management of Living Heritage’, Masters’ Thesis (University of Cape Town, 2007), 51-57.

distinct lines of authority or bodies of authoritative knowledge, but multiple relations of power and knowledge. Here I locate the scope of the two bodies within and around a large assemblage of things, places, disciplines, approaches and practices. I then highlight the ambiguities and contradictions in the nature of such nexus. The exercise is so as to explicate how the concept of power in relation to the work of SAHRA and the NHC might not be construed around the meanings of dominance, control, disempowerment or subjugation, but rather around carefully negotiated meanings between the two institutions, and between members of councils in each institution, operational staff, officials in different government departments, and individuals and groups making various publics. In essence, the exercise is to eliminate the impression of simple, detached institutions, which in many ways gets linked to ideas of separate, uncomplicated centres of power, which are seen to impose distinct, politicised dominant ideologies, and produce heritage through a distinct, experts-oriented body of knowledge.



Post-apartheid heritage legislation and its definition of heritage as a ‘sum-total’ or as encompassing many diverse ‘things’, produced meanings of heritage as, in a paradoxical way, simultaneously inherited and produced; tangible and intangible; material and symbolic; individual and collective; past-oriented and present and future-oriented; fixed and dynamic; anti-colonial and archaeological; official and unofficial; from below and from above; fixed and contingent; traditional and contemporary; continual and episodic; and cultural and global. The impression that ACTAG created through this ‘sum-total’ definition was of a two-pronged system of heritage governance.

Indeed, post-apartheid heritage practice sought to be democratic, permissive and even encouraging of local and unsanctioned production of heritage. In certain instances, it achieved this, and even enabled the teaching, guiding and training of ‘heritage authorities’ by the ‘custodians’ of, for example, the so called sacred sites. At the same time, post-apartheid

heritage practice was unequivocally commanding, as the government initiated or sanctioned heritage production from the levels of government authority.⁵¹ It was this prescriptive, yet permissive and open-ended heritage that I view as contradictory.

Also, the way in which Sonwabile Mancotywa, the Chief Executive Officer of the National Heritage Council interpreted the two Acts and the mandates of the NHC and SAHRA, reinforced the idea of dual mandates and operations as follows:

I represent the National Heritage Council of South Africa which, in the main, focuses on the intangible aspects of heritage. Contrary to the perceptions that others may have, the mandate of the national Heritage Council is very clear and distinguished from other institutions. For instance the role of the South African Heritage Resources Agency (SAHRA) is mainly on the management of tangible heritage resources whereas the NHC focuses on promotion and development of heritage as a strategic resource to nation building and national identity.⁵²

Here Mancotywa created an impression that the NHC performed exclusive functions pertaining to the intangible cultural aspects of heritage. He perceived intangible heritage, as opposed to tangible, built, or material heritage, as complimentary to the project of nationalism. In effect, the intangible was overtly presented as the political project of South African nationalism, which then created an impression of it being government sanctioned.

Further affirming and sustaining this perception was the NHC's pervasive pose as a council of traditionalists, culturalists and nationalists, and as mainly occupied with the affairs of arts and culture. The NHC even developed close working relationships through memoranda of understanding with the National House of Traditional Leaders (NHTL), the South African Traditional Music Awards and the South African Broadcasting Cooperation (SABC), with which the NHC hosted cultural events and awards.⁵³ What then came to constitute official or 'national' heritage was the melding of 'tradition' with resistance.

⁵¹ Nick Shepherd, 'Heritage' (2008), page?

⁵² Sonwabile Mancotywa, 'National Heritage Council and its role, achievements and commitment to promoting cultural diversity museums in South Africa', Address made at the Inclusive Museum Conference held at the University of Witwatersrand (1 July 2011).

⁵³ National Heritage Council, *Minutes of the National Heritage Council Meeting* (13-14 September 2007), NHC archives.

The work of the NHC characterised what Gary Minkley reckons as,

a return to a heritage complex in which its hegemonic discourse is to frame the 'national estate' as comprised of the indigenous and traditional and the root and route of resistance as the basis of inherited 'entitlement'.⁵⁴

With its inclination towards the liberation struggle, the council created and promoted symbolic signifiers, memorials and commemorations loaded with meanings of African cultures and traditions. With all that, the council aimed to achieve a collective cultural identity of the 'new South African nation'. Under what it called 'flagship projects', the council promoted indigenous knowledge systems and principles of *Ubuntu*, safeguarded human remains and graves that were accorded a particular liberation history, mapped the Liberation Heritage Route, and promoted public awareness about the national symbols.⁵⁵ The NHC's visibility within publics was principally made possible by cultural festivals, awards ceremonies and public awareness campaigns, through which the Council, by participation, constructed a cultural nation.⁵⁶

But the practice was not clear-cut or unambiguous. The NHC did not explicitly promote national heritage at the expense of personal or idiosyncratic heritage representations. In fact, the NHC aimed to bring the 'national' to the level of the 'individual', or to popularise 'national heritage' by making 'ordinary' people own it and live it. This was a contradiction which Nick Shepherd noted as an ambiguity in a heritage discourse that entrenched cultural identities, while promoting social rights, secular citizenship and dissenting views.⁵⁷

⁵⁴ Gary Minkley, 'A fragile inheritor': the post-apartheid memorial complex, A.C. Jordan and the re-imagining of cultural heritage in the Eastern Cape', *Kronos*, 34:1 (November 2008), 24.

⁵⁵ Although the NHCA constituted the NHC in 1999, the NHC was appointed in 2004 and was only officially proclaimed on 26 February 2005. From the onset, the NHC set itself to focus on: Heritage Transformation; Legacy Projects or Liberation Heritage; Ubuntu and Nation Building; Repatriation; Awards; African Intellectuals; and Slavery Heritage. See, Luli Callinicos, 'Reflecting on 13 years into democracy', in *Minutes of the National Heritage Council Meeting* (Cape Town, 13-14 September 2007), 7.

⁵⁶ These include the annual Ubuntu Awards which the NHC organises, and the South African Traditional Music Achievement Awards, The Arts and Culture Trust Awards, Sports Awards, and Oral History Conferences, which the NHC supports.

⁵⁷ See, Nick Shepherd, 'Heritage' (2008), 122-125. The preamble of the *National Heritage Resources Act* No. 25 of 1999 reflects this ambiguity, for it enacts new heritage forms at the same time as it presents an idea of a

Multicultural approaches premised on notions of ‘unity in diversity’ and anchored on the *Constitution of the Republic of South Africa*, were mingled with mono-cultural approaches, which sought to find a common cultural heritage of the nation.

This seemed true of the work of the NHC around living heritage for instance, since it premised itself on some Africanised common national identity to such an extent that its acknowledgement of identities falling outside ‘the African’ became an obvious afterthought, and produced an uneasy add-on effect. Although the ambiguity was inexplicit, it made the scope and work of the NHC around living heritage incongruous and incapable of any productivity beyond bigoted cultural awards, celebrations and commemorations. In essence the NHC was, although assertive and visible, self-contradictory and obviously pathetic at any attempt to authoritatively make, propagate and effectively manage a particular heritage discourse.

SAHRA too appeared to deploy some bounded autonomous power through its work. Indeed, the agency had a limited prerogative over what the NHRA had already determined as categories of heritage, and over what the Act elaborately defined as the ‘national estate’ through an extensive list. But the agency had prerogative over declaring, labelling and categorising specific items or things as heritage. Such power, according to Joost Fontein, ‘allows the appropriation of those things for justifying the perspectives and actions of some over those of others’.⁵⁸ Certainly, SAHRA had power to turn selected things and places from banality into capital, and appropriate them within the nation-building project, by admitting them into the category of national estate.

Besides, SAHRA appeared to be solely concerned with identifying, grading and protecting tangible heritage. The daily operations of the agency’s seven units primarily

nation making itself. See also, Lindsay Weiss, ‘Heritage-making and political identity’, *Journal of Social Archaeology*, 7 (2007), 415.

⁵⁸ Joost Fontein, ‘UNESCO, Heritage and Africa: an anthropological critique of World Heritage’, *Occasional Papers*, 80, University of Edinburgh (2000). Fontein adopts the ‘anti-politics machine’ term from Ferguson (1990), 60.

involved heritage surveying and mapping, managing impact assessments, managing permits, litigating violations, mitigating endangered sites, and managing recording and inventorying of heritage resources.⁵⁹ In accordance with the provisions of the NHRA, the agency took stock of ‘heritage resources’, graded, classified and categorised them ‘by degrees of their importance to the nation’. And, with all the procedures that it prescribed, SAHRA assumed the form of heritage governance by means of bureaucratic checklists, and ‘stamps’ of approval.

But SAHRA’s bureaucratic procedures had limitations, duplications, overlaps, gaps, contradictions, ambiguities and inconsistencies. What came through SAHRA as national heritage contributed to a highly sophisticated ensemble, rather than an authorised heritage discourse. In fact, the contradictory scopes and operations around heritage governance produced something that Shepherd finds difficult to comprehend. Shepherd wonders how ideas of ‘radically accountable forms of public heritage discourse’ exist within a discourse embedded with ideas of standardised, technical and highly regulated heritage management and conservation strategies.⁶⁰ The work of the two institutions seemed to generate a discourse of democratic public participation, contestability and explosive cultural creativity. But the regulation and streamlining of such ‘creativity’ towards some common, collective national heritage was contradictory. This worked against the notion of democratising heritage. It was also contradictory to imbue sites, objects and practices with meanings of spiritual imperceptibility and intrinsic intangible significance, and still seek to provide their formal protection. In such cases, formal protection as the means of giving meaning and recognising significance was inconsistent with the imagined intrinsic impeccability. In that case, SAHRA and the NHC were nationalising but undemocratic institutions.

⁵⁹ The 7 units were: Heritage Objects Unit, Marine and Archaeology Unit, Archaeology, Palaeontology, and Meteorite Unit, Architectural Heritage and Landscape Unit, Living Heritage Unit, Burial Grounds and Graves Unit, Inventory of the National Estate Unit.

⁶⁰ Nick Shepherd, ‘Heritage’ (2008), 122.

These aspects then add another dimension to the question of who governs heritage, in that they illuminate ephemerality in what seems to be established domains of power for heritage governance. To expound on this, I return to the occasion of splitting the heritage bill into two that I discussed in Chapter One. ‘Dividing’ heritage into national estate made up of objects and sites, and living heritage made up of cultural expressions and values, and then setting up what seemed to be distinct structures and procedures for the governance of each of the ‘two camps’, produced a type of heritage regulation that translated into rules, regulations, controls and policing of processes. Virtually, the work of SAHRA and its organisation around order, rules and expertise, might appear seamlessly fitting the notion of authorised heritage discourse. Also, a supposition of SAHRA as the seat of heritage control, which generates and disseminates specific meanings of nation and national heritage, might be associated with the then dominant ideology thesis discussed in Chapter One.

Similarly, the legislation vested a lot of power in the NHC to nationalise heritage, which involved the development, protection and promotion of all the ‘national heritage’, and advise the Minister of Arts and Culture on heritage matters including heritage policy and funding allocations. The NHCA placed the council in charge of the entire heritage sector, by empowering it to manage transformation and public management of the sector, to fundraise and manage grants for the sector, and coordinate activities of other heritage institutions within the sector.⁶¹

But the powers were not absolute. Despite what seemed to be monopoly on the part of either SAHRA and the NHC, they shared their ‘mandates’ with the Department of Arts and Culture (DAC), which also had a mission to ‘preserve, protect and promote the cultural, heritage and linguistic diversity and legacy of South Africa’ and ‘provide leadership to the

⁶¹ *National Heritage Council Act* (1999), S 4, 10.

Arts, Culture and Heritage Sector to accelerate its transformation'.⁶² The 'trio' formed a complicated nexus of heritage-making and governance, whereby operations intersected to collaboratively produce what seemed like AHD, and sometimes cancel each other out. For instance, DAC had a Heritage Promotion and Preservation programme 'responsible for the identification, collection, safeguarding, promotion and transformation of the South African heritage, archives, heraldry and libraries'.⁶³ The programme supported SAHRA, NHC, cultural institutions and heritage sites to carry out almost all that it encompasses.

But DAC still planned and implemented its own heritage projects, independently of the institutions it supported. The ministry, through its employees, task teams and steering committees, launched new museums and monuments, conducted repatriation of heritage resources, memorialised and commemorated events and people. Like the NHC, the ministry ran statues, living heritage and policy, research and development programmed. In some instances, the legislated processes involving SAHRA were bypassed or included on second thought. Thus, a SAHRA Council meeting held on 16 and 17 August 2003 expressed frustration with the 'undermining of SAHRA's authority by the power of government ministries and departments with similar mandates'.⁶⁴

(3) The idea of coherent multi-level protocols of heritage governance

Post-apartheid heritage governance was multi-layered, if one considers that the arts and culture ministry, in which SAHRA and the NHC were situated, and operated at a very large scale. Not only did the ministry produce heritage policies and set up structures of heritage-making and governance. It also monitored and evaluated the implementation of such policies,

⁶² Department of Arts and Culture website, <http://www.dac.gov.za/> Accessed on 12 April 2016.

⁶³ Department of Arts and Culture website, <https://www.dac.gov.za> Accessed on 26 August 2015.

⁶⁴ South African Heritage Resources Agency, *Minutes of the SAHRA Council Meeting* (16-17 August 2003), SAHRA Archives.

and the operations of various structures including the heritage agency, council. Over and above that, DACST (later DAC) performed heritage-making and governance at its different levels; hence a discussion of the nationalising work of SAHRA and NHC cannot leave out the contribution of another nationalising work of DACST/DAC. While I detail the duplications and overlaps later in this chapter, I make this point here to highlight the intricacy of the connections and disconnections of these different productions within the sector. It is to demonstrate that each of the institutions of heritage governance was a significant part of a nexus of expertise and methods that seemed to operate within some established domains of power, and that seemed to produce a streamlined heritage discourse, although they actually operated within a convoluted practice.

Considering SAHRA's role in mediating between objects or sites and their identification, declaration and management, the work could easily be interpreted as an exercise of, or deployment of power. Certainly, the lines of operation allowed for interactions, interceptions and negotiations of meanings and knowledges between the so called experts operating within the ambit of heritage institutions, and people operating outside that ambit. These transactions occasionally allowed a degree of 'external influence', by means of interactions with, for example, agents representing the NHC, various government departments involved in the work of arts, culture and heritage, and other non-governmental bodies. What stood out, especially through self-representations by means of annual reports, was the 'effectiveness' of SAHRA in sustaining a tread of heritage governance through distinct bureaucracies. This is what many scholars have interpreted as authorised heritage discourse. But the work of SAHRA was more complicated than this.

To illustrate the grid of decision making and operations within which SAHRA operated I consider SAHRA's involvement in the identification and management of heritage resources in Langa Township near Cape Town in 2001. Three key bodies played deciding

roles in the project. The Heritage Resources Section (HRS) of the Environmental Management of Planning and Development Directorate (EMPDD) of the Cape Town City Council contracted oral historian Sean Field from the University of Cape Town to conduct research and oral histories in Langa. SAHRA played the role of enacting and enforcing heritage policy and legislation. An architect Bruce Robinson did the planning and design for the restoration of some of the 'identified' heritage resources. This all seems to point to the work of heritage as an authorised discourse where expertise is what makes heritage

This impression was further emphasized when on 20 April 2001, SAHRA commissioned Phaphamani Heritage Research Consultants to embark upon identification of Langa heritage sites.⁶⁵ A Langa Heritage Reference Group overseen by municipal officials was formed. It was mainly composed of 'community leaders' and senior residents, including former residents of kwa-Ndabeni, Langa residents and local councillors.⁶⁶ It then facilitated identification of heritage resources, as well as the formal launch of Langa Heritage Foundation in 2003. Other facilitators of the processes were the Development Facilitation Unit and Heritage Resources Section of the Cape Town City Council (CCC), who withdrew as soon as the Foundation was established.⁶⁷

One of the first 'heritage sites' to be identified was the space where the old Langa pass office was. Robinson found the space dysfunctional, but with a potential of being developed into a museum with exhibition and recreational spaces, since it 'invok[ed] the sense of history and movement'.⁶⁸ But the 'community' had a different view. They wanted the space to be developed into a replica of the old pass office. A decision to go with the

⁶⁵ See, South African Heritage Resources Agency, *Annual Report* (2001).

⁶⁶ Kwa-Ndabeni was a location near Cape Town, which existed between 1901 and 1936. When a decision was taken by the Cape government to demolish kwa-Ndabeni, the residents were then forcibly relocated to the newly constructed Langa Township.

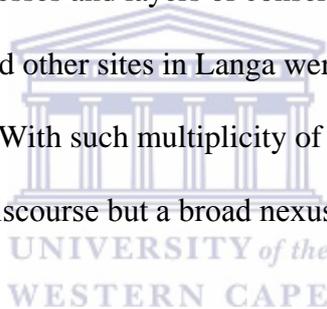
⁶⁷ Sean Field, 'Sites of memory in Langa', in Sean Field, Renate Meyer and F Swanson, (eds.), *Imagining the City: Memories and cultures in Cape Town*, (Cape Town: HSRC Press, 2007).

⁶⁸ Steve Theberge, 'Redesigning the Past: The Politics of Heritage Management in Langa, Cape Town – a case study of the old pass office restoration', Research Project Paper, (School of International Training, Cape Town, May 2003).

wishes of the 'community' was taken. But the architect was concerned that the structure was not easy to work with, due to its flimsy state. In consideration of the views to have it dim, dull and uncomfortable, he did not do much with the space, to the satisfaction of people like Owen Silinga, an elderly resident who had experienced forced removals from Ndabeni to Langa between 1927 and 1936.⁶⁹ At the same time, some 'community' members felt that the space could be 'livened' with performances by groups from the nearby Guga Sthebe Arts and Crafts Centre. Robinson, the City of Cape Town and SAHRA were pleased that,

the Pass Office functions as the gateway to apartheid architecture in Cape Town, a conduit for the depersonalised process of memorial building. It solves the tricky problem of confronting the spatial remains of apartheid by producing a digestible, marketable, and easily recognisable sound bite of history.⁷⁰

It was through such multiple processes and layers of conservation meaning and decision making, that Langa Pass office and other sites in Langa were identified and declared heritage sites and protected by SAHRA.⁷¹ With such multiplicity of diverse inputs and interests, the processes manifested no simple discourse but a broad nexus, within which SAHRA's role was but a part.



Although events like these might create an impression of processes guided by experts, dominant community members and heritage institutions, it is also such examples that provide insight into multiple layers and different role-playing in the post-apartheid heritage-making. With such multiple and disproportionate contributions, the 'all-encompassing' heritage policy, and the heritage assemblage of many 'things' requires a variety of processes and approaches. It offers a degree of a widening of the 'plant' of heritage manufacturing, from

⁶⁹ Steve Theberge, 'Redesigning the Past' (2003).

⁷⁰ Steve Theberge, 'Redesigning the Past' (2003).

⁷¹ The site was where the infamous *doppass* or passbook was issued. It was an identity document issued specifically to Africans. Since it declared one's status as either a resident, employee, or visitor at a specific location at the Cape, it was infamous for its inflexibility towards overstays or drifting between locations. Other sites identified included the Initiation Site, Caledon Square, Mendi Square and Sobukhwe Square, where clashes between the police and the anti-apartheid marches occurred, the Market Hall in Brenton Street, which was a famous place of entertainment in Langa. For more see, Sean Field, 'Sites of memory in Langa' (2007).

what could have been a centralised practice of operations, flowing from the nucleus of one omnipotent heritage council envisioned by the draft bill.

The practice was indeed multi-layered, and power and knowledge were negotiated back and forth. Thus, the perception of neatly bounded or coherent multi-level protocols among and between bodies like SAHRA and the NHC is tenuous.⁷² The notion of post-apartheid heritage as a discourse authorised by the state through the legislation and the apparatus it sets, and by experts certainly does not hold. And, understanding the practice as multifarious dispels any simplistic summarising of the post-apartheid heritage into authorised heritage discourse.

But there is more to the notion of a multifarious heritage practice. While it has been established through different studies that the mandates and roles of SAHRA, NHC, certain government departments, and institutions overlap and sometimes intersect to produce inefficiency on the part of SAHRA and the NHC, the interest of this thesis goes beyond this.⁷³ More than approaching the practice as a simple matter of alternate forces producing inefficiency, an investigation of the complex ways in which these overlaps and intersections were negotiated and manoeuvred with, presents even more interesting findings. The exercise begins with considering the nexus of operations of all these role players as a manufacturing plant.

A step further is to consider the two institutions as forming part of a heritage network comprising memorials, commemorative and cultural events, monuments, museums and

⁷² Ndukuyakhe Ndlovu, 'Legislation as an instrument' (2011). Ndlovu traces and evaluates the legislation and the various institutions of heritage governance and what each contributes to heritage management.

⁷³ See for example, Heritage Agency CC, *Review of Heritage Legislation*, Final Report, Vol. 1, Department of Arts and Culture (2008); Sabine Marschall, 'Reordering the Past: Monuments and Architectural Heritage in Post-Apartheid South Africa', <http://inha.revues.org/1691> Accessed on 22 May 2014; Karel A Barker, 'South African heritage places: expanding current interpretation', https://repository.up.ac.za/upspace/bitstream/2263/5684/1/Bakker_South%282007%29.pdf, 15 Accessed on 22 May 2014; and

Legislative Frameworks: Report for the Working Groups on the Development of Strategic Plan for Archaeology and Palaeontology, Draft V-1.1, Department of Science and Technology, Science Platforms Unit (26 July 2010).

galleries. At the sites of these institutions, and through their work, sites, objects and their meanings appeared to be processed through the work of experts and practitioners, and by means of open public participation processes. Indeed, even the public participation might be read as ‘performance of power to continually display its ability to command, order and control objects and bodies, living or dead’.⁷⁴

But even within, and outside those moments of ‘performance of power’ processes were not without interruptions and even disruptions. And these were not necessarily directed by alternative or counter discourses, but by individuals and groups negotiating their ways, and alternately so, within and outside what seemed to be the ‘official’. Thus, what seemed like a deployment of power did not necessarily impose, intimidate or prohibit, but empowered different kinds of productivity through negotiations of meanings. It is therefore imperative that this work considers the intersecting sets of institutional and disciplinary relations that were at play, and through which knowledge and power were articulated. An enquiry into this takes this discussion to the next level. Rather than rest in the knowledge that SAHRA and the NHC did not necessarily polarise heritage governance into two camps, here I probe the manifestations of different sets of temporary powers, knowledges and meanings, and their intersections.

How complex is the complex?

Tony Bennett uses the concept of exhibitionary complex to illustrate a system whereby modern society achieves governmentality of public citizenry not by openly displaying punitive power, but by coordinating and ordering things so that individuals could regulate themselves in relation to that order. By participating in public exhibition events and museum

⁷⁴ Tony Bennett, ‘The Exhibitionary Complex’, *New Formations*, 4 (Spring 1988), 79.

processes, people voluntarily submit to the order of things in these spaces, gain knowledge of selves and of the power to a point of identifying with power. They also are able to reflect on self-progress and that of others. Such is the kind of power that ‘affords people a place within its workings’, so that they are not dominated upon but ‘caught up within an inward looking web of power relations’.⁷⁵

As designated by law, SAHRA and the NHC were institutions of coordination, regulation and ordering of objects, practices and spaces’ relations to publics, and of publics’ relations to objects, practices and spaces. Their work therefore revolved around efforts to create and sustain an impression of a perfectly ordered structure of processing what became heritage objects, practices and spaces. At the same time, they maintained that they sought to represent a grassroots’ practice of empowering the generally disenfranchised to make their own heritage or self-represent. This was based on the principle of promoting the ‘use, enjoyment of and access to heritage resources, in a way consistent with [people’s] cultural significance and conservation needs’.⁷⁶

To begin with, the state exercised direction over heritage policy-making and implementation, as well as constitution of these institutions, by making it the prerogative of arts and culture Ministers and Members of Executive Councils (MECs) of provincial governments to appoint the councils or boards of trustees of SAHRA and the NHC. Constituting these was on its own an act of ‘displaying to the public’, It involved public nomination procedures, that placed emphasis on expertise in fields like archaeology, architecture, law and financial management which were deemed crucial in the safeguarding of the national estate. The processes were concluded with public investitures conferring authority to the bodies, which then allowed the government to exercise its arms-length policy of intervening only when necessary. The publics were assured of the worth of the constituted

⁷⁵ Tony Bennett, ‘The Exhibitionary Complex’, *New Formations*, 4 (Spring 1988).

⁷⁶ *National Heritage Resources Act* (1999), S 5 (7) (c).

bodies in ensuring not just order, but efficiency. Thus, despite assertions to the contrary, heritage was taken out of the hands of ‘grass roots’.

Then, these institutions brought together an ensemble of disciplines and approaches, which seemed to work smoothly together in rendering on the one hand, the heritage legislation and its concepts, terminology, procedures, principles and preferences knowable to public citizenry, and on the other hand, the people’s ‘heritage conducts’, strengths, weaknesses and preferences knowable to the state. Among SAHRA and the NHC, professionals from disciplines like anthropology, archaeology, palaeontology, biology, geology, architecture, town and regional planning, art, ethnography, history and indigenous knowledge systems, who participated in councils, committees, or as consultants or staff, seemed effective in devising educative means of articulating the power of the law and ordering the publics in relation to that power. Their role in implementing and reviewing the law seemed to allow these agencies to mediate the effect and power of the law, in relation to the publics’ attitudes and inclinations.⁷⁷

Besides, SAHRA’s approach seemed to broaden the exhibitionary complex even further, by allowing its participating publics to self-exhibit their adherence to the rule of law. Publics were turned into spectators or fans, as the agency required that all heritage making processes, and development affecting heritage resources solicit wide public support and participation through gazettes, campaigns, workshops, road shows and launches. Indeed, with SAHRA, object lessons were projects with satisfactory heritage impact assessments, that guaranteed minimal or less danger to ‘heritage resources’.

But it is important to note that such processes also demonstrated a voluntary embrace of the power of the law, as well as use of that power as ones’ own, in order to achieve

⁷⁷ Over and above forming part of the national heritage review process, SAHRA staff have developed guides like, *Palaeontological Permit Applications*; *Guide to Amafa Permit Applications*; *Guide for Applications for Additions or Alterations to Buildings Older Than 60 Years*; *Guide for DMR officials uploading EMPs*; *Guide to Nominating a Site or Object for Declaration*; and *Reporting Heritage Crime*, which they use to train publics and evaluate and monitor heritage-making processes by different institutions.

approval by the concerned heritage authority and publics. The practice relied more on positive modelling than coercion or punitive measures. As Andrew Hall puts it, ‘as a general principle, the National Heritage Resources Act takes as a point of departure the idea that it is more positive to create mechanisms that are an incentive towards cooperation than to take the route of prosecution’.⁷⁸

Besides, while the law and the mechanisms it set in place, created an exhibitionary complex⁷⁹ of adherence to rules and systematic productivity with positive effects and incentives thereof, and that contrasted the notion of AHD, it was different in the sense that there were complications in the interpretation and application of the letter and spirit of the law, that often disrupted what seemed to be the ‘perfect picture’. While the law gave institutions like SAHRA and the NHC authority and custodianship over aspects and spheres of heritage-making, as well as power to institute punitive measures for its abuse, the same law limited them in many ways. As such, technicalities sometimes came in the way of SAHRA and the NHC’s compliance with the letter of the law, although often as an unintended consequence of acting in good faith.

Here I examine the complexity of the practice by considering four issues: (1) compliance and non-compliance with policy; (2) limitations around ownership and devolution of responsibilities; (3) ambiguities and inconsistencies; and (4) duplications and overlaps. I focus on the messy organization of structures, the empowerment, and at the same time disempowerment of the institutions of heritage governance, and the complications, inconsistencies, disruptions, and sometimes tensions that arose. I illuminate these to further

⁷⁸ Andrew Hall, ‘Powers and obligations in heritage legislation’, Webber Ndoro, Albert Mumma and George Abungu (eds), *Cultural Heritage and the Law: Protecting Immovable Heritage in English-speaking Countries of Sub-Saharan Africa* (Italy: ICCROM, 2008), 65.

⁷⁹ The law and the mechanisms it set in place established a set of institutions similar to the ‘complex of disciplinary and power relations’, which according to Tony Bennett comprises institutions like museums and art galleries. These process objects and bodies in public arenas as a means to ‘transmit messages of power’, so that publics would see, know and then regulate themselves. See, Tony Bennett, ‘The Exhibitionary Complex’, *New Formations*, 4 (Spring 1988), 73-102.

the central argument of this chapter, that the work of SAHRA and the NHC was not around the authority of expertise. Their operations were, over and above being part of a broader complex nexus of knowledge-making, messy and therefore incapable of producing a single, simple and neat AHD.

(1) Non/compliance with policy

As discussed earlier in this chapter, a number of irregularities were committed in the early stages of the setting up of SAHRA and the NHC, including delayed appointments and interim administrations not provided by the Acts. These could easily be attributed to complex government systems of operations rather than intrinsic issues with the two institutions that the Acts established.

However, subsequent irregularities amounted to non-compliance with policy, which had a bearing not on the government but the institutions concerned. One example is the delays in setting up the second council of the NHC for the term 2007 to 2010, which is also discussed earlier in this chapter. It was a case of a ‘delay in finalising appointments of provincial representatives’.⁸⁰ But its effect was that between October 2006 and March 2007, the NHC’s operational staff component was without ‘guidance’ by a council, but still in full operation. Although Minister Pallo Jordan inaugurated a new council on 4 April 2007, it still was without representatives of Kwa-Zulu Natal, Northern Cape, Free State, North West and Limpopo provinces. Again, this was a case of non-compliance with a stipulation of the NHCA regarding the composition of the NHC, but also a feature that was becoming endemic in the NHC.⁸¹

⁸⁰ National Heritage Council, *Annual Report* (2007-2008). The term of the first council expired on 30 September 2006.

⁸¹ See, *National Heritage Council Act* (1999), S 5 (a).

If one also considers the dismissal of the entire third council inaugurated on 4 June 2010, the NHC was certainly taken over by tensions between personalities. As discussed earlier, Minister Lulu Xingwana made accusations related to incompetence and insubordination, to which the CEO, Sonwabile Mancotywa responded with accusations related to bullying by the Minister. The dismissed members were then encouraged to apply for their positions, be vetted and shortlisted, which was again contrary to the nomination process stipulated in the NHCA. But the bottom line was the development of the NHC into an institution of complicated and messy making and re-making. And the effects of these events on the heritage work varied in scale.

What these cases demonstrate is that rules were not always kept. Bureaucratic structures were not always in place. But the heritage work continued. Mancotywa and 'his team' of operational staff based at the NHC offices in Pretoria forged ahead nonetheless. If certain decisions required the council's attention, they could always be differed or referred to Director General of DAC depending on circumstances. Besides, the councils met for their roles of reviewing the work done by full-time operational staff and providing guidance only twice or thrice in a financial year.

On the other hand, where incompetence and irregularity was found among operating staff, the councils were tainted. For instance, the Parliamentary Standing Committee on Public Accounts declared SAHRA's annual reporting for that financial year 2002 as constituting non-compliance with section 65(1)(a) of the *Public Finance Management Act*.⁸² This was due to the operational team's failure to put together on time all components of the annual report. As a result, the report was tabled before the committee about a year later than

⁸² Parliamentary Standing Committee on Public Accounts, *Minutes of the meeting* (5 September 2003), <http://pmg-assets.s3-website-eu-west-1.amazonaws.com/docs/2003/comreports/030402pcpaccountsreports.htm> Accessed on 17 August 2016.

its due date.⁸³ The council representatives, together with the CEO had to account to the committee on the non-compliance. The committee also noted a number of financial irregularities supposedly committed in the year under review, as noted earlier in this chapter. And, the implications of this in how heritage operates and how it is manufactured are that no success or failure to govern heritage compliantly and authoritatively enough could be attributed to any particular ‘centre’ or ‘source of power’. The making and unmaking of the NHC and its work intermittently drifted between individuals and groups at the levels of government, councils, executive management, committees, or operational staff.

In another occurrence in 2012, SAHRA went through crises that saw its operational component run in the absence of a council. The Parliamentary Standing Committee on Public Accounts declared SAHRA the ‘worst-performing entity in the department’.⁸⁴ Again, a four months of no council oversight was not in isolation but amidst gross managerial and financial malfunction at operational levels. While the newly appointed council awaited a formal inauguration by the minister before it could ‘intervene’, the Minister of Arts and Culture intervened at operational level by authorising appointment of Mmabatho Ramagoshi as Interim CEO to head a ‘turnaround team’. Ramagoshi had previously held managerial positions in the National Department of Education and the South African Broadcasting Corporation (SABC). Her appointment was an irregular interference by the Minister, made to resolve another irregularity. The previous irregularity had involved appointment and extension of the employment contract of the previous CEO Sibongile Van Damme’s, which allegedly occurred without the knowledge of the council, or a drawn-out performance

⁸³ According to the *Public Finance Management Act* (PFMA), institutions state subsidised institutions must, in each financial year, be audited internally and by the Auditor General, must submit annual reports to the subsidising government department, and must make their reports available for access by ‘the public’.

⁸⁴ Parliamentary Standing Committee on Public Accounts, *Minutes of the meeting* (31 October 2012), <http://pmg-assets.s3-website-eu-west-1.amazonaws.com/docs/2003/comreports/030402pcpaccountsreports.htm> Accessed on 17 August 2016.

contract.⁸⁵ In terms of the NHRA, the appointment of the CEO of SAHRA was the responsibility of the council, not the minister. But then again, in the absence of the council, it became imperative to ‘save’ the heritage project by resolving the operations.

To illustrate this point about how it is the complications within the operations that determine trajectories of the heritage project, rather than mere bureaucratic structures, I now turn to what at some point presented as the major test of compliance for SAHRA. It was with regards to SAHRA’s failure to devolve the functions of identifying, declaring and managing grades II and III heritage resources to the Provincial Heritage Resources Authorities (PHRAs) within the periods set by the NHRA.⁸⁶ By 2010, only two PHRAs were fully functional and had been declared competent by SAHRA in accordance with the NHRA, Amafa aKwaZulu Natali (Amafa) and Heritage Western Cape (HWC). Like SAHRA, the two authorities had operational teams with offices in Durban and Cape Town respectively, and councils overseeing the operations.

The KwaZulu Natal office of the NMC had amalgamated with KwaZulu Monuments Council (KMC) to form a heritage agency named Amafa aKwaZulu Natali in 1998, though the *KwaZulu-Natal Heritage Act* No. 10 of 1997, which was replaced by *KwaZulu-Natal Heritage Act* of 2008.⁸⁷ With the support provided by the NMC, with which Amafa met on a quarterly basis, the competence of Amafa was already well established by 2000.⁸⁸ In that way, Amafa was not established by means of the provisions of the NHRA, although SAHRA recognised it as a competent authority and began assessing its competence on a biennial basis. By such default, the authority became the ‘official’ provincial heritage authority of KwaZulu-Natal, a recognised PHRA, and more or less an extension of SAHRA in the

⁸⁵ South African Heritage Resources Agency, *Annual Report* (2012).

⁸⁶ *National Heritage Resources Act* (1999), S 47, 57.

⁸⁷ The KwaZulu Monuments Council was established in 1981 ‘to research and provide protective measures for historic and cultural interests relevant to KwaZulu territory’. See, Gavin Whitelaw, ‘New legislation for cultural change’, *Natalia*, 30 (2000), 60.

⁸⁸ National Monuments Council, *Annual Report* (2000), 36.

province. Thus, since Amafa had been proactive in charting its framework outside the category of PHRAs established by the NHRA, it did not perfectly fit within the frame of newly legislated post-apartheid institutions. And for a while, it maintained an aura of individuality and independence from the post-apartheid heritage systems associated with an authorised heritage discourse. This however changed in 2014, when the Premier of KwaZulu-Natal announced a decision to merge Amafa with the Chief Directorate: Heritage within the KwaZulu-Natal Office of the Premier, ‘to form one institution’. The merger meant that ‘Amafa [would] no longer exist as an independent public entity.’⁸⁹ It was formalised through a provincial legislation in 2016, and its implications and what transpired are not covered in this thesis.⁹⁰

Heritage Western Cape on the other hand applied to SAHRA for assessment of its competency in terms of section 8 of the NHRA in March 2002, and was formally established by the Western Cape MEC for Cultural Affairs and Sport in October 2002.⁹¹ Like the SAHRA council, its council was constituted through a process involving public nominations, the shortlisting of candidates by a standing committee, and formal appointments by the MEC for Cultural Affairs and Sport. It was also structured such that its administrative functions were performed by designated officials employed by the Council.

However, by the end of 2003, the SAHRA council was still concerned that the HWC was failing to comply with the NHRA. Firstly, the MEC had appointed 7 instead of 14 HWC council members, as ‘he was not sure about the functions of HWC’.⁹² Besides, HWC was initially prevented by DEAT from publishing the regulation that would enable it to distribute application forms for permits, since HWC had not followed the necessary public participation processes and gazetting in terms of the *Environmental Conservation Act* and the *National*

⁸⁹ Amafa AkwaZulu-Natali/Heritage KwaZulu-Natal, *Annual Report* (2014-2015), 4.

⁹⁰ See, KwaZulu-Natal Provincial Gazette, Extraordinary, No. 1635 (9 March 2016).

⁹¹ See, Heritage Western Cape, ‘Application Dossier’, submitted to SAHRA (3 March 2002), SAHRA Archives.

⁹² South African Heritage Resources Agency, *Minutes of the SAHRA Council Meeting* (16-17 August 2003).

Environmental Act.⁹³ While HWC eventually followed the processes, receiving some 20 ‘public comments’, the delay caused a backlog on about 1000 applications. Certainly, heritage governance was still on, even under such circumstances, since backlogs meant that some parts of the bigger ‘machinery’ were still in operation, although with much frustration due to bottlenecks.

But setting up PHRAs such as HWC was fraught with complications reflecting a messy heritage practice that cannot be reduced to simple legal provisions or frameworks and processes. If heritage-making could be ‘delayed’ by a technicality involving public participation and gazetting processes, which eventually yielded only 20 comments, post-apartheid heritage is certainly not AHD. Instead, it is a complicated practice that constantly requires adjusting, re-strategising and re-directing. To simply legislate and set systems in place is not enough for the launch and sustenance of the practice at any given stage.

Setting up PHRAs in provinces like Mpumalanga, North West, Eastern Cape, Limpopo and Gauteng was another case of messy heritage-making. The first challenge common among PHRAs was related to the making of provincial regulations, which would prescribe the constitution of PHRAs as stipulated in the NHRA.⁹⁴ In most cases, this crucial primary task was not considered a priority among the numerous laws and regulations that provincial governments were making, reviewing, amending and implementing. There were also numerous provincial and local government laws, bylaws and ordinances to be considered in the drafting of any heritage regulation. In other cases, it became a challenge to administer nominations once the regulations were in place.

But implementation came with even bigger challenges. The heritage practice was linked to various other practices regulated by different sets of laws and regulations.

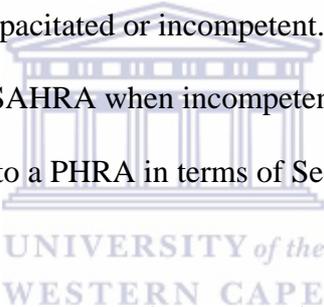
Applications for all developments affecting heritage resources that fell within the scopes of

⁹³ The processes were a requirement for any legislation which was to be published or promulgated and might overlap with the terms of the two acts.

⁹⁴ *National Heritage Resources Act* (1999), S 23.

PHRAs, had to go through up to three different levels of government authority, including municipal, district and provincial levels. The processes were onerous and causing backlogs, confusion and uncertainties about roles and responsibilities. Besides, many PHRAs were affected by inadequate resources including funding, staffing and infrastructure. But the worst cases were of different conceptualisations of heritage at different levels, discrepancies in heritage impact assessments, and conflicting decisions on permit applications.

Also, while Sections 34 and 36 of the NHRA empowered provincial heritage authorities (PHRAs) to administer permits and enforce the law in that regard, Sections 8 introduced competence and capacity as a factor for the involvement of PHRAs. The Act set a general principle in Sections 8 and 34, for SAHRA to be, on agency basis, the next call of authority where PHRAs were incapacitated or incompetent. But these sections carried clear provision for PHRAs to delegate SAHRA when incompetent, although SAHRA could delegate its functions and powers to a PHRA in terms of Section 26. Instead, a part of Sections 26 read that,



the Minister or MEC, as the case may be, may make regulations to enable a heritage resources authority to delegate in writing any of its functions or powers under this Act to...a provincial heritage resources authority, provincial government, local authority, and any other authority which shows competence to perform such functions, by agreement with such authority.⁹⁵

Since this implied a separate set of regulations over and above the NHRA, SAHRA might not just act on behalf of PHRAs in its fulfilment of its roles, but might be limited by extra regulations to be made by ‘the Ministers or MEC’. Besides, such requests were to be formulated as formal declarations to devolve the functions of an incompetent PHRA to either SAHRA or local authorities (LAs). The requirement was on its own contradictory in that the procedure applied in cases where the PHRAs in question were not even formally constituted to effectively formulate an official delegation of authority or make formal declarations.

⁹⁵ *National Heritage Resources Act* (1999), S 26.

Nonetheless, SAHRA had from as early as its first year of existence, apparently anticipated issues in setting up some of the PHRAs, and a vacuum to be created by a possible delay. The agency had therefore proactively set deadlines. In its Strategic Plan for 2000 to 2003, SAHRA set 31 March 2002 as the date by which all PHRAs would have been capacitated. In addition, SAHRA recommended to DACST amendments of Sections 58 (11) and 34 of the NHRA, which set strict timeframes for performance of certain functions by PHRAs.⁹⁶ While these did not materialise, neither the missed deadlines nor delayed policy review prevented manufacture and governance of heritage in different localities. Non-compliance with policy was the order of the day, for which SAHRA and PHRAs sometimes got involved in costly lawsuits.

In provinces such as the North West, where PHRA was non-existent for more than 10 years since SAHRA was launched, SAHRA acted 'in good faith' as the heritage authority presiding over provincial and local cases.⁹⁷ But heritage was in such cases governed illegally or in contravention of set procedures. Through all that non-compliance with law, delays in establishing PHRAs, lack of provincial regulations, incapacity, inadequate resourcing of PHRAs, and backlogs on applications, heritage was still governed. But the practice was far from falling within neat categories of discourses. It was only the beginning of many rude awakenings to deep complexities in the practice, and therefore a series of negotiations of rules and meanings.

In reality, the legal obligation of establishing PHRAs within the first three years of SAHRA's existence was in many cases outweighed by either funding issues or the undervaluing of SAHRA of PHRAs as heritage authorities concerned more with protection and preservation rather than development of heritage resources. For example, in 2006 the Premier Thabang Makwetla of Mpumalanga Province approached the NHC to become

⁹⁶South African Heritage Resources Agency, *Minutes of the South African Heritage Resources Agency Council Meeting* (26-27 July 2000), SAHRA Archives.

⁹⁷Parliamentary Standing Committee on Public Accounts, *Minutes of the meeting* (31 October 2012).

partners in a project of ‘rediscovering the heritage of the province as part of branding the province’, that the provincial government launched.⁹⁸ The NHC was asked to assist with research and funding for the project. Partnership with the relatively new NHC was in that case apparently preferable to the establishment of PHRA, as the deal presented a potential of funding, cultural tourism and economic development. It was a practical and strategic decision through which heritage was still governed, although by flouting of a rule set by the NHRA.

What this meant with regards to this chapter’s broader argument was that nothing stopped heritage governance at local and provincial level, for as long as authorities at those levels regarded themselves as competent, and for as long as they had not formally delegated any other authority to play their roles. Heritage-making initiatives emerging from local levels could still be channelled through authorities not formally recognised by SAHRA, and heritage could still be made and governed within those authorities’ concepts of competence.

It was a blatant disruption of the perception of SAHRA as the disciplinarian of the post-apartheid heritage practice, and its work as a perfect model of adherence to rules. Thus, heritage-making and governance by SAHRA, PHRAs, and LAs, and by one on behalf of another, was a matter of manoeuvring, failing and sometimes breaking through and becoming productive, albeit with a messy trail of violations, negotiation of rules, adjustments and compromises.

(2) Limitations

The operations of SAHRA and the NHC, and their ‘failure’ to produce an authorised heritage discourse, can also be evaluated through the inherent limitations in their scopes. While the legislation might be perceived as having accorded SAHRA and the NHC with unreserved authority over the identification, declaration and promotion and management of the national

⁹⁸ National Heritage Council, *Minutes of the National Heritage Council Meeting* (13-14 September 2007).

estate, there were limitations around all these tasks. The national estate seemed to encompass anything. But not everything could be acquired and incorporated into the national estate. The scope of acquisition of the national estate was limited to what the state owned or could own, and was not extendable to the private cultural property taking up a vast expanse of the country's geographical space.⁹⁹ Section 2 (xxx) and (xxxviii) of the NHRA made provision for property held by 'tribal trusts' and public property situated 'on land belonging to a private individual', but not private property on private land, or on land held by private trusts. Thus, SAHRA was limited with regards to acquisition of the 'title deed of the national estate'.

The limitation extended to another limitation around enforcing heritage protection with regards to private property. In terms of the NHRA, a heritage authority like SAHRA or PHRAs might provide general, formal or provisional protection to private property upon notifying the owner, occupier, mortgage holder and all conservation bodies. But there was a limitation in the extent to which a heritage authority could compel an owner of private property. Andrew Hall demonstrates how incentives, disincentives and penalties did not necessarily compel owners of protected property to cooperate with any heritage authority.¹⁰⁰ He demonstrates how the same policy that empowers heritage authorities to provide protection did not empower them enough to compel owners to comply.

While the NHRA seemed to establish a blanket protection of all buildings older than 60 years, it did not capacitate heritage authorities to formally declare all such buildings in the country. And, without a formal declaration, efforts of heritage authorities to compel owners of such buildings to comply with such blanket protection were limited. Owners still disregarded policy and demolished, altered or abandoned protected property. Heritage authorities could only act as far as issuing stop work orders, beyond that, they had no other tool of compulsion. In cases of total destruction, a heritage authority could then remove such

⁹⁹ Andrew Hall, 'Powers and obligations in heritage legislation' (2008), 65.

¹⁰⁰ Andrew Hall, 'Powers and obligations in heritage legislation' (2008).

items from the heritage registers or inventories. With such limited scope, heritage authorities lacked basic capacity to use heritage to enforce predetermined meanings of national estate. Their perceived authority, together with tools of compulsion like the stop work orders, still could not authoritatively fix and enforce any singular discourse of heritage.

A classic example is the court case between Heritage Western Cape (HWC) or the Western Cape PHRA as the first respondent; the Heritage Inspector, an officer employed by HWC as the second respondent; and Qualidental Laboratories (Pty) Ltd, the owner and developer of a property in Mossel Bay in the Western Cape.¹⁰¹ The case concerned a permit for demolition of parts of the property, which HWC's Built Environmental and Landscape Permit Committee (BELCOM) issued in 2005. BELCOM was satisfied with the heritage statement prepared by a heritage practitioner, which the owner supplied. But the committee later reviewed the building plans and decided that the proposed construction was intrusive and out of keeping with the context created by the villa and surrounding buildings. BELCOM then revoked its earlier decision. But the owner went ahead with the development and ignored HWC's stop works orders.

Nonetheless, the court found that none of the affected buildings had been declared national or provincial heritage site, none was within a designated protected area, none was listed in the heritage register, and none was declared a heritage object. Thus, the property did not fall within any of the formal protections of the NHRA. The court also found that HWC as the PHRA in the province did not act according to Section 34 of the NHRA, which required PHRA to consider protection of a property within three months of refusal to issue permit regarding that property. At the same time, the owner's actions had violated an 'inherent responsibility of ownership towards the community'.¹⁰² The owner could have received an incentive for upholding this responsibility, as stated in the NHRA. But in this case, neither

¹⁰¹ The High Court of South Africa, Cape of Good Hope Provincial Division, *Case No. 3228/2006* (14 June 2006). SAHRA Archives.

¹⁰² The High Court of South Africa, *Case No. 3228/2006* (14 June 2006).

the prospect of an incentive nor stop work orders deterred the owner from violation the policy. Thus, the court ruled in favour of HWC. But did heritage governance always take precedence or have its way?

Indeed SAHRA was empowered, and even under obligation by law to order cessation of activity, to order forfeiture of unlawful demolition or construction equipment to SAHRA, repair the property and recover costs from the owner, or serve the owner with a ‘compulsory repair order’.¹⁰³ But, such orders were avertible if the owner tactfully ceased operation and withdrew from the site without compulsion, so that SAHRA had no case, or when the costs of repair of damage were simply irrecoverable from the owner. Thus, SAHRA could only implement and enforce the NHRA as far as the public’s wilful cooperation, or success of its incentives and disincentives.¹⁰⁴ In that case, heritage-making and governance was a matter of negotiations and a continuous making and remaking of meanings of heritage significance, and means of conservation and safeguarding. And, that occurred between heritage authorities, owners, professionals and consultants involved in impact assessments, the ‘general public’ invited to participate, and the courts.

(3) Ambiguities and contradictions

As mentioned earlier, SAHRA’s operations or failure to operate invited a number of lawsuits, many of which highlighted ambiguities and contradictions in the law that established SAHRA, and in the very stringent procedures that governed its operations. A number of hard lessons were drawn from a particular court case, about the handling of an application submitted to SAHRA by the Gauteng Department of Public Works in October 2005, to demolish 10 buildings to and develop a provincial government precinct by extending Beyers

¹⁰³ Andrew Hall, ‘Powers and obligations in heritage legislation’, 66.

¹⁰⁴ These include tax incentives for conservation of heritage resources. *National Heritage Resources Act* (1999), S 43.

Naude Square.¹⁰⁵ Although five of the buildings were protected by the 60-year clause of the NHRA, SAHRA granted the permit under the impression that sufficient public consultation had been conducted, and that the buildings would be memorialised by retaining a significant part of the original designs, by laying some granite portions on the ground ‘to symbolise the end of apartheid’, and by naming the new site Heritage Square.¹⁰⁶

In December 2005, a group of ‘Concerned Johannesburg Citizens’ appealed the decision.¹⁰⁷ The group ‘concerned’ with ‘protecting’ the buildings from demolition, utilised the ambiguities and contradictions in the legislation to challenge the processes of heritage governance. SAHRA was challenged in court for ‘irregular institutional arrangements’ related to at least two issues. One was that the Gauteng Provincial Heritage Resources Agency (GPHRA/PHRAG) had not officially passed a resolution to delegate its functions and powers to SAHRA. Another issue was that SAHRA had not formally established the incompetence of PHRAG before issuing a permit on its behalf, thus erratically performing a function assigned to a PHRA in terms of section 8 of the NHRA. The policy considered on the matter was Regulation 13 of the *Gauteng Heritage Resources Authority Regulations of 2002*, read with Section 26 of the NHRA. Regulation 13 read that, ‘the Gauteng Heritage Resources Authority “GHRA” may delegate any of its functions or powers to any of its functionaries as prescribed in Section 26 of the Act by a resolution’. Section 26 stated that the MEC may at a provincial level ‘make regulations to enable a heritage authority to delegate in writing any of its functions or powers’. It was therefore argued against SAHRA, that while

¹⁰⁵ The buildings marked for demolition were; Clegg House, Custom House, RSA Building, Second New Library Hotel, SARB House, Second Rand Water Board Building, Volkskas Building, People’s Bank Building, FNB Building, and Thusanong. Five of these were 55 years old or younger.

¹⁰⁶ In a letter from SAHRA to Mr Liarn Whitlow, Tswelopele Environmental, dated 17 October 2005, SAHRA approves their proposal submitted on behalf of Gauteng Department of Public Works Transport for the establishment of a Provincial Government Precinct, thanking them for submitting the Heritage Impact Assessment as well as the Socio-economic Benefit Report, appreciating their efforts in consulting the public on the matter, and thereby granting them permission to demolish the 10 buildings listed in the letter. Letter available in the SAHRA Archives.

¹⁰⁷ Other appellants that followed included Parktown Westcliff Heritage Trust, H Prins et. al., the South African Institute of Architects, and Neil Fraser/Johannesburg Heritage Trust.

such regulation was in place, GHRA or PHRAG had not taken a formal resolution to delegate SAHRA to handle this particular application for development.

Another technicality raised was that SAHRA's Permit Committee, which handled the contested application, had operated on an expired three-year term. Its term had ended on 31 March 2006, in the midst of a pending lawsuit.¹⁰⁸ The National Minister of Arts and Culture purported to extend the committee's term of office by six months in terms of the *Public Finance Management Act*. However, the NHRA prohibited a member from holding office for a period exceeding three years. Thus, all actions and communication with the applicants and appellants that took place after 31 March 2006 could be considered invalid. To conclude the matter, the court ruled against SAHRA's approval of the development, with the costs of appeal incurred by SAHRA.¹⁰⁹

In such case, the same technicalities, rules, regulations and procedures that seemed to define the work of SAHRA were used against the agency, to contest a matter of interpretation and use of material 'remnants of the past' to make cultural meanings at present. As it transpired, contestations by the 'Concerned Johannesburg Citizens' were about SAHRA's concept of heritage and approach to heritage-isation. The group was concerned with what seemed like intolerance or sectarianism, whereby the imbalances of the past were corrected by 'targeting' buildings with apartheid or colonial connections. They were concerned that the proposed development and the whole idea of 'inner city regeneration' was about 'giving a grand forecourt to the bureaucrats' without considering the costs or benefits to the 'public'.¹¹⁰ The public in this case was a certain sector of the Johannesburg citizenry that sought to protect what remained of buildings that used to be the pride of colonial regimes, from what

¹⁰⁸ The committee had been formed in 2003.

¹⁰⁹ *Matter between Parktown & Westcliff Heritage Trust (Appellant) and SAHRA Advisory Committee (Respondent)*, undated. SAHRA Archives.

¹¹⁰ *Letter from Mrs Flo Bird, Parktown & Westcliff, Heritage Trust, to SAHRA CEO Phakamani Buthelezi*, undated, but referring to an earlier communication of 10 November 2005. SAHRA Archives.

seemed to be the upsetting of that pride. Indeed, it seemed like a serious concern about a particular heritage discourse. But was there an entrenched discourse in the first place?

While SAHRA appeared to authorise a particular discourse of heritage, the agency's legal framework and operational guidelines were fraught with flaws and loopholes. And while these flaws and loopholes were not so obvious at the agency's face value, it was in the implementation processes that clues of some fundamental contradictions in the practice surfaced. And, it was in the application process and the granting of the permit that the 'Concerned Johannesburg Citizens' found a number of ambiguities. But the core was ambiguity in the work of an agent purporting an ordered structure of processing heritage according to rules, while also relaxing, circumventing certain rules or allowing a tilting of scales in the interest of redress of past imbalances. The group put to test the profiling of SAHRA as an agent of change and revamping colonial heritage landscape, and at the same time an agent of protection of 60-year old properties by rule. It found SAHRA's profile and what seemed like a discourse, to be nothing but a fallacy.

Nonetheless, I find it interesting that both sides were played by the rules. It is a striking parallel around the meaning of heritage as a form of governmentality. Thus, heritage governmentality through careful invocations and application of rules and certain meanings of pasts and presents in heritage making and governance could not just be seen as located within some state-sanctioned agency, but as drifting between the heritage agencies and concerned individuals and groups, as well as the courts.

(4) Duplications and overlaps

Post-apartheid legislation is fraught with duplications and overlaps, which extend to the operations of SAHRA and the NHC. These are other aspects in the work of the two

institutions, through which the notions of authority, and the imagined scopes and means to authorise heritage are put to question. Duplications and overlaps are relevant in a broader investigation of whether or not post-apartheid heritage practice produces AHD, in that they bring about constraints, which open the practice up to multi-layered manoeuvres and negotiations.

These became obvious as early as the year 2000, at the realisation that the councils of both SAHRA and the NHC required provincial representatives. SAHRA was the first to be set-up, with an incomplete provincial representation, due to delays and failures by the MECs for Sports, Recreation, Arts and Culture in Kwa-Zulu Natal, Northern Cape, Free State, North West and Limpopo, to appoint 'suitable' persons. Then, four years lapsed before the first council of the NHC was appointed, and as the entire heritage legislation was being reviewed and amended. But still, the NHC's first annual reports and briefing sessions with the Arts and Culture Parliamentary Portfolio Committee, highlighted duplications, overlaps and gaps as issues affecting the council's efficiency and productivity. The two bodies of heritage governance, each within its own framework seemed constrained rather than liberated by the multiplicity of role players assigned to areas such as identification, repatriation, research, education, training, funding and promotion of heritage resources. Although both institutions still planned and executed heritage governance in these areas, they expressed disempowerment by lack of clarity of boundaries.

Hesitation and a sense of disempowerment became most obvious in the area of repatriation of heritage objects for instance, over which none of the two institutions had a sole and clear mandate. The *National Heritage Council Act* (NHCA) charged the NHC with a responsibility to 'investigate ways and means of effecting the repatriation of South African heritage objects presently being held by foreign governments, public and private institutions

and individuals'.¹¹¹ The *National Heritage Resources Act* (NHRA) also charged SAHRA with a function pertaining to 'repatriation of heritage resources which have been removed from South Africa, and which SAHRA considers to be significant as part of the national estate'.¹¹² But since the heritage objects referred to in the NHCA formed part of the national estate defined in the NHRA, what appeared to be two distinct roles could therefore be collapsed into one.

As a result, while SAHRA was the first of the two institutions to be constituted, it hesitated and played safe by not dedicating a unit to repatriation. Instead, SAHRA opted for performing the function by participating in policy formulation and providing guidance on exhumation, transportation and reburial of human remains to, for example, the National Prosecuting Authority's Missing Persons Task Team, the Khoisan Legacy Project Committee of DAC, the Department of Justice and the DEAT. Indeed SAHRA's role was crucial in the repatriation of the remains of Sarah Baartman from Europe in 2002, and of the 'Mapungubwe human remains' in 2007.¹¹³

Regarding the latter event, human remains associated with the Mapungubwe Cultural Landscape (currently a national park and world heritage site) that were in the custody of the University of Pretoria, University of Witwatersrand and the Northern Flagship Institution or Ditsong Museums, were repatriated and reburied at the Mapungubwe site.¹¹⁴ Peter Schmidt and Innocent Pikirayi have criticised the process as one informed by archaeological reports, that were 'fixated on past human group identities defined largely on the basis of ceramic

¹¹¹ *National Heritage Council Act* (1999), S 10 (1) (c).

¹¹² *National Heritage Resources Act* (1999), S 13 (2) (a) (iv).

¹¹³ South African Heritage Resources Agency, *Annual Report* (2007), 5.

¹¹⁴ See, Willem Nienaber, N Keoug, M Steyn, and J Meiring, 'Reburial of the Mapungubwe human remains: An overview of process and procedure', *South African Archaeological Bulletin*, 63:188 (2008); Ciraj Rassool, 'Human Remains, the Disciplines of the Dead, and the South African Memorial Complex', in Derek, Peterson, Kodzo Gavua and Ciraj Rassool (eds.), *The Politics of Heritage in Africa: Economies, Histories and Infrastructures* (New York: Cambridge University Press, 2015).

typologies'.¹¹⁵ Yet the whole repatriation cannot be attributed to a single body of knowledge or experts, or a particular institution, or government ministry. The DEAT in charge of the repatriation constituted a Mapungubwe Steering Committee, which was made up of representatives of the three 'holding institutions', claimant groups, DAC, DEAT, South African National Parks (SANParks), SAHRA, NHC, and provincial and local governments. Apart from the committee, traditional leaders, traditional healers, and various other stakeholders in the business, tourism, and arts and culture sectors participated in varying degrees, before and during the reburial event.

As it transpired, different groupings and institutions sought different political, social and economic scores. And contestations between, for example, claimant groups and the University of Pretoria, and between the university and DEAT, resulted in a number of compromises and improvisations.¹¹⁶ To address the 'university's concerns about preservation and availability of the remains for future research, the remains were packed, sealed and buried in high density foam, and 'welded shut' polyvinyl chloride kind of plastic containers. 'Cultural objects' associated with the remains remained in custody of the University of Pretoria. But to address matters of political, social and spiritual correctness and sensitivity in the handling of the remains, no further samples for DNA or chemical analyses were allowed. The negotiations also resulted in the 'insertion' of a cleansing ceremony performed by traditional healers. The NHC was particularly instrumental in organising and documenting this portion of the big picture of repatriation of the Mapungubwe human remains.

Interestingly, the intricate and sometimes protracted negotiations, compromises and improvisations were, in the spirit of reconciliation, 'downplayed' by speakers during events

¹¹⁵ Peter Schmidt and Innocent Pikirayi (eds), *Community Archaeology and Heritage in Africa: Decolonizing Practice* (Oxon: Routledge, 2016), 122-123.

¹¹⁶ Natalie Keough, Willem C Nienaber and Maryna Steyn, 'Repatriation of the Mapungubwe human remains: an overview of the process and procedure', *Health Sciences Faculty Day Posters*, 46, University of Pretoria, 29 September 2008); Xolelwa Kashe-Katiya, 'Carefully Hidden Away: excavating the archive of the Mapungubwe dead and their possessions', Masters' Thesis (University of Cape Town, 2013).

like the hand-over ceremony held at the University of Pretoria.¹¹⁷ Even so they were symbolic of a heritage practice characterised by vacillating power, knowledges and meanings, rather than some authorised discourse. In the whole picture, heritage governance by SAHRA and the NHC were but fragments within the entangled multiple meanings.

Such dynamics did not only play out amongst groupings and institutions of public culture in South Africa, but extended to international arenas too. As it was the case with the repatriations of the remains of ‘former exiles’ Nat Nakasa in 2014, and Moses Kotane and John Beaver Marks in 2015, the work of SAHRA and the NHC fell within complicated negotiations of heritage meanings locally and internationally. Nakasa, who had committed suicide in New York in 1965, and Kotane and Marks, who died in Moscow (Russia) in the 1970s, were through repatriations and reburials ‘recovered’ from near obscurity and celebrated as ‘heroes of our liberation struggle’.¹¹⁸ In these repatriation cases, representatives of SAHRA and the NHC found themselves negotiating their scopes in international planning sessions, whereby diverse meanings and nitty-gritties of heritage work were negotiated and made implementable by multiple role players of diverse ‘worlds’.

Further affirming the intricacy of such processes, the project of repatriating the ‘spirit’ of ‘Chief’ Dawid Stuurman, who died in Sydney, Australia in 1830 was even more complex. Unlike the Nakasa, Kotane and Marks repatriations that were initiated and largely driven by government officials, the Stuurman’s case had an outcry by ‘concerned communities’ mostly represented by the National Khoisan Council and family to drive the processes. These drew the attention of not just the public, but the Parliamentary Portfolio Committee on Arts and Culture, which summoned the National Khoisan Council in 2013, and made the NHC to

¹¹⁷ Xolelwa Kashe-Katiya, ‘Carefully Hidden Away’ (2013), 70.

¹¹⁸ See for example, Fatima Asmal, ‘Nat Nakasa, ‘rest well my brother’’, *Mail&Guardian*, 13 September 2014; ‘Repatriation of the Mortal Remains of Moses Kotane and JB Marks’, (23 February 2015), <http://www.dac.gov.za/content/repatriation-mortal-remains-moses-kotane-and-jb-marks> Accessed on 13 August 2016.

commit to speedily facilitate the process.¹¹⁹ Nonetheless, despite earlier promises that the actual repatriation would occur before the end of 2014, intensified deliberations began in 2013 and were still underway by the end of 2016.¹²⁰

As it turned out, there were numerous issues to be addressed through negotiations, both domestically and between the South African and Australian governments.¹²¹ To cite a few; the National Khoisan Council from the ‘beginning’ negotiated recognition of certain individuals as representatives and spokespeople of ‘*Khoisanry*’, as well as permission to begin meetings with rituals such as prayers sessions. These required the consent of all participating stakeholders, and at least one record reflects permission of such requests.¹²² There were also debates about the use of the title ‘chief’ for Stuurman. The debates got further complicated by the fact that the National Traditional Affairs Bill, which would clarify Khoisan traditional leadership, was still underway by the end of 2016. In such case, the title was carried. At national and international government levels, the initial processes were driven by the Department of International Relations and Cooperation (DIRCO) and not by DAC. DIRCO met with complex transnational bureaucratic requirement and some non-cooperation from the side of the Australian government, which delayed some stages of the project. Also, there were funding challenges related to the inter-governmental nature of the project.

Since the NHC, unlike SAHRA, had made repatriation a special project, and placed it under a dedicated wing or unit, it became a key ‘implementing institution’ in projects like Stuurman’s. On this particular project, the NHC assumed a pivotal role. It funded a research project, formed a Chief Dawid Stuurman Repatriation Committee, facilitated negotiations

¹¹⁹ *Minutes of the Parliamentary Portfolio Committee on Arts and Culture*, ‘National Heritage Council briefing on the David Stuurman Project’ (16 April 2013), <https://pmg.org.za/committee-meeting/15692/> Accessed on 13 August 2016.

¹²⁰ National Heritage Council, ‘David Stuurman’s return postponed’, *National Heritage Council Newsletter* (13 May 2014).

¹²¹ Sonwabile Mancotywa, ‘Report on the repatriation of Dawid Stuurman multi-stakeholder driven project involving NHC collaboration with South End Museum and Khoisan Political Task Team’, <http://pmg-assets.s3-website-eu-west-1.amazonaws.com/130417report.pdf> Accessed on 13 August 2016.

¹²² See, *Minutes of the Parliamentary Portfolio Committee on Arts and Culture*, ‘National Heritage Council briefing on the David Stuurman Project’ (16 April 2013).

with Australian authorities, coordinated stakeholder involvement, and even briefed the South African Arts and Culture Parliamentary Portfolio Committee of the progress.

Actually, the role of the NHC became that of providing a site for a medley of resistance and traditions, for the purposes of heritage governmentality. It formulated and pulled together resistance narratives from different eras, and linked them with what it formulated as the need to repatriate human remains, and the need to perform such by invoking particular meanings of African cultures, traditions, practices and norms and values. While the NHC seemed to improvise on the duplications and overlaps around repatriation to advance a particular ideology and discourse, the same duplications and overlaps forced it to negotiate its approaches at different levels of heritage making and governance. Throughout the different stages of the repatriation processes, meanings of heritage and significance were produced, expounded, and re-worked through negotiations amongst different role players.

Another duplication of roles that created wider scopes for negotiations of roles, power and knowledges was in the area of living heritage.¹²³ SAHRA had the function of ‘promoting the identification and recording of aspects of living heritage associated with heritage resources’.¹²⁴ At the same time, the NHC was charged with monitoring and co-ordinating the transformation of the heritage sector, with special emphasis on the development of living heritage projects.¹²⁵ To implement the NHRA, SAHRA established a Living Heritage Unit in 2000, which began developing a draft national policy on the management of intangible heritage resources. The unit was determined to establish the intangible aspects of almost every tangible heritage resource in its custodianship, through what it called a holistic approach to the management of heritage resources.¹²⁶ In what seemed like heritage

¹²³ The NHCA defines living heritage as ‘the intangible aspects of inherited culture, including cultural tradition; oral history; performance; ritual; popular memory; skills and techniques; indigenous knowledge systems; and the holistic approach to nature, society and social relationships’. *National Heritage Council Act* (1999), S 2 (iii).

¹²⁴ *National Heritage Resources Act* (1999), S 13 (c) (vi).

¹²⁵ *National Heritage Council Act* (1999), S 10 (1) (f).

¹²⁶ Thabo Manetsi, ‘Can Intangibles be Tangible?’ (2007).

governance by means of guidelines, the unit shed light and gave meaning and direction to the relatively new, yet indeterminate field of living heritage.

As the main author of SAHRA's draft policy for the safeguarding of intangible heritage, Manetsi attests to assuming a position of power and authority, through which he could 'mediate experiences, regulate knowledge and order certain views of others to achieve a prescribed objective'.¹²⁷ It was the research work of SAHRA's Living Heritage Unit that turned a number of sites and objects into heritage resources recognised mainly for intangible values. Through its work, the Richtersveld Cultural Heritage Site was nominated for world heritage inscription, and Lake Fundudzi was declared a National Heritage Site, mainly on the basis of 'intangible significance'.¹²⁸

But DAC and the NHC duplicated SAHRA's role with regards to governing the making of living heritage. For instance, in 2000 DAC instituted a thirteen-member panel to draft a policy framework on living heritage. By doing so, the department purported to respond to 'frustrations' about lack of guidelines for the effecting of the living heritage provisions of the NHRA.¹²⁹ Rather than provide SAHRA with special funding to carry out this aspect of heritage governance, DAC invited SAHRA to participate and provide 'expert advice' in its work around living heritage. For example, SAHRA's Living Heritage Unit participated in a panel that DAC sent to Japan on a 'fact-finding mission' in 2007.¹³⁰ The mission was supposedly 'to compare and learn from the Japanese experience and their logic

¹²⁷ Thabo Manetsi, 'Can Intangibles be Tangible?' (2007), 15. The work began by developing a policy of intangible heritage management in 2005.

¹²⁸ Keorapetse Sefoleng, 'Country Report: Safeguarding of Intangible Heritage in South Africa', presented at the Training Course for Safeguarding of Intangible Cultural Heritage, International Partnership Programme for Safeguarding of Intangible Cultural Heritage, (Tokyo, Japan, 21-26 January 2008); South African Heritage Resources Agency, *Annual Report* (2007), 55-56.

¹²⁹ The process was largely informed by *UNESCO Convention for Safeguarding the Intangible Cultural Heritage* (2003).

¹³⁰ Keorapetse Sefoleng, 'Country Report' (2008); *South African Heritage Resources Agency Annual Report* (2007), 55-56.

of framing their management of living heritage in a particular manner', and attend a Training Course for Safeguarding of Intangible Heritage.¹³¹

The department also partnered with the universities of Venda, Fort Hare and Zululand to conduct research on indigenous knowledge systems, and with the African Cultural Heritage Trust to host indigenous music and dance competitions. Ultimately, DAC established its own National Inventory Office to administer the inventorying of the 'national living heritage'. It also produced the *National Policy on South African Living Heritage* in 2009, which was largely informed by SAHRA's *Living Heritage Chapter: Policy and Guideline Principles for Management*.

Likewise, the NHC's very first actions to fulfil its 'living heritage mandate' involved promotion of indigenous knowledge systems. In 2005, the NHC partnered with the Indigenous Knowledge Systems of South Africa (iIKSSA) to fund and host the National Living Treasures Awards. In 2006, the NHC responded to President Mbeki's call for a task team to develop and promote *ubuntu* as a value system for South Africa, by launching a campaign called Ubuntu for Nation Building.¹³² The campaign comprised imbizos or conferences, and awards aimed at 'reviving the values of Ubuntu'.¹³³ The NHC projects received additional funding from DAC for ten other projects conceived together with the Ubuntu projects, and with such 'living heritage' orientation, including the South African Traditional Music Awards (SATMA). This afforded the NHC an opportunity to even perform

¹³¹ Department of Arts and Culture, *National Policy on South African Living Heritage*, First Draft (March 2009).

¹³² Ubuntu is a term common in Nguni languages like as Zulu, Xhosa, Ndebele and Swazi, which is loosely translated as humanity.

¹³³ Henry C. Bredekamp, 'The cultural heritage of Democratic South Africa: An overview', in Theo Bothma, Peter Underwood and Patrick Ngulube, *Libraries for the future: Progress and development of South African libraries* (Pretoria: LIASA, 2009), 1-12. Nelson Mandela was the first recipient of the NHC Ubuntu Award in 2006, followed by statesmen such as the former Zambian President Kenneth Kaunda in 2007 and former Cuban President Fidel Castro posthumously in 2008. In 2011 the Ubuntu Award was awarded to Winnie Madikizela-Mandela, albeit raising controversy. In 2013 it was awarded to Miriam Makeba posthumously.

functions specific to SAHRA, such as commissioning a service provider to conduct an audit of South African ‘national heritage’, and compiled it in a book.¹³⁴

Through the duplication in the area of living heritage, DAC was the common point at which the two institutions met to fulfil their mandates. Through DAC’s funding support and special promotion new policies and guidelines through which heritage was to be governed were put in place. And, as I have shown, heritage was indeed governed by various means, including ‘top-down’ initiatives, collaborations, and support. But none of the processes was without negotiations resulting in adjustments and improvisations, which reflected some intricate dynamics of power, knowledges and meanings. In that case, heritage governance was not just contestable, but contestations rendered it changeable, malleable and incapable of being bonded to particular scopes and frameworks, ideologies, approaches and in essence, a particular discourse.

To conclude this section, I consider monuments, as another arena where duplications and overlaps created a scope for negotiation of heritage governance. The National Monuments Council that SAHRA replaced in 2000 had a preoccupation with monuments, alongside something called cultural treasures, which the *National Monument Act* defined as movable property. Yet the term monuments, was significantly left out of the roles assigned to SAHRA by the NHRA. In fulfilling the function of safeguarding built environment, SAHRA could identify and declare sites as monuments, but had no explicit mandate to erect new monuments.

In terms of Section 36 regarding burial grounds and graves, SAHRA could identify, rehabilitate and conserve these, and even construct memorials on gravesites. But these would not necessarily be called monuments. In fact, SAHRA’s mandate, capacity and resources limited the agency to a role of intervening to ‘save’ monuments under threat, rather than

¹³⁴ National Heritage Council, *Minutes of the National Heritage Council Meeting* (13-14 September 2007). NHC Archives. See also, *National Heritage Council Brochure*, <http://www.nhc.org.za/wp-content/uploads/2014/03/NHC-Heritage-brochure-A4-Pages.pdf> Accessed on 23 June 2016.

constructing new monuments. The NHC too had a function to ‘develop, promote and protect the national heritage for present and future generations’, which was open and flexible that it might or might not involve constructing monuments.¹³⁵ For both SAHRA and the NHC, the ambiguity and open-endedness regarding monuments was an interesting twist to nationalising projects that generally thrived on monumentalising.

As if to break the open-endedness, in 2008 and 2009, the NHC was intensely preoccupied with collaborative work involving monuments and memorials associated with the liberation struggle. Through numerous consultative meetings and workshops, a mission to Cuba, a visit by Dawson Munjeri of UNESCO, and participation in international events, the NHC immersed itself in the monumentalising work of recovering ‘heroes and heroines’ of the liberation struggle from the memorial margins. It implemented a programme of safeguarding human remains and graves associated with the liberation movement, which then overlapped with SAHRA’s specific mandate to manage conservation management of burial grounds and graves.¹³⁶

Nonetheless, the NHC seemed better positioned with regards to heritage-making and governance around monuments. It had the major function of advising ‘the Minister’ on policies about the management of collections, curatorship, research and education, which positioned it on close proximity with the internal affairs of DAC.¹³⁷ In the arena of museums, practitioners even considered the NHC as ‘serving as a middle-man between the museum and DAC’.¹³⁸ Besides, it transmitted a profile of an institution that coordinated the entire heritage sector, including archives, museums, heritage resources, geographical names and libraries, which was virtually the scope of DAC.¹³⁹ This translated the NHC’s work into an extension

¹³⁵ *National Heritage Council Act* (1999), S 4 (a).

¹³⁶ Ndukuyakhe Ndlovu, ‘Legislation as an instrument’ (2011), 11.

¹³⁷ Department of Communications and Information Services, *South Africa Yearbook* (2004-2005), 103-104.

¹³⁸ Cecilia Margareta Rodéhn, ‘Lost in transformation: a critical study of two South African Museums’, PhD dissertation (University of KwaZulu-Natal, 2008), 70.

¹³⁹ *South African Yearbook* (2002-2003), 100.

of DAC in some occasions. For example, in 2008 the NHC took charge of the National Liberation Heritage Route (NLHR) project. This was a multinational project that the South African government joined by ratifying UNESCO's Draft Resolution on Liberation Heritage, and adopting UNESCO's 'Roads to Independence: African Liberation Heritage' project on 14 October 2005. The resolution recognised African liberation as a 'common heritage of shared global values', and committed to using the project to promote and raise awareness of 'African liberation heritage'.¹⁴⁰

The National Liberation Heritage Route (NLHR) of South Africa was the first instalment of this multinational project. In February 2008, the NHC appointed service providers to conduct research, develop concepts for the NLHR project, and identify sites fitting the concepts. It also hosted road shows, campaigns, workshops and even public hearings where there were contestations and defacements of monuments associated with the liberation struggle. In August 2008, the NHC hosted public hearings to resolve heated contestations around the Duncan Village Massacre Memorial in East London.¹⁴¹

The memorial erected by the Eastern Cape provincial government in honour of those who died fighting an oppressive political system, was being rejected by 'local communities'. The rejection was on the basis that the statue looked more like a Zulu warrior than those who fought and died, most of whom were Xhosa speaking. Again, the NHC's 'intervention' was an adoption of a monumental project, through which the NHC attempted to entrench the idea of resistance as traditional and African, and of 'warrior representation' as fitting. In Gary Minkley and Phindezwa Mnyaka's analysis, the hearings and their reports revolved around a visual reading, which 'translated 'resistance' into rule and 'indigenous' into a national

¹⁴⁰ See, National Heritage Council, 'Liberation Heritage Route', Tentative List by the NHC submitted to the World Heritage Committee on 8 July 2009, <http://whc.unesco.org/en/tentativelists/5459/> Accessed on 16 July 2016.

¹⁴¹ See, Avuyile Mngxitama, 'Villagers demand warrior statue be scrapped', *Art Times*, 8:3 (August 2008), 14, <https://issuu.com/arttimes/docs/saataugust08> Accessed on 12 August 2016.

citizen-subject, sovereignty and liberty'.¹⁴² Thus, for the NHC, such cases presented 'opportune' moments to capitalise on the overlapping roles in the arena of monuments, and for a moment usurp a pivotal role in heritage governance.

But DAC too had its own Heritage Promotion and Preservation programme, which saw the launch of Legacy Projects introduced in Chapter One, and some of which became part of the NLHR. While these developed into capital works involving construction of grand monuments, which pulled together primary resources of DAC, and secondary resources of the NHC and SAHRA, there was a constant need to delineate intersecting roles.

At face value, the roles of DAC, NHC and SAHRA with regards to the Legacy Projects seemed clearly defined, such that DAC initiated, implemented and funded the projects. SAHRA administered heritage impact assessments, declared and safeguarded the projects by monitoring and guiding their conservation management. The NHC played the role of promoting the projects, and integrating them into broader narratives and meanings that the council produced and disseminated through its other projects, such as Heritage Transformation, Ubuntu and Nation Building. In many instances, DAC convened special Legacy Project committees into which it invited the NHC and SAHRA. For example, the Heritage Subcommittee of the Constitution Hill Legacy Project Steering Committee was chaired by a member of the council of SAHRA.¹⁴³ Also, during the development of Nelson Mandela Museum in 2000 and 2001, Lesley Townsend of SAHRA worked with the communities of Mvezo and Qunu advising on architectural matters and the production of a Conservation Management Plan for the museum sites.¹⁴⁴

¹⁴² Gary Minkley and Phindezwa Mnyaka, 'Seeing Beyond the Official and the Vernacular: The Duncan Village Memorial and the Politics of Heritage in Africa', in Derek Peterson, Kodzo Gavua and Ciraj Rassool (eds.), *The Politics of Heritage in Africa: Economies, Histories and Infrastructures* (New York: Cambridge University Press, 2015), 50-69.

¹⁴³ National Monuments Council, *Annual Report* (2000), 31,

¹⁴⁴ South African Heritage Resources Agency, *Annual Report* (2001), 6 and 12.

But, post-apartheid heritage practice related to monuments was complicated and frustrating to role players, for the reason that roles remained without clear bounds, and that ‘random’ monuments related projects implemented at the level of DAC often disrupted what might have been distinct lines of authority. Also, where responsibilities seemed clearly demarcated, things still did not always go in accordance with some established structures and channels. In fact, it was DAC’s ‘top down’ approach to erecting new monuments, or what might appear as AHD, that proved unproductive in many ways. While I detail DAC’s role in the Legacy Projects in chapters Three and Four, it suffices here to note that a critical analysis of the overlapping roles surrounding monuments destabilises the notion of a smooth heritage governance in many ways.

For instance, SAHRA managed numerous diverse capital projects, which it planned and budgeted for on an annual basis. But DAC’s Legacy Projects often came to the knowledge of SAHRA through ‘random announcements or directives by political principals, or parliamentary budget speeches’, in response to which all at SAHRA had to ‘change plans, drop everything and run around’.¹⁴⁵ Thus, DAC’s directives or invitations for SAHRA’s participation were often received with contempt at SAHRA’s operations levels.

As far as SAHRA was concerned, DAC could come up with a ‘brilliant idea’ about commemoration of a certain event and recognition of the people, and sites and objects associated with it. But SAHRA had to embark on rigorous processes involving research, stake-holder management, public participation, service provider management, and organising declaration events, on which DAC and the NHC often took the centre stage and shone. Such cases were therefore a challenge to what many scholars imagined as always distinct and guided lines of authority and implementation between SAHRA and the NHC as DAC’s implementing authorities. For example, the construction of Sarah Baartman’s memorial

¹⁴⁵ Interview with Dumisani Sibayi (29 July 2014).

emerged as DAC's Legacy Project. But SAHRA was the agency that conducted assessment and review of the status quo of the burial site between 2007 and 2008. SAHRA, hosted four public participation workshops with the community members in Hankey and government organs, solicited community involvement for the co-management of the Sarah Baartman Heritage Site, created collaboration and partnerships with immediate communities, and Kouga and Cacadu District Municipalities, and declared the site.

When the burial site was declared a National Heritage Site in 2008, it fell under the legal protection of SAHRA. Thus, when it was vandalised in October 2008, and again in April 2015, SAHRA, 'through the Eastern Cape SAHRA office', facilitated a review and implementation of the site's conservation management plan.

Again in 2012, while SAHRA still 'struggled' to restore the defaced parts of the gravesite, DAC announced that it had budgeted R148 million to 'revamp the gravesite'. This was a new project involving construction of the Sarah Baartman Centre of Remembrance adjacent to the grave, as 'a way to aid in the development of the local economy of Kouga municipality' in which the gravesite was located. Although the Department of Public Works administered bids and the capital works on the site, SAHRA was once again frustrated by lack of capacity and resources to administer processes involving heritage impact assessments and conservation management brought about by the new development.

Thus, while the functions of identifying, grading, declaring, managing and promoting national heritage were presumably neatly applicable to monuments, and contributing to a single and simple discourse of heritage as authorised by government officials and experts for nation-building, this was certainly not the case. SAHRA and the NHC were not particularly charged with erecting new monuments, although their wider scopes still allowed them to. DAC which was not supposed to erect monuments, given that it set-up and subsidised myriad institutions to make and govern heritage, launched new monuments. In such cases, inputs by

SAHRA and its ‘experts’ were often poorly planned, poorly resourced, confused and frustrated than resolutely authoritative. While the NHC on the other hand seemed perfectly fulfilling its role of promoting national heritage including monuments, its fixation with the meta-narrative of resistance and traditions limited its focus and impact thereof. As for the work of DAC involving monuments, what might seem as a ‘top-down’ approach, still required SAHRA and the NHC’s contributions, and also opened itself up for negotiations and even rejection, or even twists and inversions at different levels. I discuss this in detail through an analysis of the Legacy Projects in the next chapter.

Admitting issues and messiness, and reviewing policy

The duplicated, overlapping and confusing roles of SAHRA and the NHC certainly accounted for a lot of messy trials and errors. Through my visits to these institutions, and the time I spent observing the operations of staff, committees and councils, I found these as institutions that considered vital to constantly reflect on their work, appraise their operations and strategise accordingly. There were a number of review meetings and strategic planning sessions. Yet, in producing their institutional knowledge, the institutions of heritage governance discussed in this chapter rarely mentioned frustrations with each other. Inefficiency resulting from conflictual intersections was attributed to policy inadequacies, and not necessarily issues of power or knowledge authorisation; hence the common rhetoric of calls for policy reviews among these institutions.

Indeed, concerted inputs to DACST and later DAC’s policy review processes, and development of operational guidelines for different functions were the most common results of such introspection. As early as 2001, DACST launched a review of cultural laws, which saw some amendments to the *Cultural Institutions Act* of 1998 and the *National Heritage*

Council Act of 1999.¹⁴⁶ Regarding the ‘still to be launched’ NHC, the early amendments addressed anticipated issues pertaining to reimbursement of members of the Council, and submission of business plans to ‘the Minister’.

Certainly, the concerns were at that stage more about bureaucratic processes. But as more operational issues surfaced through non-compliance, delays and poor performance as reflected in the Parliamentary Portfolio Committee reports and minutes of meetings, DAC launched a more extensive policy review. The Department commissioned the Heritage Agency CC and Cheadle Thompson and Haysom Inc, Attorneys, to review the heritage legislation, who published a report for public comments in 2008.¹⁴⁷ In 2006, DAC also set up a reference group of inter-departmental officials, representatives of councils of cultural institutions and academics, to provide ‘strategic support and insight’ to the processes.¹⁴⁸

The consultants identified numerous ambiguities, duplications, overlaps and gaps in the NHCA and NHRA. And, recommended more institutional frameworks and clarification of concepts and roles than law amendments. The emphasis of their report was on policies and institutional frameworks for intangible heritage, and the duplication of such by various government departments responsible for culture, heritage and social development.¹⁴⁹ The consultants also proposed ratification and integration into local policies and legislations of international conventions and guidelines such as the *UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions* of 20 October 2005.¹⁵⁰ The policy reviewers also saw a need for policies for each of the following:

Community based heritage initiatives; Intangible cultural heritage; National Museums and grading system; Monuments and memorials; Policy for Exhumations, reburials and human remains; Identifying and commemorating victims of conflict; Repatriation and restitution; Public Interest copyright exceptions; Research and development;

¹⁴⁶ Cultural Laws Second Amendment Act, No 69 (2001).

¹⁴⁷ Heritage Agency CC, Review of Heritage Legislation, *Final Report*, Vol. 1, Department of Arts and Culture (2008).

¹⁴⁸ Heritage Agency CC, Review of Heritage Legislation (2008), 6.

¹⁴⁹ Heritage Agency CC, *Review of Heritage Legislation* (2008), 34.

¹⁵⁰ Heritage Agency CC, *Review of Heritage Legislation* (2008).

Building and sharing intellectual capital; Access to heritage resources and institutions; Funding of heritage institutions; Digitization of heritage objects; Geographic Name changes; National Heritage Development; National symbols; Legacy projects, Integrated frameworks for delivery of services, specifically in the information, legal deposit, archives and records sectors.¹⁵¹

Although DAC accepted the recommendations, and therefore began a process of drafting another Cultural Laws Amendment Bill, the department held a view that since the *White Paper* had produced a total of 11 Acts in the areas of arts, heritage, archives and libraries, there was an abundance of Acts, but a shortage of policies and guidelines.¹⁵² The view was largely informed by DAC's own heritage policy review involving deliberations by reference groups, and submissions by stakeholders.

DAC also stuck with maintaining the NHC's broad function of managing for national heritage 'in general'. According to DAC, the NHC needed to be further capacitated to commission and fund heritage research in order to build a knowledge base, promote, mentor and monitor heritage projects on a bigger scale.¹⁵³ DAC also saw a need for the NHC to take full responsibility of repatriation, and to perform this function through an intergovernmental forum between the NHC and appropriate provincial and local structures. Nonetheless, the department also considered revision of the composition of the NHC, which would reduce it to 13 members, including representatives of SAHRA, museums, South African Geographical Names Council, archives, and heraldry, as well as eight members appointed by the Minister of Arts and Culture.

With regards to SAHRA, DAC considered a revision of the NHRA, so that SAHRA's core function was limited to the coordination and identification of the national estate, rather

¹⁵¹ Anil Singh, 'Presentation', Department of Arts and Culture' Briefing to the Council of Iziko Museums of the Cape Town on *Cultural Laws Amendment Bill*, 2009 (19 Feb 2009), SAHRA Library.

¹⁵² The 11 Acts were, *National Archives and Record Service of SA*, Act No.43 of 1996; *Legal Deposit Act*, Act No.54 of 1997; *National Library for the Blind Act*, Act No.91 of 1998; *National Library of SA Act*, Act No. 92 of 1998; *South African Geographical Names Council Act*, Act No.118 of 1998; *Cultural Institutions Act*, Act No.119 of 1998; *National Heritage Council Act*, Act No.11 of 1999; *National Heritage Resources Act*, Act No.25 of 1999; *National Council on Library Information Services Act*, Act No.6 of 2001; and *National Arts Council Act*, Act No.56 of 1997; and *National Film and Video Foundation Act*, Act No.73 of 1997.

¹⁵³ Anil Singh, 'Presentation' (2009).

than its management. SAHRA would also be mandated to assist provinces to establish and capacitate PHRAs. All provinces would establish PHRAs, so that SAHRA's provincial offices would be disbanded and their resources deployed to PHRAs.

But DAC's 'awakening' to the messy implementation of the heritage legislations occurred almost concurrently with the institutions' own policy improvisations. As the NHC was developing a *Heritage Transformation Charter* in fulfilment of its mandate and objective to transform South Africa's heritage landscape, the process resultantly illuminated numerous policy issues. The NHC identified a lack of policy to institute and guide development of professional heritage skills. Thus, it recommended establishment of a Council for Heritage Practitioners to set standards and criteria regarding knowledge, skill sets and ethical standards for the heritage professions, and manage entrance into professional and support heritage careers.¹⁵⁴

While the NHCA had been amended by means of the *Cultural Laws Second Amendment Act* in 2001, issues affecting its implementation were seen to persist. Confronted with the operational challenges the CEO of NHC, Sonwabile Mancotywa wrote,

The other challenge in the South African heritage sector is multiplicity of key role-players among the public entities with no clearly delineated roles thus creating role confusion or overlap that produce duplication and sometimes even tensions. We commend the National Department of Arts and Culture for its bold step in embarking on a policy and legislative review process that is aimed at addressing this problem and we are certain that, if well done, this process will lead to greater efficiency and effectiveness.¹⁵⁵

By a review process underway Mancotywa was referring to the third round of a review of cultural laws, launched to address what appeared as inadequacies in the first and second amendments.

The process resulted in the *Cultural Laws Third Amendment Bill* of 2008, which not just highlighted overlaps and gaps like previous amendments, but sought to address issues of

¹⁵⁴ National Heritage Council, *Heritage Transformation Charter* (2007).

¹⁵⁵ National Heritage Council, *Annual Report (2005-2006)*, Section 2: CEO's Overview.

power or authority. For instance, the bill proposed an annulment of the NHC's mandate to advise 'the Minister' on, among others, policy matters, allocation of funding, and restitution and repatriation.¹⁵⁶ It proposed reduction of the NHC's size to a maximum of 15 members, rationalisation of the size of the council of SAHRA, extension of the NHC's term, from three to four years, and extension of the period in the NHRA's definition of the archaeological from 60 to 100 years. Interestingly, the proposal still fell within the same framework of heritage work overseen by a council. The bill proposed that 'the Minister' appoint 'other members' of the council should the MEC's fail to appoint provincial representatives to the council. It also introduced performance agreements to be entered to with 'the Minister' by the council of SAHRA and the NHC, and the CEOs of the two bodies.¹⁵⁷ In essence, it was a proposal to address the supposed issues of power by further shortening the length of the government's arm, and intensifying rather than relaxing bureaucratic regulations.

SAHRA too, after participating in the Heritage Transformation Indaba hosted by the NHC in 2005, reflected on how complex the sector had been since 1999 due to intellectualisation instead of operationalisation of transformation.¹⁵⁸ In its frustration SAHRA called for centralisation and integration of planning, human resources, and training and development decentralisation of the units like SAHRA.¹⁵⁹ At the levels of both SAHRA and the NHC, a number of policies and guidelines were developed to mitigate issues arising out of implementation of the NHCA and NHRA. These included, SAHRA's *Living Heritage Chapter: Policy and Guideline Principles for Management, Guide for Applications for Additions or Alterations to Buildings Older than 60 Years, Guide for Department of Mineral*

¹⁵⁶ *National Heritage Council Act* (1999), S 10.

¹⁵⁷ *Third Cultural Laws Amendment Bill* (2008).

¹⁵⁸ The Heritage Transformation Indaba was held in Ekurhuleni, Gauteng on 1 and 2 April 2005. The Indaba ended with the establishment of a task team to draft a Heritage Transformation Charter for the South African heritage sector.

¹⁵⁹ See, South African Heritage Resources Agency, 'Making Transformation happen in the Heritage Sector: A report on the involvement of representatives and officials in owning and driving processes of transformation, in the Heritage Sector' (2005).

Resources officials uploading Environmental Management Plans, Guide to Amafa Permit Applications, and Guide to Nominating a Site or Object for Declaration.

On a closer look, even the policy reviews reflected endemic confusion in the sector. While most reviews were unequivocal in recommending delineation of roles, some called for more centralisation. There were concerted efforts to enlarge operational bases and provide step-by-step guides for almost every operation, just like there were calls for reduction of the sizes of bodies and create ‘one-stop-shops’. Nonetheless, calls for transformation were concerned with explication of the complex networks through which knowledge-making and representations in and outside the institutions was constantly a struggle matter of negotiations rather than smooth. Thus, rather than view these institutions as operating distinctly to produce a distinct discourse, it is best to view them as institutions in a mess.



CHAPTER THREE

National museums

They are not all of ‘national’ status in terms of their collections or the services they provide. Indeed, several provincial and municipal museums are more ‘national’ in this respect than some of the nationally funded institutions.¹

There is something about becoming heritage, and being national, that makes new declared cultural institutions nothing but grand schemes of banality. This chapter is concerned with the question of what it means for post-apartheid museums to fall within the categories of not just heritage but national heritage. While the ‘prestige’ might naturally be associated with having a grand standing in the bigger scheme of nation-building, identity, memory and history-making, declared cultural institutions or national museums do not necessarily generate and propagate these ‘nationalising’ ideas as some kind of dominant ideologies. Also, although these declared cultural institutions are operated by ‘experts’ of special esteem by virtue of their qualifications, experience and positions role in national heritage-making, their scopes and operations are so convoluted that they do not simply generate an authorised heritage discourse. This chapter begins with a critical review of the kind of heritage institutions that post-apartheid heritage legislation has created. It also discusses the implications of the change from provincial ordinances to national legislation, from provincial museums to declared cultural institutions or national museums, and from mere projects to permanent institutions and body corporates.

¹ *White Paper on Arts, Culture and Heritage* (1996), 31.

The context of the Cultural Institutions Act

The piece of legislation that gave birth to the subject of this chapter emerged out of a robust policy, history and memory making processes leading up to 1994. Through such robust work, government funded museums were reconceptualised simultaneously with arts, monuments and geographical names.² But for museums in particular, two key documents stood out as propellers of the process.

One was the *Museums for South Africa: Intersectoral Investigation for National Policy Museums Southern Africa* (MUSA), drafted by a 22-member committee in 1992.³ The committee consisted of museological experts, government officials and representatives from the South African Museums Association (SAMA), National Monuments Council (NMC), Association of Directors of National Collections, Department of National Education, Department of Education and Culture and the House of Assembly, and homeland governments.⁴ Through its 63 recommendations on 'clients and museum programmes; governance, bodies, structures and legislation; finances; and staff, assets and information systems', MUSA generally focused on ways to improve, rather than radically transform the museum sector.⁵ It put emphasis on professionalism, standards of practice set by SAMA, and effective governance. MUSA failed to address how the museum sector would democratise itself. It was rejected by the Commission for the Reconstruction and the Transformation of the Arts and Culture (CREATE) of the African National Congress (ANC).⁶

² By this I am referring to the deliberations and proposal presented through the *White Paper on Arts, Culture and Heritage* (1996).

³ It was a Pilot Committee for the Investigation of a National Museum Development Policy, which was first mobilised by SAMA in 1991, in consultation with the Department of National Education.

⁴ The Homelands, also known as Bantustans, were a total of ten territories set aside for black inhabitants of South Africa as part of the policy of apartheid as from 1963. These were: Transkei, Bophuthatswana, Ciskei, Venda, Gazankulu, KaNgwane, KwaNdebele, KwaZulu, Lebowa, and QwaQwa.

⁵ *Museums for South Africa: Intersectoral Investigation for National Policy Museums Southern Africa (Report)* (MUSA), 'Recommendations', (1992), 90-93.

⁶ CREATE was formed following a consultative meeting of the ANC in Bloemfontein in 1992, and an International Culture and Development Conference held in Johannesburg in 1993, both of which deliberated on

Another key document was the report by the ANC's CREATE, which proposed new museologies themed around fostering reconciliation and constructive cultural values, promoting artistic and cultural expressions of living culture as heritage, and counteracting division and exploitation of one by another.⁷ While the two reports were produced under different mandates, both became key points of reference for the Arts and Culture Task Group (ACTAG), whose report became a blueprint for the *White Paper*.⁸ The report by CREATE was premised on an anti-apartheid stance, it drew together ideas of resistance, which it underpinned with claims of legitimacy formulated around origins, indigeneity, and land inheritance.⁹ It summoned resistance pasts and histories, imbued them with meanings of African traditional, cultural distinctness, and presented them as artistic and culturally expressive, and memorialise-able and monumentalise-able. CREATE therefore became the key reference in the production of the *White Paper*, which then informed the *Cultural Institutions Act* and subsequent heritage legislation.

Nonetheless, both MUSA and CREATE's report provided background to the *White Paper*, such that it emerged in the context of, on the one hand, prevailing discourses of museums as institutions of scientific study, collection, preservation, conservation and display of specimen, and on the other hand, emerging discourses of museums as institutions of democratisation. Until government-funded museums became heritage institutions through the *Cultural Institutions Act* (CIA) of 1998, the arena of heritage had officially been the preserve of the monumentalising work of the National Monuments Council (NMC).¹⁰ As Franco

issues of arts, culture and heritage, with a focus on the revival and promotion of African cultures and traditions. It replaced the ANC's Commission on Museums, Monuments and Heraldry (CMMH).

⁷ Sara Byala, *A Place That Matters Yet: John Gubbins's Museum Africa in the Postcolonial World* (Chicago: University of Chicago Press, 2013), 189-190; Annie Coombes, *History After Apartheid: Visual Culture and Public Memory in a Democratic South Africa* (London: Duke University Press, 2003), 15-16.

⁸ Udo S. Kusel, *A New Policy for the Transformation of South African Museums and Museum Services*, Arts and Culture Task Group (Heritage), presented to the Minister of Arts, Culture, Science and Technology (July 1995), 'Foreword', 1-3.

⁹ David Bunn, 'The Museum Outdoors: Heritage, Cattle and Permeable Borders in the Southwestern Kruger National Park', Ivan Karp et. al. (eds) *Museum Frictions* (2006).

¹⁰ *The National Monuments Act* (1969) was the only piece of legislation that carried the term heritage.

Frescura had observed, the NMC's work was an arena of expertise directed by a council, which also was an 'elitist club' dominated by government ministers, senators, politicians, academics, architects and archivists.¹¹ And, some members of the last NMC such as Luli Callinicos, Jabulani Maphalala, Wandile Kuse became influential members of ACTAG, and subsequently became members and even chairpersons of the councils of SAHRA, NHC, national museums and sites.

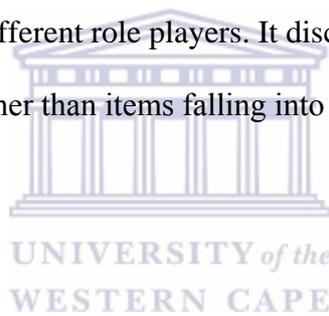
During such policy-making stages, it seemed that the museum sector in the making would certainly produce a heritage discourse authorised by politicians, to which professionals would contribute their expertise. Indeed, CREATE sought to create heritage institutions that would encourage production and propagation of a particular post anti-apartheid discourse, while fostering unrestrained creativity. But that is not what museums turned out to be. By becoming heritage, the museum institution became bureaucratic, but also messy. As shown in the previous chapter, heritage as a legislated concept and practice was indeed bureaucratic, and this is something that CREATE was highly critical of MUSA for. Yet, post-apartheid museum institutions carried on in the same tradition and became these bizarre bureaucratic, yet disorderly institutions.

In addressing the central question of whether or not post-apartheid museums and sites produce an authorised heritage discourse, this chapter begins at the point of the insertion of museums into a legislated, institutionalising, nationalising and collectivising category of heritage. It goes on to consider what it meant for museums to become heritage and national. It examines two post-apartheid heritage projects through which concepts and sites developed into declared cultural institutions or national museums, which although grand in outlook were regimented, lacked creativity and were dull. Discussions in this chapter are focused at

¹¹ Franco Frescura, 'National or Nationalist? A Critique of the National Monuments Council, 1936-1989', in Derek Japha and Vivienne Japha (eds), *National or Nationalist: The Work of the Monument's Council, 1936-1989*, Proceedings of the National Urban Conservation Symposium held at the University of Witwatersrand, Johannesburg, 12-14 July 1990, 1-21.

addressing the question of what it meant for museums to become heritage institutions, and what that did to their operations.

Although this chapter identifies general trends among post-apartheid national museums and sites, it also acknowledges that museums did not develop in the same manner, and cannot be compositely accounted for. Certain post-apartheid museums have been declared by their ‘makers’ free of AHD, for their ability to resist being trapped in certain ‘undesired’ spheres of influence and that includes the District Six Museum.¹² This is debateable, but the focus here is not on differentiating or evaluating domains of power. It is on revealing the ways in which heritage is made at the level of museums. The focus is on what national museums do with the concept of heritage, especially the negotiations of knowledge and power between different role players. It discusses museums as complicated and contradictory institutions, rather than items falling into neat categories of ‘the authorised’ and ‘the unauthorised’.



The birth of a post-apartheid museum

It is common to think of museums in post-apartheid South Africa along the concept of transformation and policy-making, and along Nelson Mandela’s famous speech on the occasion of the opening of Robben Island Museum on 24 September 1997.¹³ This is largely due to the explosion of change-related museum activity after 1994, which saw overhauls of ‘old’ museum representations, and emergence of new museum projects. Focus has been on

¹² Ciraj Rassool, ‘Community Museums, Memory Politics, and Social Transformation in South Africa: Histories, Possibilities, and Limits’, Ivan Karp et.al., *Museum Frictions* (2006), 286-321; Noëleen Murray and Leslie Witz’, *Hostels, Homes, Museum: Memorialising Migrant Labour Pasts in Lwandle, South Africa* (Cape Town: UCT Press, 2014).

¹³ Mandela spoke about the need for museums to undergo restructuring of their representations and promote accessibility by all citizens. For literature exploring transformation of South African museums, see, Gerald Corsane, ‘Transforming Museums and Heritage in Postcolonial and Post-apartheid South Africa: The Impact of Processes of Policy Formulation and New Legislation’, *Social Analysis: The International Journal of Social and Cultural Practice*, 48: 1 (Spring 2004), 5-15; Steven C. Dubin, *Transforming Museums: Mounting Queen Victoria in a Democratic South Africa* (New York: Palgrave MacMillan, 2006).

policy-making processes and visible changes such as the closure of the Bushmen Diorama by the South African Museum (SAM) in 2001, which have been interpreted as springboards of significant transformation of the museum landscape.¹⁴ Another subject of major interest has been the highly contested processes of rationalizing and restructuring post-apartheid museums.¹⁵ Again, the main interest has been on transformation and its failures and successes, and the politics of memory, knowledge, identity-making and representation.

But also important to consider is the gradations of the transformation context in which post-apartheid museums were either refigured or construed, which have a lot to do with the re-conceptualisation of heritage and culture, as well as the birth of a particular category of history. From the *Arts and Culture Task Group (ACTAG) Report* (1995), the *White Paper on Arts, Culture and Heritage* (1996), to the *National Council Act*, Act No.11 of 1999 (NHCA) and the *National Heritage Resources Act*, Act No. 25 of 1999 (NHRA), heritage and culture became vast fields.¹⁶ On the one hand, government-funded museums and their collections were progressively incorporated into a heritage category encompassing a range of items, including parks, sites, monuments, buildings, art, literature music, and oral traditions, was reconceptualised, reclassified, and freshly valorised. The category was redefined to encompass tradition, oral history, performance, ritual, popular memory, indigenous knowledge systems, and skills and techniques.¹⁷

¹⁴ Gerald Corsane, 'Transforming Museums and Heritage in Postcolonial and Post-apartheid South Africa' (2004); Tamara Leora Meents, 'Deconstructing museums and memorials in pre-and post-apartheid South Africa' (Master's Thesis, University of South Africa, November 2009).

¹⁵ For example, Annie Coombes, *History After Apartheid: Visual Culture and Public Memory in a Democratic South Africa* (London: Duke University Press, 2003); Leslie Witz, 'Museums, Histories and the Dilemmas of Change in Post-Apartheid South Africa', *Working Papers in Museum Studies*, 3 (University of Michigan, 2010); Leslie Witz, 'Making museums as heritage in post-apartheid South Africa' (2012); and Elizabeth Rankin, 'Creating/Curating Cultural Capital' (2013) 72-98.

¹⁶ Although the term 'heritage' had recently found its way into the discourse of arts and culture. See, Leslie Witz, 'Making museums as heritage in post-apartheid South Africa' (2012).

¹⁷ *National Heritage Resources Act* (1999).

Central to this reconceptualization of heritage and culture were romantic ideas about African pasts and histories formulated against Eurocentrism, and imbued with meanings of indigeneity, originality and authenticity. In the crafting of new nationhood,

a proudly African past played a vital role, revealed in the national motto and coat of arms, state medals and awards, in government speeches, the proliferation of museums and heritage sites, exhibitions and excavations, arts and crafts programs, and innumerable development initiatives.¹⁸

While this seemed like a simplification of all post-apartheid memory and heritage work into a dominant discourse meant to account for the new pasts and presents, and devise new approaches, the ‘amalgamation’ on its own complicated the museum practice.

By becoming heritage, more so national heritage, the post-apartheid museum became an item within a wider assemblage, together with a set of banal practices of meeting standards and ticking boxes. But it was more complicated than just fitting into categories and becoming compliant. By becoming a declared post-apartheid cultural institution, the national museum was distinguished from the museums classified as provincial, provincial-aided or local. Through the *Cultural Institutions Act*, heritage and culture were made to meet by means of rendering the cultural institutions declarable as national museums. Thus, becoming a post-apartheid national museum was about being heritage, just as it was about being cultural in a nationalising context and manner. It was about being part of giving meaning to what constituted ‘national’, and that proved to be complicated.

While, the concept of national defined South Africa in terms of geographic boundaries, and imagined ethnic and language boundaries, when translated to museum operations, being national was about being constantly confused and ambiguous about the same boundaries.¹⁹ It was about how to, and how not to imagine these boundaries in the

¹⁸ Lynn Meskell, *The Nature of Heritage: The New South Africa* (Oxford: Wiley-Blackwell, 2012), 2.

¹⁹ There were nine provinces, which were largely demarcated according to the Bantustans or Homelands that the previous apartheid government had created. The demarcations had ‘grouped’ together people presumed to share ethnicities, languages and cultures. These combined with the previous Republic of South Africa became the new ‘national’. Also, geographic boundaries mattered in the sense that those outside the South African geographic,

construction of museums communities. It was also about the implications of government subsidy and being ‘of service’ to an imagined nation as its attachment. While the two museums studied in this chapter were visualized to fit into some perfect local, ethnic and national contexts, figuring beneficiaries, and transcending ethnic singularities became complicated affairs. As different role players negotiated their ways in and out of these frameworks, heritage making and unmaking created a trail of enmeshed intersections of dynamic and complicated individual and collective memories, experiences, pasts and presents.

Alongside the rationalisation of a nationalising heritage and nationalising culture, history was being refigured and appropriated as factual, and verifiable through sites and artefacts dubbed cultural heritage.²⁰ History promoted as ‘authorised knowledge’, ‘authentic’, ‘facts’ of ‘the past’ significantly informed the new and the ‘transforming’ national museums.²¹ History as a means of verification was made to testify of traditions and cultures of resistance across political epochs, resistance said to be intrinsically African. History met at the point of verification with sciences studying tangible ‘remains’ of pasts like archaeology, as these together converted objects and sites into heritage. History corroborated in the decoding of artistic expressions found in songs, dances and art, by imbuing these with meanings that qualified them as heritage items. Also, there was ‘recognition’ of the inexpressibility of certain intangibles, which were imagined to exist in an enigmatic world decrypted only by diviners. These too were verified by reference to physical ‘evidence’ like

who shared languages and cultures with those within the South African geographic boundaries, were not part of the ‘national’.

²⁰ Leslie Witz, ‘Transforming Museums on Postapartheid Tourist Routes’, Ivan Karp et. al. (eds), *Museum Frictions* (2006), 107-133.

²¹ These were informed by texts like the eight volume *UNESCO General History of Africa* (1978-1983) and the *Reader’s Digest Illustrated History of South Africa: The Real Story* produced since 1988, which claimed to tell ‘the true stories’ about ‘Africa’s past’. See, Leslie Witz and Carolyn Hamilton, ‘Reaping the whirlwind: the Reader’s Digest Illustrated History of South Africa and changing popular perceptions of history’, Peter Stone and Brian Molyneaux (eds), *The Presented Pasts: Heritage, Museums and Education* (London: Routledge, 1994); The term ‘heritage’ though had recently found its way into the discourse of arts and culture. See, Leslie Witz, ‘Making museums as heritage in post-apartheid South Africa’ (2012).

rock art, or tangibilised through oral histories and performances, which appended African cosmology to other sciences of heritage-making such as archaeology and anthropology. Thus, heritage in museums became a fixation of history as facts or history as verifiable.

Far from what Lynn Meskell sees as,

inattention heritage has paid to history... a heritage providing ‘a hollow spectacle that is rarely educational or deeply historical’... a heritage that has ahistoricised origins, traditions and cultures, heritage did historicising of its own,²²

post-apartheid heritage practice paid a lot of attention to a certain type of history. Its processes involved manipulative summoning of selected histories and invocations of the same ideas of origins. Indeed, attention paid to accuracy verifiable through formal disciplinary techniques, was highly selective and dismissive of certain ‘realities’. Therefore, the knowledge produced seemed ahistoricised, or lacking wide-ranging historical details that would relate it to wider rather than limited contexts. But there are many ways in which ‘intangible heritage’ translated as indigenous knowledge systems, appropriated particular black (African) histories to verify or make itself real.²³ Indeed, heritage ‘emerged’ through different conceptualisation processes in the early 1990s. But it was when heritage had been firmly positioned within African pasts such as resistance against colonial domination, that it (heritage) could ‘effectively’ define and designate itself.

But as much as selected histories were summoned for verification, authentication and validation purposes, this too was complicated. The ‘Ncome’ Legacy Project studied in this chapter is a classic case of histories coming together to further complicate a highly politically charged memory project. It is also a case of histories not entirely translating to representations, and of representations making new histories.

²² Lynn Meskell, *The Nature of Heritage* (2012), 54.

²³ Gary Minkley, ‘A fragile inheritor’ (November 2008), 26. Minkley refers to the invocations of heritage during the ‘Oral History Indaba: Giving Voice to the Voiceless’ held in East London in the Eastern Cape, in February 2008.

Another feature brought about by the making of a new museum sector was unstable balances, contradictions and sometimes tensions between adhering to regulations, embracing semi-autonomy and striving for sustainability. The *White Paper* proposed an evaluation of all government-funded cultural institutions according to a set criteria of what constituted ‘national’, and their transformation ‘through a systematic process of restructuring and rationalisation’.²⁴ Subsequently, the amalgamation of a selection of museums, galleries and collections to form two flagship national institutions was enacted.²⁵ The rest of the previously declared and government-funded museums did not make the cut according to the new category of national museums, and therefore defaulted to the control of provincial government departments, depending on their previous scopes and sources of funding.²⁶ In the ‘rejected’ lot were also declared museums administered by research councils or government departments other than DACST.²⁷

The new model was such that no government-funded museum, institution or site was to operate autonomously. From the flagship institutions established by the *Cultural Institutions Act*, to museums the new museums developed through the Legacy Projects (introduced in Chapter One), all declared cultural institutions were fully accountable to DACST (later DAC).²⁸ What then did the remaking of the museum do to the manner in which the work of heritage was performed? What did the institutionalisation of heritage do to

²⁴ Henry C Bredekamp, ‘The Cultural Heritage of Democratic South Africa’ (2009).

²⁵ The Northern and Southern Flagships were later renamed Ditsong and Iziko Museums respectively.

²⁶ Other than national and provincial, there were departmental, local, municipal and private museums classified according to their sources of funding.

²⁷ These included the Museum of the Council for Geoscience in Pretoria, the South African Air Force Museum in Pretoria and its satellites and the South African Police Service Museum in Pretoria and its satellites.

²⁸ Other national museums and sites that the *Cultural Institutions Act* declared outside the flagships were, Afrikaans Language Museum and Language Monument; Engelenburghuis Art Collection; Foundation for Education, Science and Technology; JLB Smith Institute for Ichthyology; Natal Museum; National English Literary Museum; National Museum; National Zoological Gardens of South Africa; Robben Island Museum; Voortrekker Museum; War Museum of the Boer Republics; and William Humphreys Art Gallery, which the *Cultural Institutions Act* listed as independent cultural institutions forming part of the National Museum Division. See *Cultural Institutions Act* (1998) Schedule 1, S 17.

museums? In other words, what did heritage do to museums, and what did museums do to heritage?

In accordance with the *Cultural Institutions Act* and the *National Heritage Resources Act*, museums were recognised as institutions of cultural heritage, which collected and housed cultural heritage objects and archaeological, paleontological and meteorological materials forming part of the national estate. All these collections were to be inventoried and entered into a register administered by SAHRA. The Legacy Projects too took up this framework, since they emerged in the dispensation of legislated heritage and *heritagised* museums.

Accordingly, museums were incorporated into a corporately run heritage practice of protocols, routine documenting and reporting. In essence, the museum institution carried on with its 'tradition' of inventorying items and practices of pasts and presents, a practice that had 'long been part of identitarian politics'. But for a change, the practice was 'avidly fostered by the state, chiefly through programs administered by the DAC'.²⁹ Declared Cultural Institutions received funding from the state in the form of annual subsidies, attached to which were stringent accounting rules. But state subsidies contributed only a fraction to the institutions' financial needs. The institutions were therefore expected to be self-sufficient in a business-like manner.

Thus, a commercial culture came to define post-apartheid museums and sites. On the one hand, there was policy regulating buying, selling, leasing, borrowing and investing by declared cultural institution. While the *Cultural Institutions Act* declared cultural institutions as corporate bodies that might,

purchase or otherwise acquire; hire; sell; let; exchange or otherwise alienate; hypothecate or encumber immovable property; invest; lend or borrow moneys; let or exchange any specimen, collection or other movable property belonging to it,³⁰

²⁹ Lynn Meskell, *The Nature of Heritage* (2012), 39.

³⁰ *Cultural Institutions Act* (1998), S 4.

all had to be approved by the ‘Minister’, who also had to consult with the Minister of Finance.

While obtaining the ‘Minister’s’ consent seemed limiting, generating income was also not without its own accounting challenges, especially since many institutions lacked accounting capacity. On the other hand, the institutions had to forge and maintain strong links with private business, which created ‘a heavy and overt reliance upon the private sector, market principles, and corporate solutions’.³¹ Part of it was a ‘consultancy culture’ that seemed to simplify operations. It was different from the usually protracted staffing, skilling and recompensing processes.

Furthermore, post-apartheid museums were admitted into a system of complicated relationship between declared cultural institutions and the state. One aspect that scholars bothered by government’s hand in the affairs of heritage institutions have not explored is how distant the government was from the day-to-day running of these institutions. The trend of the departments concerned with heritage matters was that of planting the seed, establishing and launching the projects, and then leaving the practitioners to their own devices. There were frustrations about inadequate support by the government, about how out of touch with reality the government was, and about how unrealistic the government’s expectations were as a result. Such frustrations and constant calls for an improved government support to cultural institutions was contrary to the notions of a heritage discourse overtly sanctioned by the government, and to the ideas of a ‘capture’ of the decision making processes and operations of cultural institutions.

Also, by becoming heritage, museums incorporated into their spheres the intangible aspect of heritage, as perhaps another ‘object’ of collection. Post-apartheid museums became institutions of the making, promotion and management of another category, living heritage,

³¹ Lynn Meskell, *The Nature of Heritage* (2012), 49.

along with objects, built environment and landscape. And, making immaterial or living heritage alongside material heritage, or generating intangible for every tangible aspect of representations, rendered national museums full participants in the nationalising agendas of redress, participation and access. Interestingly though,

the Cultural Institutions Act makes no mention of living or intangible cultural heritage. Nevertheless, museums have taken cognisance of the call to address the issue of intangible heritage, particularly in relation to their collections. Iziko Museums, for example, have acknowledged the role of indigenous knowledge systems and intangible heritage in interpreting collections, the need to make use of new technologies to give tangible form to intangible aspects of heritage and the need to engage with local communities, the keepers of cultural knowledge, to research, present and preserve intangible heritage.³²

Thus, as part of a host of other institutions of public culture such as galleries and theatres, museums no longer posed as simply collecting and disseminating institutions, but asserted themselves to making heritage ‘come alive’. For museums, becoming heritage therefore meant overtly engaging with the publics in making meanings of cultures and identities as living and renewable. It meant opening museum spaces up for the publics to perform themselves and revise and renew heritage as heritage-making went along.

National museums as institutions of governance

Legislating and institutionalising heritage also gave birth to a regimented museum preoccupied with inventorying, strategic planning, monitoring and evaluation and reporting. The *Cultural Institutions Act* entrusted the council of any declared institution with the control, management and direction, including custodianship of the state’s assets associated with the institution of the affairs of the institution. But the Act also stipulated that the council members be appointed by the ‘Minister’, based on specific principles.³³ Even the objectives

³² Heritage Agency CC, Review of Heritage Legislation, *Final Report*, Vol. 1, Department of Arts and Culture, 35.

³³ The principles of transparency and representivity. *Cultural Institutions Act* (1998), S 5 (3).

of the institutions were subject to the approval of the ‘Minister’. Not only did the Act stipulate the functions of the council, its powers, parameters and term of office, it also regulated its conduct, especially with regards to finances. It was the responsibility of the council to ensure proper management, control and use of funds, and proper record keeping and reporting by all role players in the institution.

The system was such that all central tenets that give the institution its shape began with approvals by the government in the person of the ‘Minister’. They ended with reporting back to the government in the person of the Auditor General and departmental authorities responsible for reviewing institutional annual reports.³⁴ But it is important to note that, while the *Cultural Institutions Act* clearly defined the roles of ‘Minister’, council, auditor-general and director, but not of the operational teams led by directors or CEOs. Thus, while national museums developed to represent a system of stipulated roles, lines of authority and protocols that positioned the institution between its service of the publics and the government, remained blurred and perhaps dependent on the museums’ own profiling.

Also, re-appropriating previous classifications of heritage institutions into such categories as national, provincial and local institutionalisation was certainly a technique of power. The categories were indeed prescriptive. And maintaining the classification was a means of isolating and individuating. It was not entirely designed for easy control of these institutions, but so that national museums would be a model of post colonialism or new premises and governmentality at ‘national level’. National museums were models of more than just abiding by the rules. They were also models for taking it upon themselves to follow the rules, and even make their publics and stakeholders follow them. Almost similar to the process that Michel Foucault discusses as ‘normalising judgement’, the set-up enabled

³⁴ Chapter 9 of the Constitution of the Republic of South Africa establishes the Auditor-General of South Africa as one of the state institutions supporting constitutional democracy. The AGSA is accountable to the National Assembly in terms of section 181(5) of the Constitution and section 3(d) of the Public Audit Act No. 25 of 2004 (PAA) and has to report on its activities and performance of its functions in terms of section 10 of the PAA. See, <https://www.agsa.co.za/About/Legislation.aspx> Accessed on 24 August 2016.

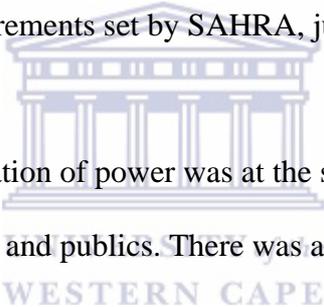
location of the national museums within an ‘epistemic field’ of their own.³⁵ Being national, efficient and governable was made normal by means of hierarchising, *typicalising*, homogenising, differentiating, and excluding. I demonstrate this later through the case of Ncome/Blood River Monument and Memorial Complex.

But the post-apartheid legislation did not configure a single domain from which to disseminate power. The *Cultural Institutions Act* heralded a number of pieces of legislation that established different protocols, and placed museums within a complex network of power/knowledge relations. With the *Cultural Institutions Act* the government presented itself as an agency of establishing principles, of setting up a system or model, and of classifying and regulating. But through NHRA, the government devolved the roles of identifying, grading and declaring national heritage resources to SAHRA. As discussed in Chapter Two, post-apartheid heritage legislation set principles and established systems and institutions, but provided no operational guidelines through which transformation, democratisation or redress would occur at the level of implementation. That was left to the implementing institutions like SAHRA to figure out. No discernible exercise of government power could be seen in, for instance, cases of violation of rules pertaining to demolition of 60 years old property. Instead, SAHRA enforced the rules and administered punishment where applicable.

As I discussed in Chapter Two, SAHRA was sometimes powerless in this regard, and saw the very rules subverted, sometimes at no cost to the ‘erring’ party. Such cases were examples of transferability of power from one party to another, or its negotiation between parties. From national museums, SAHRA could demand conservation management plans of a set standard. But that was only enforceable in accordance with memoranda of understanding

³⁵ Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Pantheon, 1977), 183. See also Joseph Rouse, “Power/Knowledge”, *Division I Faculty Publications*, Paper 34 (2005) <http://wescholar.wesleyan.edu/div1fucpubs/34> Accessed on 13 May 2015.

(MOU) between SAHRA and the institutions concerned. Where no MOU existed, SAHRA was also limited in its enforcement of rules in that particular institution, although the agency could at least deny that institution declaration as a national heritage site. It was a power game that each institution, whether SAHRA or a cultural institution could play for its own benefit. For SAHRA, it was about fulfilment of mandate to ‘exercise control’ over museum collections as national heritage resources, through a formal declaration. For museums, it was about, on the one hand, declaration status and the government subsidy and tourism perks attached to it. And on the other hand, the museum’s autonomy, control over its own collections and freedom from certain government regulations. Former government funded museums too could choose to stay off the bureaucratic national museums grid by not conforming the standards or requirements set by SAHRA, just as far as that served their specific interests.



Another domain of negotiation of power was at the site of cultural institution, between the institution and its stakeholders and publics. There was a general trend among post-apartheid museums to attempt to construct museum communities under a concept called ‘stakeholders’ concept. For the Legacy Projects for instance, the processes generally involved intense consultative meetings with residents within the locality of the identified sites, and those identified as stakeholders concerning the establishment of a museum, its concept, scope and objectives, the site, architectural designs, collections, representations, staffing, policy and prospective social and economic benefits. The bearers of the concept would be task teams or the steering committees, or in most formalised and ‘officialised’ cases, the board of trustees entrusted with financial resources for the project.

A project would be launched out of the so called public participation, although inputs of communities and interest groups would be received through representatives. While such processes could be accounted for as ‘democratising heritage’ through, for example,

inclusivity, participation, access and transparency, they were intrinsically contestable. Their sustainability was a matter of ongoing negotiations between the institution ‘authorities’, local residents mobilising themselves as communities, as well as continuous revisiting and adjustments of the missions, visions, strategies, approaches and procedures. In such cases, power or knowledge from any direction was welcomed by the interest groups as far as it enabled productivity.

It is indeed apparent that part of making a post-apartheid public citizenry governable, and knowable to the state and to itself was by summoning a tried and tested museum approach, that of ordering around public history, public culture and memory projects.³⁶ But establishing nationalising heritage projects, and resourcing them with professional makers and regulators of public knowledge like anthropologists, archaeologists, historians, artists, curators, conservationists and heritage educators, was even more important. As was the case in government funded museums under colonial governments, the practice drew together different sets of knowledges forms generated by heritage practitioners and academics, through their various disciplines, approaches, and procedures. Thus, if one considers for instance the idea of expertise or professionalism as synonymous with authority and dominance, it becomes easy to think of the practice as authorising heritage. Yet as I demonstrate through the two cases studied discussed in this chapter, the ‘ordering’ was more complex and with sophisticated intended and unintended outcomes.

Museums and sites became hubs of these different approaches. Although institutions drew from supposedly common pasts and presents, they generated, commanded and diffused authority and knowledge in different manners, which were not fixed but underwent constant negotiation. Practitioners like traditional healers, whom museums in many instances summoned to offer guidance in the formulation and interpretation of intangible heritage and

³⁶ Tony Bennett, ‘The Exhibitionary Complex’ (1988).

consecration of certain objects and spaces, operated under a different set of rules and institutional constraints from pragmatic scientists. At the same time, individuals and sub-grouping within these categories had other factors governing their operations.

Whatever the different disciplinary frameworks may be, Joost Fontein is bothered by the authority of heritage professionals and academics, whom he believes work to reify state power, and activate political ideologies with a freezing effect on identities, memories, experiences and narratives. Fontein believes they do so by posing credibility and integrity, which then opens particular discourses of origins, citizenship, dispossessions and resistance, to naturalisation and legitimisation.³⁷

But individuals and groups mobilising themselves as local communities had their own needs and expectations. They communicated these through their participation, non-participation, manipulation and appropriation of the disseminated knowledges. Besides, different disciplines, with their different approaches and diverse publics, coexisted with each other and operated within networks through which professionals, experts, practitioners and ‘the publics’ intermittently deployed, disseminated, intersected and negotiated knowledges and temporal powers. Thus, in the post-apartheid museum sector, practitioners operated through extensive and complex networks, such that no discernible power was transmitted and disseminated from a centralised point.

The Legacy Projects, most of which developed into museums, present powerful examples in which the above discussions apply. They were earliest instrumentalisation of the *White Paper*, particularly its proposal for re-contextualisation of existing monuments and museums to allow development of new means of memorialising pasts. While the projects were the initiative of DACST endorsed at cabinet level, implementation was entrusted upon task teams, steering committees, trusts and administrations. An inter-departmental National

³⁷ Joost Fontein, *The silence of Great Zimbabwe: Contested landscapes and the power of heritage* (Cavendish Publishers Ltd, 2009).

Legacy Committee was formed, and mandated by Cabinet ‘to establish museums and erect monuments as legacies acknowledging the roles of all South Africans in the liberation struggle’.³⁸ Its main function was also to ensure that each project met the fundamental principles driving arts and culture at the time, especially redressing past imbalances, inclusivity, equity, diversity, development, and nation-building.³⁹ The committee in turn appointed steering committees for each project.

Ultimately, it was at the level of individuals and groups that negotiations came to play, and that inter-relations of power and knowledge were made manifest. Experts were sought nationwide and teams of historians, archaeologists, architects, researchers and social scientists were set and mandated to lead conceptualisation processes. They were also to advise the various levels of government in the making and implementation of heritage legislation. At such stages, the projects were most eventful, until mandates were set and appraised in terms of policy, and until the projects were formalised into institutionalised heritage.

Many post-apartheid national museums and sites make various claims to development through the so called Legacy Projects and the Liberation Heritage Route⁴⁰. In the next sections I investigate post-apartheid national museum-ness and its meanings through the projects that produced the Nelson Mandela Museum and Ncome/Blood River Monument and Museum Complex. The two projects are comparable in that they were both conceived with high ambitions, but degenerated into unimaginative heritage institutions engrossed with mundane administrative processes. The Nelson Mandela Museum was meant to be a tourism

³⁸ Department of Arts and Culture website, <http://www.dac.gov.za/content/legacy-projects> Accessed on 15 September 2014.

³⁹ Nsizwa Dlamini, ‘The Battle of Ncome Project: state memorialism, discomfoting spaces’, *Southern African Humanities*, 13 (December 2001), 126.

⁴⁰ The Liberation Heritage Route Project as a project of the National Heritage Council (NHC) Heritage Committee was launched in February 2008. It aims to identify, research and develop a series of liberation sites with localised, provincial and national significance. See, National Heritage Council, ‘Liberation Heritage Route’, <http://www.nhc.org.za/project/liberation-heritage-route/>.

and educational centre pulsating with community activities, especially youth-related activities. The Ncome/Monument and Museum complex was meant to be a place of vigorous ongoing reconceptualization and of re-making of particular sets of historical and cultural knowledges.

The two projects did indeed develop into multi-component complexes comprising of monuments, memorials, interpretive spaces and museum buildings. In the case of Nelson Mandela Museum, the concept of an indoor museum was prominent from its early inception, while open-air museum, memorial and interpretive sites at Mvezo, Qunu and Mqhekezweni emerged almost as add-ons. The Ncome/Blood River Monument and Museum was initially planned as a 'monument with museum', with the museum component as an addition rather than integral component of the project. The monument was unveiled on 16 December 1998, whereas the museum opened on 26 November 1999. Nonetheless, the museum aspects on both sites gained prominence that warranted that the two Legacy Projects be officially declared as cultural institutions in terms of the *Cultural Institutions Act*, a category that covered national museums.⁴¹

Without attempting to produce biographies of these institutions, I focus on their selected moments and occurrences that inform the main argument of this chapter, that by becoming heritage, post-apartheid declared cultural institutions became grand schemes of nothing but administrative banality, and of making history and disseminating as facts. This is what becoming heritage turned out to be for national museums.

The museums and sites I discuss here emerged through processes that have been criticised as over-ambitious and too authorising.⁴² But what has been under-explored is the

⁴¹ The declaration of Nelson Mandela Museum, and Ncome Museum came into effect upon their launches in 1999 and 2001 respectively.

⁴² See Heather Hughes, 'Rainbow renaissance tribes and townships: tourism and heritage in South Africa since 1994', in Sakhela Buhlungu, John Daniel, Roger Southall and Jessica Lutchman (eds), *State of the Nation: South Africa 2007* (Pretoria: HSRC Press, 2007), 266-288; Tony King and Kate M. Flynn, 'Heritage and the

alternating negotiations, compromises, subversions and manipulations of knowledge and power that typified those concept brainstorming sessions, ‘stakeholders’ consultations, research trips, ‘fact-finding’ missions, road shows, awareness campaigns and the drawing boards, production rooms and construction and display sites. It is often assumed that dissonance in heritage arises out of divergent views on the meanings and uses of heritage between the experts and ‘the publics’. But attention is rarely paid to contradictions in the very concepts founding heritage projects, and how these contradicting concepts were made useful and appropriable by different groups at different times. It is an exposition of those timed deployments of knowledge and power that addresses this chapter’s central question: the question of what it meant for the new national museums and sites established through Legacy Projects to become heritage.

Nelson Mandela Museum



The museum describes itself as being as an expression of Nelson Mandela’s wish, and summarises its own history as follows:

After his release from political imprisonment, Nelson Mandela, as the first democratically elected President of South Africa, received a significant number of gifts from the South African and international community in recognition and appreciation of the role he played in the struggle for peace, freedom and democracy in South Africa and the world. In accepting the gifts he indicated that he did so on behalf of all the people of South Africa and further expressed the wish that the gifts be displayed for the benefit and appreciation of the Nation at or near his home village of Qunu in the Eastern Cape.⁴³

Its vision is,

to be a living memorial to Nelson Mandela’s values and vision’, to inspire and enrich all who visit it, to serve as a catalyst for development and to share the heritage and resources linked to Nelson Mandela⁴⁴

post-apartheid city: Constitution Hill, Johannesburg, *International Journal of Heritage Studies*, 18:1 (2012), 65-82.

⁴³ Nelson Mandela Museum, *Annual Report* (2003/4).

A meeting of ‘Qunu residents’, Nelson Mandela and government officials⁴⁵ held at the Qunu Great Place, a place known to locals as KwaNokwanele in 1995, is said to be where Mandela ‘reiterated’ his wish for a museum to house his numerous gifts and make them accessible to ‘the public’.⁴⁶ This is according to Nelson Mandela Museum’s institutional knowledge.

As the museum relates, the project was initiated by the government and from the onset pivoted by government officials.⁴⁷ First was Deputy Minister of Environmental Affairs and Tourism Bantubonke Holomisa, said to have been charged by Mandela ‘with the task of paving the way for the construction of the museum’.⁴⁸ His involvement in the project was to the point of chairing the conception meeting attended by Nelson Mandela, before he passed the project on to DACST and Department of Public Works (DPW) in 1996. Indeed, the project seemed better placed under DACST, as the *White Paper* of 1996 also clearly located museums within the arts and culture ministry. But management of its construction and maintenance aspects of all public works remained within the scope of DPW. Second was the Deputy Minister of Arts, Culture, Science and Technology Brigitte Mabandla, who presented the project to Qunu community meetings and road shows, as soon as DACST incorporated it into its Legacy Projects in 1998.⁴⁹

Through these consultative processes, the project developed from the initial idea of building one big museum in Qunu into the idea of ‘a tri-campus museum distributed across

⁴⁴ Nelson Mandela Museum, <http://www.nelsonmandelamuseum.org.za/history/the-legacy> Accessed on 6 December 2013.

⁴⁵ Some represented the Eastern Cape government and local municipality, while other were from the national Department of Environmental Affairs and Tourism.

⁴⁶ This is what a Nelson Mandela Museum tour guide shared with tourists on my visit there on 3 December 2013. See also, <http://www.nelsonmandelamuseum.org.za/a-brand-new-nelson-mandela-museum> Accessed on 14 June 2015.

⁴⁷ The project was listed as a government initiative in the *South African Yearbook* (2007-2008), 88.

⁴⁸ Nelson Mandela Museum, ‘A brand new Nelson Mandela Museum’ (17 July 2016), <http://www.nelsonmandelamuseum.org.za/a-brand-new-nelson-mandela-museum>, Accessed on 10 December 2013; Rehana Rossouw, ‘Go-ahead for museum of gifts’, Mail & Guardian Online (1 May 1996), <http://mg.co.za/article/1996-05-01-go-ahead-for-museum-of-gifts> Accessed on 10 December 2013.

⁴⁹ Interview with Nokuzola Tetani, Nelson Mandela Museum (3 December 2013). At the time of the interview, Tetani was the museum’s Marketing, Communication and Tours Manager. She had been with the museum from its inception, was a resident of Qunu, and claimed to have been part of the ‘community meeting with Mandela’ in 1995.

Mvezo, Qunu and Mthatha respectively’, which the planners thought would spread the beneficial impact of the museum.⁵⁰ A homestead in Mvezo, with remains of rondavel huts, was identified as the site where Nelson Mandela was born. Qunu was identified the village where Mandela grew up as a young boy and where he first attended school. Besides, Qunu was where Mandela chose to build his own home after his release from prison. Also, a homestead belonging to Mandela’s uncle, was identified the site where Mandela spent his late childhood years, and where he lived as a young man after completing his rite of passage to manhood. The final implementation plan was to develop the museum in phases, beginning with a building to display Mandela’s gifts and tell ‘his story’, after which a multi-purpose centre for youth and an open-air museum and interpretive centre in Qunu and Mvezo respectively, would be developed.

The meetings attracted local organisations and bodies with interests in economic development and tourism, including the Eastern Cape Development Corporation (ECDC) and members of the Qunu Integrated Development Programme (QUIDEP). It was through such meetings that the attendees were told of the planned training partnerships with local municipalities, and the Eastern Cape Tourism Board.⁵¹

But the planning processes were punctuated by two periods of ‘no activity’, between 1995 and 1996, and between 1998 and 1999. The first period was punctuated by the adoption of the project by DACST in 1996, although it stayed on DACST’s wish list for about two years before DACST incorporated it into its Legacy Projects in 1998.⁵² During the second period of ‘no activity’, the national arts, culture and heritage legislation was being finalised, and the government was at that time also undergoing a change of administration, from the Mandela administration ending in 1999 to Thabo Mbeki’s administration. According to the museum, it was only after Mbeki’s cabinet had been officially constituted that Brigitte

⁵⁰Nelson Mandela Museum, *Annual Report* (2003/4).

⁵¹ Interview with Nokuzola Tetani, Nelson Mandela Museum (3 December 2013).

⁵² Sara Byala, *A Place That Matters Yet* (2013), 189-190.

Mabandla resumed her consultative meetings on her renewed capacity as DACST Deputy Minister.

At the same time, local communities interested in the project became proactive. The Qunu Integrated Development Programme (QUIDEP) dominated by youth born and raised in Qunu, constituted an Action Committee, which began to publicly lobby for Qunu to be the site of the museum. QUIDEP organisers and participants like Phumeza Mandela and Nokuzola Tetani volunteered as liaisons between local communities, and local municipality structures, the project's Steering Committee and government. QUIDEP then became one of the project's first avenues in the making of local communities, who would make inputs in the implementation of the project.

Qunu was for a while abuzz with activity surrounding the project, including participation by local communities in the identification of a site for the museum, land surveys and development of architectural plans by a Project Management Team led by Gordon Metz⁵³, which DACST had set up.⁵⁴ Research, renovations, construction and other works opened a number of opportunities for artisans, entrepreneurs and unskilled general workers from among local communities. Some benefitted from training opportunities provided by institutions like Border Technikon, and acquired skills in bricklaying, plastering, painting, plumbing, carpentry, tour guiding, customer care and crafts-making. But the seemingly 'community' oriented project soon became a professional, multi-disciplinary venture that brought together, although at various stages, historians, archivists, architects, artists and heritage practitioners like Luli Callinicos, Sean Field, Andre Odendaal, Jo-Anne Duggan, Gordon Mertz, Kwezi kaMpumlwana, Noel Solani, Lesley Townsend, Noëleen Murray, Nina Cohen, and Hilton Judin. Ciraj Rassool has reckoned that,

⁵³ Gordon Metz was a former member of the ANC's Department of Arts and Culture, a member of the International Defence and Aid Fund (IDAF) and curator of the Mayibuye Centre that housed the IDAF collection. See Stephen Robson, 'Preserving the history of struggle' (25 January 1995), <https://www.greenleft.org.au/node/10026> Accessed on 23 January 2014.

⁵⁴ Interview with Nokuzola Tetani, Nelson Mandela Museum (3 December 2013).

the focus on the great designer of design team for the creation of instant museums and exhibitions, may as well have impeded the need to ensure institutional longevity, and sustainability, based on participatory structures and processes, especially in the creative work of the museums.⁵⁵

As I will show in the next sections, these individuals and groups made their contributions at various stages of the implementation of the project. For many local people, the merit of the project and its final product was in the touch of professional skills, based on a general belief that profession equalled perfection.⁵⁶

It was also a multi-institutional project involving individuals and teams from NMC (later SAHRA) and Robben Island Museum, who worked with local communities such as those QUIDEP participants.⁵⁷ These applied their diverse approaches to conduct research and surveys in Mvezo and Qunu, and produce concept documents, architectural plans and conservation management plans. Although some of these ‘experts’, like Noel Solani, had been anti-apartheid activists in various spheres, the museum’s institutional memory seems to focus on their ‘professionalism’ more than anything. Noel Solani, who also was a former struggle activist, reminisced of the early days of the project, and an apolitical multi-disciplinary work, which was simply ‘concerned with people’s professions, expertise and experience’.⁵⁸

It was in those days that DACST Minister Ben Ngubane thought the project was developing into a vibrant, interactive, lively, ‘locus of empowerment’.⁵⁹ Ngubane had ‘anticipated’ the Nelson Mandela Museum would ‘mark a complete departure from the notion of a static view of museums, to the one that prioritises accessibility, broad participation,

⁵⁵ Ciraj Rassool, ‘Community Museums, Memory Politics and Social Formation in Africa’ (2006).

⁵⁶ Interview with Noel Solani, Nelson Mandela Museum (2 December 2013). At the time of the interview, Solani was the museum’s Heritage Manager.

⁵⁷ South Africa Heritage Resources Agency, *Annual Report* (2001), 6; National Monuments Council, *Annual Report* (2000), 24.

⁵⁸ Interview with Noel Solani, Nelson Mandela Museum (2 December 2013).

⁵⁹ Sara Byala, *A Place That Matters Yet* (2013), 221.

tourism promotion and community ownership'⁶⁰. In 2000, the first phase was completed, and the museum 'officially' opened in Bhunga Building on 11 February 2000.⁶¹ The opening was timed to coincide with the 10th anniversary of the release of Nelson Mandela from prison, which took place on 11 February 1990. The costly launch was marked by an all-day programme of speeches, celebration and feasting happening simultaneously in three venues; in Mthatha, Qunu and Mvezo, involved appointment of local caterers, cleaners and performers.⁶² The museum had entrusted local chiefs with the responsibility of ensuring that employment benefits rotated among the 18 different villages under the jurisdiction of Qunu, and had set up village committees to manage local service providers and their turns of appointment.

For its first few months, the museum was a hub of culture making and cultural activity, with one public event after another, and performers invited from as far as Maluti, Matatiele, Mbizana, Flagstaff and Lusikisiki districts. The museum even appended itself with other institutions of culture-making like the Jonopo Cultural Village in Qunu. For these cultural commodities tourists made transactions directly with the local service providers, and the museum was 'hot and happening'.⁶³

But the 'hot and happening' days were the days of 'no structure, no rules'. The museum was still run by an interim administration team led by Archie Nkonyeni, and later Gordon Metz, and Nokuzola Tetani as Caretaker Manager. As the former president of the National African Federated Chamber of Commerce (NAFCOC), Nkonyeni was a business oriented leader who secured the negotiation of an overdraft with MEEG Bank to fund the

⁶⁰ Dr Ben Ngubane, cited in Sara Byala, *A Place That Matters Yet* (2013), 221.

⁶¹ The building had since its construction in 1927 housed different parliaments of the Transkei government, the Transkei Postmaster General, the Transkei Treasury, as well as the Kei District Council.

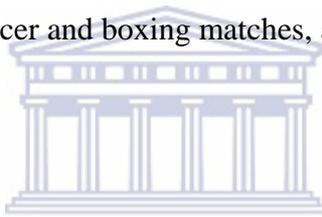
⁶² The first phase of the project, together with the opening celebrations cost R11 million. See, William Martinson, 'Bhunga Building - Chamber and offices of United Transkeian Territories General Council', *Artefacts*, Undated, <http://www.artefacts.co.za/main/Buildings/bldgframes.php?bldgid=1120> Accessed on 6 December 2013; Department of Arts, Culture, Science and Technology, *Annual Report* (2000-2001).

⁶³ Interview with Nokuzola Tetani (3 December 2013).

operations of the museum until it received subsidy from DACST. The museum operated without a council. Tetani, born and bred in Qunu, was a community activist and former chairperson of QUIDEP and was particularly interested in promoting ‘community participation’ in the project.

According to Tetani, the museum was in those days characterised by uncertainties regarding finances, roles and parameters of different government departments and stakeholders, slightly chaotic in its management. But it received massive support from the Mandela Foundation, the Mandela family, local businesses, and the Eastern Cape Tourism Board,⁶⁴ improvised a lot and was vibrant and excellent in appeasing its communities.⁶⁵

Public events and social programmes such as big celebration of the museum’s first anniversary in February 2001, soccer and boxing matches, and street kids programmes were the order of the day.



Becoming government-funded and complicated *f* the
WESTERN CAPE

A completely different set of days began when the museum received its first subsidy from DACST in October 2000, an amount of R 4 677 000. Attached to the subsidy was the responsibility to comply with the statutory requirements of the Public Finance Management Act, Act 1 of 1999 (as amended by Act 29 of 1999) and the Treasury Regulations for Departments and Constitutional Institutions issued in terms of the Act.⁶⁶

Indeed, DACST had prepared way by setting up a council in July 2000, consisting of Qunu-born Vuyani Jarana as the chairperson of the council; Nelson Mandela’s wife Graca Machel; Vuyo Mahlati, the former manager of the Development Bank of South Africa; Mvezo-born David Nokayi; Mandela’s long-time comrade Ahmed Kathrada; an academic

⁶⁴ The Board sponsored the museum’s first marketing brochures for the museum.

⁶⁵ Interview with Nokuzola Tetani (3 December 2013).

⁶⁶ Department of Arts, Culture, Science and Technology, *Annual Report* (2000-2001), 151.

Peggy Luswazi, a local business man Archie Nkonyeni; and representatives of Nelson Mandela Foundation and Children's Fund, such as Achmat Dangor, and Fink Haysom. The first challenge for the Mandela-smitten council was to familiarise itself with the 'national heritage ways' and the new manner of institutionalised heritage governance. For the first time, the museum operated as a heritage institution conscious of its need to adhere to the *Cultural Institutions Act*, *National Heritage Resources Act*, and other DAC, DEAT and DPW regulations. It depended on an annual subsidy from DACST, which steadily increased from R 6,000 000 in the 2003/4 financial year, R6,860 000 in 2004/5, and R 7,962 000 in the 2005/6. The biggest chunk of it was spent on salaries, travel and accommodation for meetings, telephone fax and cell phones, security expenses, professional fees, and advertising and promotion.⁶⁷

As a heritage institution, the museum entered a phase of strict financial controls and accounting measures regulated by a range of policies. For the recipients of its subsidy, DACST, and later DAC, set Key Performance Indicators (KPIs) and meticulous monitoring and evaluation mechanisms.⁶⁸ The museum also entered a phase of rigorous heritage conservation based on the conventions founded upon disciplinary discourses and tight knowledge regulations. Regarding conservation, DACST required national heritage institutions to,

formulate policy to receive and preserve all property, of whatever kind, in their care, including specimens, collections or other movable property. They must also manage any movable property that belongs or has been given to Government by the people of South Africa.⁶⁹

I argue that this conversion of a vibrant, creative project into national heritage marked the end of its vitality. It marked the beginning of complicated knowledge/power relations contained in a bureaucratic nexus of regulations and disciplinary conventions. Through its complexity,

⁶⁷ See Nelson Mandela Museum, Annual Reports, 2003 to 2006.

⁶⁸ Department of Arts and Culture, *Annual Report* (2006-2007), 20.

⁶⁹ Department of Arts, Culture, Science and Technology, *Annual Report* (2000-2001), 11.

the nexus gave birth to an institution in a mess, and at the same time a state of dullness and lack of creativity. This is what heritage meant to the Nelson Mandela Museum.

First of all, as soon as the government subsidy came in, there were urgent tasks at hand of the inaugural council. The new preoccupation was annual reports and internal and external audits of the finances of the museum that were due in the next few months of receipt of the subsidy.⁷⁰ At the same time, the museum's staff component was yet to be formally constituted through formal advertisements of posts previously occupied on a voluntary or interim basis. As a juristic person, the council had to immediately appoint a museum full time management team, doing so in consultation with 'the Minister'. The council also had to develop and begin implementing a strategy and policy framework and norms and standards for the institution, subject to the law. Thus, the positions of the Chief Executive Officer, Chief Financial Officer, or Financial or Accounts Manager compulsory for compliance purposes had to be filled promptly.

In July 2001, the council appointed to the position of CEO Khwezi kaMpumlwana, a graduate of the University of the Western Cape, who had majored in history and the former Heritage Manager of Robben Island Museum. The initial cohort of staff was formally constituted, and their 'professionalisation' by means of training in a range of museum fields was seen as important. Some participated in the Postgraduate Diploma in Museum and Heritage Studies, which focused on developing professional museum and heritage skills.⁷¹ Tour guides were assessed and licenced by the Eastern Cape Tourism Board, based on the *Regulations in Respect of Tourist Guides* prepared by DEAT.⁷² Facilities were graded by the

⁷⁰ According to PFMA, institutions state subsidised institutions must, in each financial year, be audited internally and by the Auditor General, must submit annual reports to the subsidising government department, and must make their reports available for access by 'the public'.

⁷¹ The Postgraduate Diploma in Museum and Heritage Studies was a collaborative programme of Robben Island Museum, the University of Cape Town and the University of the Western Cape. It had been running since 1998. Interview with Thembakazi Mvitshane (2 December 2013). At the time of the interview, Mvitshane was the Tours Coordinator of the Nelson Mandela Museum.

⁷² Department of Environmental Affairs and Tourism, *Regulations in Respect of Tourist Guides*, No. R 744 (17 August 2001).

Tourism Grading Council and the Automobile Association (AA). The museum also embarked on a strategic planning exercise directed at 'improving' its management and accountability.

Staffing, skills development, structure, procedures and a good standing with the government became new priorities. By 2003, the museum had set its priorities at things like,

working closer with local and provincial government and institutions related to our work; aligning our work to meet government objectives more directly; accessing, developing and retaining adequate human capacity in specialist areas like finance, heritage resource management, marketing, education and research; communicating, profiling and marketing the institution, including the development of a new corporate ID by public participation.⁷³

The new strategy represented a shift towards professionalism as a means to be compliant.

What had fallen away was ad hoc staffing that previously relied on voluntary service with less or no concern with qualifications.

Although the museum ended 2002 with a full-time staff component of 12 people⁷⁴, by 2004 it had revised its organisational structure to include 37 posts. These included executive officers and their assistants, senior managers of departments like Corporate Services, Programs, Education & Materials Development and Communication, Marketing and Enterprise Development, and their secretaries.⁷⁵ So much importance was placed on the structure that it became a standard practice for the museum's annual reports to include extensive human resources reports on new appointments, resignations, staff development, and disciplinary actions for matters relating to compliance with standing procedures.⁷⁶

Secondly, as soon as the government subsidy came in, the management of the museum became aware of the predicament of declared cultural institutions, that they received inadequate government subsidies, and yet were expected, and even encouraged to be

⁷³ Nelson Mandela Museum, *Annual Report (2003-2004)*, 7, summarised.

⁷⁴ Martin Zhuwakinyu, 'Plans afoot to upgrade E Cape tourism drawcard', *Engineering News* (7 June 2002), <http://www.engineeringnews.co.za/article/plans-afoot-to-upgrade-e-cape-tourism-drawcard-2002-06-07>
Accessed on 12 December 2013.

⁷⁵ Department of Arts and Culture, *Annual Report (2003-2004)*, 26.

⁷⁶ See for example, Nelson Mandela Museum Annual Reports (2003-2006). Some of the posts remained vacant but were repeatedly included in the planning.

commercially creative for their sustainability. As national museums, they were also loaded with a Constitutional obligation and social responsibility of uplifting, empowering and servicing communities.⁷⁷ The museum therefore entered a phase of preparing funding proposals, and branding and marketing itself.

Mandela's name, life histories and memories were deployed to fulfil the museum's institution-hood. As the Mandela Museum his name was used to generate funds. In its strategic plans, the museum was unequivocal about its plans to increase its revenue through sales of books, memorabilia and crafts with the museum branding bearing the names and face of Nelson Mandela. In its website, the museum published a donor soliciting letter 'by Mandela',

16 March 2005

To Whom It May Concern:

The Nelson Mandela Museum is a not for profit institution established by the government of South Africa as part of a portfolio of legacy projects that seek to transform the heritage landscape from our apartheid past. At the same time, it is a resource for promoting economic development throughout tourism in an impoverished region of the country. This is the region in which I was born and grew up.

I was privileged to open the Museum five years ago, and continue to take a close personal interest in its work. In our view it is working hard to give substance to its vision of becoming "a living museum... that embraces development and inspires people through education, culture and tourism."

We would encourage and value any assistance which you are in a position to give to the Museum.

I thank you.

Nelson R. Mandela



At least one of the strategies must have worked, as in the financial year 2006 to 2007, the museum reported success in generating R299 746 through sales, donor boxes, and the

⁷⁷ *Constitution of the Republic of South Africa* (1996).

hiring of its conference and functions facilities at the Qunu site.⁷⁸ It also received funding from the National Lottery, and in the same year purchased two buses for youth programmes. Its plans were to generate even more income by operating the gift shop and restaurant, and developing a ‘creative enterprise programme and market place with its own manager’.⁷⁹ But in the same financial year of ‘successful commercial creativity’, the museum had a qualified audit report. The Auditor General found it to have ‘breached Treasury Regulations by failing to use a competitive bidding process to procure goods and services costing more than R200 000’, and for ‘irregular expenditure, and unauthorised expenditure relating to revenue, cash and bank, employee costs, accruals, accounts receivable’. Besides, although the museum generated a lot of revenue through the museum’s logo with Mandela’s face, the auditors of the museum’s accounts considered it an expense rather than an asset, ‘according to accounting standards’.⁸⁰

It is also interesting to note the strange expenditure by the museum, especially in relation to what the museum purported to be; a ‘home’ of Nelson Mandela’s ‘outstanding values’.⁸¹ Between 2006 and 2007, R 2 480 264 was spent on ‘governance’, related to the activities of the museum council and top executives like the CEO and CFO. Some of the expenses were incurred during a soccer charity challenge between Kaiser Chiefs and Bloemfontein Celtics, which the council attended in honour of the museum’s strategic partnership with the South African Football Association (SAFA) and the 2010 World Cup Local Organising Committee.⁸²

⁷⁸ Nelson Mandela Museum, *Annual Report* (2006-2007).

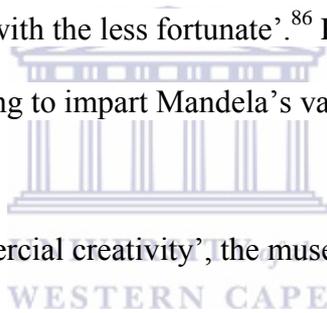
⁷⁹ Parliamentary Portfolio Committee on Arts and Culture, *Minutes of meeting: Luthuli Museum & Nelson Mandela Museum: Annual Reports 2006/2007* (19 August 2008), <https://pmg.org.za/committee-meeting/9507/> Accessed on 12 December 2013.

⁸⁰ Parliamentary Portfolio Committee on Arts and Culture, *Minutes of meeting: Luthuli Museum & Nelson Mandela Museum* (19 August 2008).

⁸¹ Mandela was known for having the interests of the poor at heart, and might have perhaps been apprehensive about the expenditure.

⁸² Sara Byala, *A Place That Matters Yet* (2013), 221; *Nelson Mandela Museum: Presentation to the Parliament Portfolio Committee on Arts and Culture* (2006-2007), <http://db3sqepoi5n3s.cloudfront.net/files/docs/080819nmm.pdf> Accessed on 12 December 2013.

In the following financial year, the museum regarded it core business to ‘ensure that Mr Mandela’s 90th birthday was well celebrated’.⁸³ For this, the museum launched a ‘year-long festival’, which included exhibitions, a number of youth camps, a youth choir competition, a colloquium at the University of Fort Hare, a youth football tournament, a ‘heroes marathon’, a seminar, and some renovations of the Bunga Building. The chairperson of the council of the museum, Kader Asmal called it ‘a celebration, so there must be some sort of joy, of fun’.⁸⁴ Indeed, the museum was on many occasions in 2008 and 2009 vibrant. But the expenditure was unbudgeted for and unauthorized, which placed the museum under scrutiny from the Parliamentary Committee on Arts and Culture.⁸⁵ Besides, Mandela chose to use the occasion of the celebrations to draw the attention of crowds to the poor, ‘urging the wealthy to share their prosperity with the less fortunate’.⁸⁶ His rhetoric was as if to illuminate the irony in the museum’s spending to impart Mandela’s values, or its spending to draw ‘the ordinary’ people to museums.



Thus, with all that ‘commercial creativity’, the museum was both successful and unsuccessful in its undertaking to,

be a leading museum that represented and interpreted the life story and values of Mr Nelson Rolihlahla Mandela, a product and champion of ubuntu...to develop a site for collecting, interpreting, and curatorship that promoted a critical understanding of Nelson R Mandela’s work, life memory and legacy...to be a centre for cultural life in the forefront of restoring ubuntu as a pioneering philosophy for social change, to build Nelson Mandela's legacy as a vehicle for social change, nation building, pursuit of human solidarity, through education and advocacy programmes, and to promote sustainable community development and self upliftment in partnerships.⁸⁷

⁸³ Parliamentary Portfolio Committee on Arts and Culture, *Minutes of meeting*, ‘Nelson Mandela Museum & Iziko Museums 2008/09 Annual Reports’, <https://pmg.org.za/committee-meeting/11126/>.

⁸⁴ Staff Reporter, ‘Museum announces Mandela festival’, *Mail & Guardian* (26 June 2008).

⁸⁵ Parliamentary Portfolio Committee, ‘Nelson Mandela Museum & Iziko Museums 2008/09 Annual Reports’.

⁸⁶ SAPA-AP, ‘Mandela Speaks Out For The Poor On His 90th Birthday’, <http://news.iafrica.com/sapa/51665.html>. Accessed on 12 December 2016.

⁸⁷ ‘Nelson Mandela Museum Report to the Parliamentary Portfolio Committee on Arts and Culture’ (22 February 2011), <https://pmg.org.za/committee-meeting/12602/>. Accessed on 12 December 2013.

Its work revolved around a making and unmaking of a heritage projected to be national and cultural in character, yet typical of a network of intersecting, sometimes productive and sometimes unproductive interests, practices, approaches and strategies.

Certainly, exhibitions like ‘Long Walk to Freedom’, ‘In Conversation: Mandela and Luthuli’, ‘Dear Mr Mandela and Dear Mrs Parks’, and ‘Parenting a Nation: Walter and Albertina Sisulu’ testified to a museum determined to promote Mandela’s ‘life story and values’, through various media. But these turned out to be routine hagiographical projects producing fixed representations, instead of inviting discussion, engagement with and further development by different audiences beyond the nation-building imperative. Even with the numerous public programmes and events, the museum’s goal oriented approach was more about ticking boxes about numbers, representivity, and themes, than open-endedness and spontaneity.

Here I consider the Nelson Mandela Youth and Heritage Centre in Qunu, which was designed to ‘invite’ gatherings, conferencing, crafts making, sporting and camping, and to stay abreast with daily youth educational and recreational activities. The centre was promoted as showcasing ‘the creativity of the local people and serve as a retail outlet for their artifacts’.⁸⁸ The museum’s input towards this envisaged outlook was such that teams of public programmers were daily preoccupied with vicious cycles of planning, implementations and monitoring and evaluation. A normal day of a heritage education and materials development officer was filled with planning and designing programmes, meetings, site visits, correspondences, follow-ups, procurement with its own bureaucratic processes, and reporting, for which there was never enough time between one programme and another.⁸⁹

⁸⁸ Martin Zhuwakinyu, ‘Plans afoot to upgrade E Cape tourism drawcard’ (7 June 2002),

⁸⁹ Interview with Phumeza Mandela (3 December 2013). At the time of the interview, Phumeza Mandela was the museum’s Education and Materials Development Manager.

⁸⁹ Interview with Phumeza Mandela. According to Phumeza Mandela, her team also gladly allowed access to recreational facilities to any youth team that requested so, although there was a schedule decided upon by local youth teams.

There were fixed annual and bi-annual programmes, some of which were associated with national events, celebrations and commemorations such as elections, Youth Month, Youth Day, and Women's Month, Women's Day. Above that, there were other activities involving 'in school' and 'out of school' children. All this year-long planning, organising, and implementation went into a range of sporting and educational events including,

indigenous games; trainings and workshops on different themes; debate sessions; leadership camps; the Arts Incubator Programme aimed at 'out of school children interested in art'; and the annual Women in Leadership Programme run in August and a variety of outreach programmes.⁹⁰

Yet, there was an obvious disparity between the museum's inputs focused on inculcating 'the values of Nelson Mandela', and its throughputs on a large scale.⁹¹ It was interesting to note the disparity between what the museum recorded as successes related to occasional engagements, when the museum spaces were indeed buzzing with youths from all walks of life, and days of no engagement, when the museum spaces were desolate. It was a picture symptomatic of a museum preoccupied with implementing strategic plans, fulfilling expectations of a national museum, and satisfying its internal and external bureaucratic requirements. This was what becoming heritage, and national for that matter, was about. It was about working around the clock to fulfil expectations, and yet failing to do so.

Thirdly, when the museum began receiving subsidy and other funding for its capital works, it entered a phase of managing tenders, stakeholders, service providers, and interest groups, maintaining public relations through community meetings and roadshows, and issuing press statements and managing publicity. From its opening, the museum had a 'mandated institutional growth' plan to implement and report about, part of which was the

⁹⁰ Interview with Phumeza Mandela. (3 December 2013). The museum began negotiations with South African Football Association (SAFA) and the 2010 Football World Cup Organising Committee, Schools Sports Associations, launched Human Rights Gardens in schools, formed *Intonga* (Stick Fighting) Clubs.

⁹¹ Interview with Phumeza Mandela, Nelson Mandela Museum (3 December 2013). At the time of the interview, Phumeza Mandela was the museum's Education and Materials Development Manager.

due construction of the second phase of the museum.⁹² The museum had envisaged completion of the Nelson Mandela Youth and Heritage Education Centre in Qunu by October 2003, and that the works would create at least 100 jobs for local residents.⁹³ For the Qunu project alone, DAC transferred to the museum R 5,448 000, R 14,425 000, and R 2,496 000 in the financial years 2002/3, 2003/4, and 2004/5 respectively.⁹⁴ For these capital works, the museum no longer contracted or hired services of individuals or groups with no formal constitution, or whose businesses or services were not formally registered. The museum had instead replaced ‘people management’ with supply chain management, which was mainly performed electronically.

Besides, the new strategy did not necessarily eliminate issues of compliance, since the museum still reported that ‘a number of operational, service delivery and quality control challenges [had] been met in this regard resulting in delays in completion [the] project and suffering for the project beneficiaries’.⁹⁵ Faced with soaring costs of services, the museum re-strategised and effected budget cuts, including reducing its spending on public events. Focusing on the core business became the museum’s common expression, and getting a clean audit report became a new mission. By 2013, the museum had adopted a stance that if ‘people’ complained that the museum failed to provide employment opportunities, that was ‘their business with the chiefs and service providers’, since recruitment took place through the offices of the chiefs, not the museum.⁹⁶

Nyengule, the CEO of the Museum, was referring to the headmen and chiefs of the 18 villages within Qunu, who had been involved in the affairs of the museum-making project

⁹² Nelson Mandela Museum *Annual Report* (2003-2004), 7.

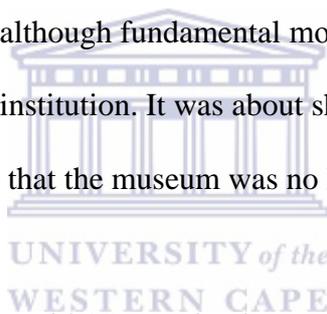
⁹³ Martin Zhuwakinyu, ‘Plans afoot to upgrade E Cape tourism drawcard’, *Engineering News* (7 June 2002), <http://www.engineeringnews.co.za/article/plans-afoot-to-upgrade-e-cape-tourism-drawcard-2002-06-07> Accessed on 12 December 2013.

⁹⁴ Department of Arts and Culture, *Strategic Plan* (2002), 28.

⁹⁵ Nelson Mandela Museum *Annual Report* (2003-2004), 6.

⁹⁶ Interview with Bayanda Nyengule (2 December 2013). At the time of the interview, Nyengule was the CEO of Nelson Mandela Museum.

since the first ‘community meeting’ with Mandela. The museum had since becoming a declared cultural institution, and entering a zone of complicated supply chain and financial accounting procedures, shifted recruitment of local service providers to the headmen and chiefs, but kept ‘formal’ tendering processes within its purview. The chiefs had participated in identifying sites, research areas, and beneficiaries for employment and business opportunities. With the museum at a fully-fledged stage, their role had been concentrated around recruitment. For that, the museum simply referred service providers to the chiefs, who then mobilised labour for service providers. There was also a principle of rotation attached to the arrangement, to ensure that all villages got equal opportunities to ‘benefit’. That too was the prerogative of the chiefs. The strategy was one of governmentality through participation and appealing to a certain extent, although fundamental motivation was the museum’s full compliance as a declared cultural institution. It was about shifting authority and certain roles, from the museum to the chiefs, so that the museum was no longer associated with job-creation, but heritage-making.



At the time of my interview with Nyengule, the museum had revised its strategies and had a new core business, which was according to Nyengule, conservation, salaries, security and cleaning. Thus, the grand multi-site museum was reduced to simply ‘staying open’. The museum had turned into an administrative institution that barely complied with the government requirements for declared cultural institutions, even at its best circumspection. The complexity of the matter was that none of the parties with interest in the museum’s work was fully appeased, including the museum council and staff, its contractors and service providers, the locals and the government.

Fourthly, being heritage demanded the museum’s careful attention to issues of conservation. The NMC had contributed to the conservation and development of the Bhunga

building, and had since March 2000 handed its work over to SAHRA.⁹⁷ SAHRA's main concern was the museum's fulfilment of its requirements as a national heritage site declared in terms of the *Cultural Institutions Act*, which by applications of the *National Heritage Resources Act* included conservation management plans. While the *Cultural Institutions Act* did not 'provide a clear legal definition of a 'national museum' and [did not] specify the criteria that would distinguish a nationally-aided museum from a provincial or local museum', it awarded declared cultural institutions 'national' status.⁹⁸ Thus, it was the responsibility of SAHRA to ensure the museum's adherence to NHRA, and to ensure that the museum regulated the conditions of its use, admission of members of public to its sites, its development, maintenance and conservation in accordance with NHRA.⁹⁹

Complicated compliance



SAHRA's main part in the Nelson Mandela Museum project concerned protection of the remains and ruins of Nelson Mandela's previous homes in Mvezo, Qunu and Mqhekezweni, the Bhunga Building turned into a heritage site, and the 'cultural objects' at the three sites. The 'cultural objects' forming part of the museum's collection included Mandela's gifts, personal items including clothing, and constructed artefacts such as 'his' prison cell, most of which were displayed or stored in a store room at Bhunga building. Some were displayed at the Nelson Mandela Youth and Heritage Centre in Qunu and at the homestead in Mqhekezweni.

SAHRA deployed staff such as conservation architect Lesley Townsend and researcher Luvuyo Dondolo to assist the museum develop conservation management plans for the four sites. The plans were to cover extensive historical knowledge of each site and

⁹⁷ National Monuments Council, *Annual Report* (2000).

⁹⁸ Department of Arts and Culture, *Draft National Museums Policy*, 2014.

⁹⁹ *National Heritage Resources Act* (1999), S 27.

object, statements of significance, state of conservation with illustrations, and plans for the management of operations at each site. In cases of application for declaration of existing and fully operating sites, conservation management plans were prepared by the institutions concerned and simply submitted to SAHRA for approval. But the Legacy Projects were a different case, as SAHRA's involvement began at the stages of their construction, to an extent that SAHRA took a lead in shaping the sites' heritage-ness. Thus, SAHRA not only declared sites national heritage, but contributed in making them national heritage. Through the involvement of institutions like SAHRA, rules and regulations pertaining to heritage management were etched onto the foundations of these institutions; hence their preoccupation with compliance, albeit with mess and blunders.

SAHRA's work with the Nelson Mandela Museum project involved extensive research, including archival and oral history research among the relatives of Nelson Mandela, and traditional leaders and older residents of Qunu, Mvezo and Mqhekezweni, to develop the sites' statements of significance. With Mandela's 'auto'-biography *Long Walk to Freedom* as a guiding text, studies were conducted with an approach to unearth knowledge about Mandela's connections with the identified sites and objects. SAHRA reported on its role in 'correcting' 'a lot of assumptions made about the historical development' of the sites.¹⁰⁰

Regarding conservation of the site at Mqhekezweni, Townsend, on behalf of SAHRA, intervened with the hope of prohibiting construction of a face-brick structure. Nelson Mandela had ordered construction of a 'modern face-brick house' on the site as a gift to Nozolile Mtirara, the widow of Justice Mtirara, a cousin with whom Mandela grew up. No formal application had been submitted to SAHRA concerning the planned development, especially since the site had not been formally declared national heritage yet. But SAHRA's research had already ascertained the significance of the site. According to SAHRA, the

¹⁰⁰ See for example, a correspondence between Lesley Townsend and Sarah Winter, 'NMC invoice & Research Meeting' (10 November 2000), SAHRA Archives; South African Heritage Resources Agency, 'Report of Nelson Mandela Museum Legacy Project' (February 2001), SAHRA Archives.

proposed structure would obscure some of the most ‘significant’ buildings, including the hut Mandela once shared with his cousin Justice, and would involve demolition of some of the existing structures.¹⁰¹

But when it became clear to SAHRA that the development was to go ahead to fulfil Mandela’s orders, SAHRA avoided the route of arbitration, and decided to be proactive in advising how the house could be constructed to ‘minimise heritage impact’. It was a case of negotiation of significance of the past and the present, between Mandela’s gesture of a gift to Nozolile, and his former days at Mqhekezweni scripted in his biographies. It was also an indication of a limitation in SAHRA’s ‘authority’ and how its ‘authority’ was always subject to subversion in such cases. Mqhekezweni remained a site included in the museum narratives, and as an option for a self-guided tour, although the museum rarely marketed it.

The distance from Mthatha to Mqhekezweni is about 40 km travelling on dirt road. It too is enough to discourage many tourists, perhaps even the museum practitioners, although they do not admit it. Before each of my visits to the site in 2013, the museum staff always advised me to phone Nozolile and make an appointment. She would receive me with enthusiasm, give me a guided tour of the homestead and the surroundings, including a church that ‘Mandela attended during his stay in Mqhekezweni’, and narrate Mandela’s life although largely according to *Long Walk to Freedom*. She would also talk about herself, her marriage to Justice and how things were ‘back then’. She also told me that she guarded that ‘heritage’ with great care, and that she kept her eyes on her grandchildren that they do not go into ‘Mandela’s hut’ and play with the artifacts on display, which included neatly made beds and a small table with two bottles of beer on its top. She told me that the museum ‘looked after them’ for taking care of that ‘heritage’, although she could not disclose on what terms the assistance was. Nozolile passed away on 28 January 2016.

¹⁰¹ South African Heritage Resources Agency, Lesley Townsend, ‘Report on the meeting held at Nelson Mandela Museum, Re: Development at Mqhekezweni’ (10 November 2000).

Another complicated negotiation, making and remaking of significance, concerned the site at Mvezo, for which a conservation management plan was developed with the ‘assistance’ of SAHRA. Upon declaration of the museum in 2001, the site formally fell under protection of SAHRA. The museum operated in it as an open air museum, at which visitors were carefully guided around a newly constructed interpretive centre and open but preserved ruins of huts. However, as soon as Chief Mandla Mandela, Nelson Mandela’s grandson was installed as chief of the Mvezo Traditional Council, he began developing the site. With access to a grant provided by the National Lottery, which the museum had applied for in order to develop the site, Chief Mandela authorised ‘reconstruction of the ruins’ into a new heritage precinct, with a ‘new’ grand narrative tracing lineages all the way to the current leadership; himself.¹⁰²

SAHRA failed to stop the development and reported the matter to DAC. In that light the museum council took a decision to ‘review its expenditure on the site’.¹⁰³ DAC Minister Pallo Jordan intervened through a meeting between the museum council and Chief Mandela, which also ‘did not yield positive results’.¹⁰⁴ On 24 January 2009, the museum council took a decision to withdraw its operations from Mvezo, but kept the site in its tour packages, and had their tour guides ‘escorting’ visitors around the site.

Self-guided visitors who wandered on their own on the site were received by councillors and sometimes the Chief himself. On one occasion, on my own exploratory visit to the site on 2 December 2013, I too was received by one of the chief’s councillors, who advised to wait as the chief was about to host a team from the Eastern Cape Department of Social Development (ECSDS). I was allowed to join the group on a tour guided by the chief,

¹⁰² See, Nelson Mandela Museum, ‘The Mvezo site and its position in relation to the Nelson Mandela Museum’, presentation to the Department of Arts and Culture (30 August 2016), <https://pmg.org.za/files/160906Mvezo.pptx> Accessed on 12 November 2016.

¹⁰³ Nelson Mandela Museum, ‘The Mvezo site and its position in relation to the Nelson Mandela Museum’ (2016).

¹⁰⁴ Nelson Mandela Museum, ‘The Mvezo site and its position in relation to the Nelson Mandela Museum’ (30 August 2016).

and for a meeting in which the chief, his councillors, the team from ECDSD and representatives of different Mvezo committees discussed a proposal by the ECDSD of a training project for the resident of Mvezo.

Interestingly, the operations at the Mvezo site, although occurring outside the ambit of ‘official’ heritage, was proving to be most productive. Chief Mandela, through the Mvezo Development Trust, literally constructed an entire village, by rezoning and allocating land for people to ‘rebuild’ around the ruins of Nelson Mandela’s home, and soliciting government commitment and donor funding for infrastructural development, including electricity, water and sanitation. Each household had *Jojo* water tanks valued at R12 000 installed for free. His was a new Mandela legacy project administered by the Mvezo Development Trust, which has also seen improvement of the condition of roads, clinics, and the construction of a ‘state of the art’ Mandela School of Science and Technology opened in January 2015, which was sponsored by Siemens South Africa, an electrical engineering and electronic firm. Mvezo Komkhulu (palace) was a hub of youth and activity. During my research visits in Mvezo in 2013, groups of youths were being skilled on diverse artisanship. I would often give lifts to men and women travelling between Komkhulu and different sections of Mvezo for training or to sign employment contracts. Yet these ‘achievements’ did not abate a huge controversy around chief Mandela, that he was enriching himself, reinforcing his own authority and extending his patronage network through being the conduit for job creation.

To return to the question of what becoming national heritage did to Nelson Mandela Museum, I consider the museum as a case of contradictions between what the museum purports to represent and what it actually does, a case of institutional knowledge versus the actual operations and their outcomes. In its self-representations, the museum has always been an uncomplicated project of nation-building through the values of Nelson Mandela, as well as promotion of economic opportunities for local people through tourism and other ventures by

the museum and its partners. But from the onset, the Nelson Mandela Museum's three main sites were created to perform separate functions. And, each site developed into a complicated project of its own, and had its own contribution to the productivity and at the same time unproductivity that made the entire museum a complicated project.

The Bunga Building was literally a gallery reserved for conservation and display of Mandela's gifts turned into artefacts. The operations in it involved all technical aspects of collecting, transporting, treating, storing, controlling climate, humidity and pollutants, designing floor plans, displaying artefacts and managing visitors. With such activities, it maintained a characteristic of 'proper' museum-ness, although punctuated by upgrades, renovations and refiguring in 2006, 2010 and 2016.¹⁰⁵ On these occasions, the building was sometimes closed off from the public for periods longer than planned, during all 'museum-ness' was transferred to the museum's other campuses.¹⁰⁶ On these occasions, tour narratives and artefact-*ural* representations were temporarily adapted accordingly to fill-in for the 'missing link', and to formulate a complete picture of Mandela's life even without the artefacts housed at Bhunga building.¹⁰⁷

The Qunu site was meant to be a hub of community activity, which it was and was not on different occasions as I have shown. The Mvezo site was meant to be an open-air pilgrimage site of verification and reflection. With SAHRA keeping check, it was to be protected like a shrine with an aura that it completely lost to construction and massive 'development' activity.

¹⁰⁵ See, Nelson Mandela Museum *Annual Reports* (2006-20016).

¹⁰⁶ See for example, Samantha Hartshorne, 'E Cape celebrates #MandelaDay with museum reopening' (18 July 2016), <http://www.iol.co.za/travel/south-africa/eastern-cape/e-cape-celebrates-mandeladay-with-museum-reopening-2046453> Accessed on 12 September 2016.

¹⁰⁷ See for example, Nelson Mandela Museum, 'Putting Customers First' (23 August 2011), https://www.nelsonmandelamuseum.org.za/index.php?option=com_content&view=article&id=30&Itemid=133 Accessed on 3 December 2013.

As I have shown, all three sites collapsed into one thing, conservation, routine, bureaucracy and compliance, which left the museum with nothing but grand sites lacking active, regular creativity and inspiring critical engagement with its spaces, at least on the part of the museum. I say on the part of the museum because it was others, like Mandla Mandela, who actually took over the task of creativity and engagement outside the ambit of the museum, although not without controversy.

Ncome/Blood River Monument and Museum Complex

The Ncome/Blood River Legacy Project from its onset instantly took shape of an academic project promising vigorous multi-historiographical approaches to a revision of history. Yet prospects of an exciting project perished in the midst of its development into a heritage site. It degenerated into an institution driven and characterised by ethno-nationalistic ideologies and continual but uninspiring reconciliation project informed by predictable contestations, that dampened rather than inspire creativity, as most contestations would do.

Even in its idiosyncrasy, the project has attracted attention of public history and heritage scholars for many reasons. Many reviews, critiques and appraisals have virtually made the project a classic case of the refashioning of public realms for nationalist agendas, such as the creation of a new civic identity, post-apartheid add-on monumentatisation, new IFP-led Zulu nationalistic monumentalisation, contested histories and heritages, and abortive post-apartheid reconciliatory attempts.¹⁰⁸ In Sabine Marschall's work, the 'Ncome project' is

¹⁰⁸ For example, Nsizwa Dlamini, 'The Battle of Ncome project: state memorialism, discomfoting spaces', *Southern African Humanities*, 13 (2001); Paula Girshick, 'Ncome Museum/Monument: From Reconciliation to Resistance', *Museum Anthropology*, 27:1-2 (May 2004); Anton Ehlers, 'Desegregating history in South Africa: the case of the covenant and the Battle of Ncome/Blood River', paper presented at the 'Desegregating History' symposium, University of Cape Town (25-26 September, 2000), http://photos.geni.com/p13/a7/52/a7/f5/53444838e60d2e4b/desegregating_history_original.pdf Accessed on 6 December 2013; Steven Dubin, *Transforming Museums: Mounting Queen Victoria in a Democratic South Africa* (Hampshire: Springer, 2006); Scott Schönfeldt-Aultman, 'Monument(al) meaning-making: the Ncome

considered similar to other legacy projects for its systematic, self-conscious, deliberate, methodical strategy to consciously juxtapose ‘a new commemorative marker with a specific (contested) monument of the previous era’.¹⁰⁹ It is seen as no different in its canonisation of pasts, histories, memories, heroes, to legitimate the present order, an idea that easily collapses the project together with the idea of dominant ideologies. But my approach to this project is not in how or how far it memorialises, monumentalises and museum-ises anything, or what it achieves or does not achieve, but simply what made it so banal.

Ncome/Blood River Monument and Museum: as a project

As soon as DACST launched its pilot Legacy Projects in 1998, Minister Lionel Mtshali appointed a panel of history, arts and culture academics to develop a conceptual framework for the reinterpretation of the representations of the 1838 Battle of Ncome/Blood River.¹¹⁰ It was a battle that took place between the frontier farmers and a segment of the Zulu army on 16 December 1838, around which divergent historical accounts, narratives and memory projects had been constructed and publicly represented.

On the site on which the battle took place, and on the west bank of the river, monuments had been erected and extended in 1866, 1947, 1971 and 1996. These were political projects forming part of nation-building by people who claimed that they were of

monument & its representation of Zulu identity’, *Journal of African Cultural Studies*, 18:2 (2006); Musa Khulekani Xulu, ‘Indigenous Culture, heritage and tourism: An analysis of the official tourism policy and its implementation in the province of Kwazulu-Natal’, PhD Dissertation (University of Natal, 2007); Marc Howard Ross, *Cultural Contestation in Ethnic Conflict* (Cambridge: Cambridge University Press, 2007); Sabine Marschall *Landscape of Memory* (2010); Sabine Marshall, ‘Symbols of reconciliation or division?’, Marc Howard Ross (ed) *Culture and Belonging in Divided Societies: Contestation and Symbolic Landscapes* (University of Pennsylvania Press, 2012); Pieter Labuschagne, ‘A spatial analysis of the Ncome/Blood River monuments/museum complex as hermeneutic objects of reconciliation and nation building’, *South African Journal of Art History*, 28:3 (2013).

¹⁰⁹ Sabine Marschall *Landscape of Memory* (2010), 11, 16.

¹¹⁰ It consisted of Jabulani Maphalala (University of Zululand), Mazisi Kunene (University of Natal), John Laband (University of Natal), Carolyn Hamilton (University of Witwatersrand), Langalibalele Mathenjwa (University of Zululand) and Jackie Grobler (University of Pretoria).

Africa but with a settler identity and history, and labelled themselves as Afrikaners. Their construal of the site's heritage significance was based their nationalist histories of battles over land, ownership and self-determination, and victories associated with a covenant or vow that the frontier farmers made with God. The vow entailed a request for God's assistance in vanquishing a section of the Zulu army, which was coupled with a covenant that should they be victorious, they would annually dedicate the day of their conquest to the glory of God.

On the east other side of the river, groupings who claimed Zulu descent would also gather to commemorate 16 December as Dingaan's Day, although no grand monument had been constructed. This too was a significance constructed on the basis of Zulu nationalist histories, about a once powerful and resilient Zulu kingdom, with mighty armies commanded by typically idolised leaders like Shaka and Dingaan. Such histories maintained that although the Voortrekkers were victorious over the Zulu at the Battle of Ncome/Blood River, Dingaan had tactfully accomplished a 'massacre' of a party of Voortrekkers led by Piet Retief earlier that year.¹¹¹

Given such resilient histories, Minister Mtshali saw it necessary to launch the Legacy Project about the Battle of Ncome/Blood River with some rigorous revision of histories. The appointment of the panel of academics came at an opportune moment for the rethinking of history-making, especially with the benefit of hindsight of a provoking 'Myths, Monuments and Museums Conference' hosted by the University of Witwatersrand in 1992. Reporting on the conference Carolyn Hamilton had highlighted a 'need to embark on the complex processes of defining the role of the museum in civil society'.¹¹² Relatedly, Leslie Witz and Ciraj Rassool had found fault in the monuments-toppling approach of 'boycott histories', for failing to undo prevailing stereotypes, and for failing to deconstruct legacies and historical

¹¹¹ See, Sifiso Ndlovu, 'He Did What Any Other Person in his Position Would Have Done to Fight the Forces of Invasion and Disruption': Africans, the Land and Contending Images of King Dingane ('the Patriot') in the Twentieth Century, 1916-1950s', *South African Historical Journal* (May 1998), 99-143.

¹¹² Carolyn Hamilton, 'Against the museum as a Chameleon', *South African Historical Journal*, 31 (November 1994). 184-190.

myths.¹¹³ Among ‘Afrikaner academics’ there were already ‘lively debates’ concerning the directions that a demystification of the histories of the Battle of Blood River might take, which historian Jackie Grobler was part of.¹¹⁴ With such debates among historians such as Jackie Grobler, P Naude, and B.J Liebenberg, and heritage practitioners such as Barry Marchall of the KwaZulu Monuments Council and Andrew Hall of the National Monuments Council, the context could have inspired a well thought-provoking new heritage projects.¹¹⁵

Indeed, the panel of academics generated with its own debates. Langelibalele Mathenjwa researched the use of medicinal plants by the Zulu to prepare for battles, while Jabulani Maphalala was interested in demystifying notions such as the ‘bloody river’. In its first conceptual framework the panel made it clear that,

the panel unanimously feels that the government should openly support a movement away from one-sided and stereotypical representations of events in South African history, such as this battle. Instead the government should support and stimulate the viewpoint that conflicting interpretations are the life-blood of historical debate, and should neither be suppressed nor disregarded in the practice of history. From this point of view it is clearly imperative that a major effort be undertaken to ensure that far greater attention is given to Zulu interpretations of the battle. At the battle-site itself there is a need for such materials to be provided.¹¹⁶

And that,

Any attempt to refigure the commemoration of this battle must both challenge these stereotypes and accord full recognition to the hitherto neglected Zulu side of the battle. In the body of this report, we provide background material that both contextualises the rise of the stereotypes and provides material on how the Zulu participants understood the battle. In the conclusion, we go on to assess the significance of the battle and its commemoration in post-apartheid South Africa.¹¹⁷

¹¹³ Leslie Witz and Ciraj Rassool, ‘The Dog, the Rabbit and the Reluctant Historians’, *South African Historical Journal*, 27 (1992).

¹¹⁴ Anton Ehlers, ‘Desegregating history in South Africa’ (2000); Jackie Grobler, ‘The Retief Massacre of 6 February 1838 revisited’, *Historia* 56: 2 (November 2011), 113–13.

¹¹⁵ See, Sabine Marschall, ‘Ncome–Monument and Museum as “Critical Response”’, *Museum Anthropology Review*, 2:2 (2008), 92-94; and Anton Ehlers, A, ‘Desegregating history in South Africa (2000), 13-17.

¹¹⁶ Report of the Panel of Historians (1 September 1998).

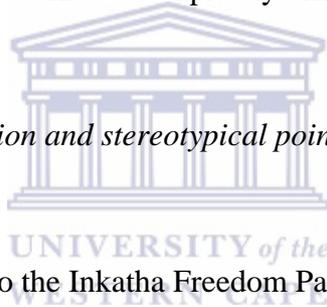
¹¹⁷ Department of Arts, Culture, Science and Technology, *Report of the Panel of Historians: The Battle of Ncome/Blood River* (1 September 1998).

The panel extended its platform for engagement to other academics, through for example, a one-day seminar at the University of Zululand on 31 October 1998. The day was packed with engaging deliberations on presentations such as,

Jane Caruthers, 'Truth in world history'; John Laband, 'The military significance of the Battle of Blood River'; Jabulani Sithole, 'Changing images of the Battle of Blood River'; Langelibalele Mathenjwa, 'Reconciliation, a binding commitment: Yesterday, today, tomorrow'; Mazisi Kunene, 'A challenge to historians'; S Maphalala, 'The reinterpretation of the War at Ncome'; and F Pretorius, 'A plea for reconciliation and a new synthesis'.¹¹⁸

With the seminar, the Council Chambers of the University of Zululand came to life with an unusual academic seminar attended addressed by the 'Minister'. Had that spirit been carried over to the site at Ncome, and inculcated into the very fibre of what materialised as a heritage institution, the space would have assumed a completely different shape to what it is today.

Streamlining, singularisation and stereotypical point of departure



But certain individuals affiliated to the Inkatha Freedom Party (IFP) asserted dominance at various stages of the project. In DACST both Minister Mtshali and Musa Xulu, the Deputy Director-General (DDG), Head of DACST Arts and Culture division, chairperson of the Legacy Projects Steering Committee, and convenor of the panel of academics were leaders within the IFP. Xulu's involvement with the panel of academics gave him opportunity to steer their task to the direction of a recovery project of 'freeing' the Zulu from the 'margins' of colonial histories.¹¹⁹ He was particularly forward in facilitating that the Zulu versions of the battle emerging out of the panel's research and discussions, be consolidated into a fundamental text of reference for new heritage projects. The text in what became the first

¹¹⁸ K Malefane compiled the papers into a seminar report available at Ncome Museum Archives.

¹¹⁹ Nsizwa Dlamini, 'The Battle of Ncome project: state memorialism, discomfoting spaces', *Southern African Humanities*, 13 (2001); Paula Girshick, 'Ncome Museum/Monument: From Reconciliation to Resistance', *Museum Anthropology*, 27:1-2 (May 2004).

exhibition largely comprised Maphalala's work titled 'The Re-interpretation of the War at Ncome', who also happened to be a member of the IFP.¹²⁰

At that point, the panel's work was seen as responding to a need to, redress the Zulu nation's participation in the battle [of Ncome/Blood River]; to promote the conservation of culture and cultural objects of the Zulu nation; to create a site feature that would promote tourist and recreational opportunities; to create income opportunities for local people and to stimulate tolerance, reconciliation and nation-building'.¹²¹

But Carolyn Hamilton was uneasy about the developments. She wrote to Xulu, saying

I am unhappy with the document as it stands... It does not reflect the nuance of our discussed positions; for example, it stresses the need for 'a balanced view'... [It] gives us too much about the diversity of Afrikaner views and not enough of the diversity of Zulu views. We will be highly criticised for this and it must be corrected... We have lost the structure agreed upon in the last meeting. I must insist that we return to it.¹²²

Hamilton was referring to a structure through which they had planned to alternate between the 'Zulu and Afrikaner perspectives' of the events. She was objecting to the idea of a singular Zulu voice, which the IFP aligned historians pushed. She then went on to educate Xulu that,

best historical practice these days does not argue for a 'balanced view' but for well-researched and clearly argued views. These are two different things.¹²³

Nonetheless, Xulu had already set up the Ncome/Blood River Steering Committee chaired by Jabulani Mapalala to serve as the local organising sub-committee of the national Legacy Project Steering Committee¹²⁴. Submissions by the panel of academics were among several inputs that the committee received through its subcommittees. Operating within tight

¹²⁰ DACST published Jabulani Maphalala's *Zulu-ised* coherent narrative under the title 'Re-Interpretation of the Battle of Blood River', See, Department of Arts, Culture, Science and Technology, <http://www.anglo.50megs.com/re.htm> Accessed on 18 November 2016.

¹²¹ John Laband, *Battle of Blood River/Ncome, new monument: wall of remembrance, business plan*, cited in Nsizwa Dlamini, 'The Battle of Ncome project: state memorialism, discomfoting spaces', *Southern African Humanities*, 13 (2001), 127.

¹²² Carolyn Hamilton to Musa Xulu (20 August 1998), John Laband Files, Ncome Museum Archives.

¹²³ Carolyn Hamilton to Musa Xulu (20 August 1998).

¹²⁴ The committee consisted of members of DACST, KwaZulu-Natal Department of Education and Culture, NMC, Amafa KwaZulu Natali, Federasie van Afrikaanse Kultuurvereniginge (FAK), Stigting vir die Bloedrivier-Gelofteterrein (Foundation for the Site of the Blood River Vow), Molefe Tribal Authority, and staff of the Voortrekker Museum. Its subcommittees were, the Technical Task Team responsible for architectural and exhibition designs and implementation.

deadlines and pressure to present something tangible to ‘the nation’ on 16 December 1998, the 60th anniversary of the battle of Ncome/Blood River, the committee administered the contractors’ hasty translation of the so called ‘balanced view’ at their disposal, into architectural and exhibition designs.¹²⁵ For example, Laband commented on some of Elby De Meillon’s painting’s that were meant to depict ‘Zulu life’, as follows:

‘Kings’: the neck of the leopard looks too much like that of a hyena, which is bad news. ‘Magic of Medicine’: The Isangoma should be shown wearing the vital crossed skins on her chest. ‘Buffalo Revered’: felt it should be more “honoured” than revered. ‘Daylight Hours’: the hut on the right is too much like an onion dome. And, it’s usually old women who recount tales, though old men sometimes do. ‘Birds of a feather’: the eagle looks more like a vulture.¹²⁶

Even so, Laband’s input at that stage was only enough to ‘correct mistakes’ and provide an ‘accurate account’ of the events, than cause any extensive overhauls.¹²⁷

The different roles of DACST, Ncome/Blood River Steering Committee and other have been subjects of scrutiny in various studies, some of which have collapsed these complex processes into simple dominant ideology theses. Nsizwa Dlamini allots prominence of the IFP-affiliated role players in a process he identifies as appropriation of the project for narrow Zulu ethnic gains.¹²⁸ While Paula Girshick concurs with Dlamini, she apportions some ‘proud Afrikaners’ credit for the outcome of the project. She reckons that the evolving Afrikaner ideologies and memories had a huge impact in the direction of the project. It has been shown elsewhere that historian Jackie Grobler was a ‘proud Afrikaner’ leading a youth club named Transvaal Voortrekkers, but had long taken a stance rejecting most of the Afrikaner mythologies about the Battle of Blood River.¹²⁹ Thus, his contribution in the panel of academics was a revisionists approach encouraging acceptance of Zulu-centred narratives,

¹²⁵ DACST had already planned to use this day annual commemorations of the Battle of Blood River to construct new meanings of reconciliation.

¹²⁶ John Laband Files, Ncome Museum Archives.

¹²⁷ John Laband to Dolf Havemann (12 October 1998), John Laband Files, Ncome Museum Archives. Havemann was DACST Director of Heritage division, whom DACST had deployed into the project to chair the Blood River/Ncome Steering Committee.

¹²⁸ Nsizwa Dlamini, ‘The Battle of Ncome project’ (2001).

¹²⁹ Anton Ehlers, ‘Desegregating history in South Africa’ (2000).

although from a stereotypical and othering point of departure. Girshick also finds it interesting that most architectural and artistic decisions that shaped the outcomes of the project were taken by ‘proud Afrikaners’ like Dolf Havemann, the chairperson of Ncome/Blood River Steering Committee. Nonetheless, Girshick notes that Havemann had a stereotypic curiosity in ‘ethnic affairs’, which might have drawn him to the project.¹³⁰ The project therefore saw an alliance of ethnic histories for ‘a common cause’.

Dlamini and Girshick’s assertions explain the streamlining towards ethnic simplicity and singularity as the project progressed to construction and unveiling. Their discussions of the processes shed light on the idealistic, yet stereotypic representations of romantic Zulu-ness in what became the Ncome Monument and Museum.¹³¹ Marschall on the other hand puts the project in the context of ‘socio-political change in South Africa’ and ‘a largely publicly funded promotion of the Afrikaner nationalist perspective’.¹³² With this she achieves a critical reading of the development of the site to a monument rather than a memorial. Her line of argument is in relation to post-apartheid politics of representation, which she generally aligns with dominant ideologies in her work. With Dlamini, Girshick and Marschall, the project becomes a simple apparatus deployed by means of power and manipulation in a production of dominant ideology.

Indeed, the Ncome/Blood River Steering Committee had initially planned to construct a modest Wall of Remembrance with just names of fallen Zulu heroes. But that changed after much deliberation about the shape of the wall. As soon as the committee decided on a horn-shaped wall, to resemble the ‘war formation’ of the Zulu army during the battle, the designs began taking shape of a big monumental structure. The committee then took a decision to

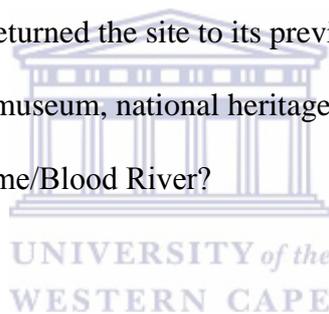
¹³⁰ See, Jackie Grobler, ‘The Retief Massacre of 6 February 1838 revisited’, *Historia*, 56, 2 (November 2011), pp 113–132; Paula Girshick, ‘Ncome Museum/Monument: From Reconciliation to Resistance’, *Museum Anthropology*, 27:1-2 (May 2004), 32.

¹³¹ This refers to construction of round thatched huts called ‘Zulu huts’ on the site, and displays of paintings, artefacts and knowledge presented as typically Zulu.

¹³² Sabine Marschall, ‘Ncome–Monument and Museum as “Critical Response”’, (2008), 89-90.

extend the back of the horn-shaped structure with another wall to create an enclosure. When another decision was taken to develop the back portion into an interpretation centre, with exhibition panels of texts and objects depicting ‘Zulu life’, the space virtually developed into a monument and a museum, almost like the Blood River Monument and Museum on the west bank. In that case, the Ncome/Blood River Legacy Project rendered itself simple, and in terms of Marschall’s terms, just another ‘countering’ of an existing monument, or ‘juxtaposition of white with black’.¹³³ And, its further development metamorphosed in sync with the developments of the ‘other side’, as Marschall correctly shows.

But I argue that the project was all these and more, that the transition from various possibilities to a single implementable idea, and from a project to a monument, and a museum categorised as heritage returned the site to its previous state of lifelessness. What then did the cloak of monument, museum, national heritage site, and cultural institution do to the ‘lifeless’ eastern bank of Ncome/Blood River?



Becoming national heritage

To answer the above question I consider three Ncome/Blood River heritage-making moments, which I read as stages in the workings of a complicated heritage. The first moment I consider is the coming into being of a monument, or the first completion of the phase of what is known today as Ncome/Blood River Monument and Museum Complex. This development cancelled a process that had promised to yield new trajectories for memories, public histories of the Battle of Blood River. When the Ncome/Blood River Legacy Project

¹³³ Sabine Marschall, ‘Ncome–Monument and Museum as “Critical Response”’, (2008), 90. Marschall traces the development of the exhibitions of the Ncome Museum, which would change and take a more nationalistic shape, as circumstances surrounding the Blood River Monument also became more nationalistic. She has shown that the east echoes the west in symbolism and functional aspects such as cairn, accommodation facilities

was launched in 1998, the NMC had already received and reviewed plans for the development of the Blood River Monument, which entailed adding a visitors' centre or museum to the site situated on the western bank of Ncome/Blood River.¹³⁴

As the planning and communication with the NMC gained momentum between 1994 and 1995, a number of options and conditions for permits were considered. With the merger of the Natal office of the NMC and KwaZulu Monuments Council through *KwaZulu-Natal Heritage Act* No. 10 of 1997, the imaginary boundaries between the eastern and western banks of Ncome/Blood River were unsettled. Afrikaner foundations such as the Federasie van Afrikaanse Kultuurvereniginge (FAK) and Stigting vir die Bloedrivier-Gelofteterrein (Foundation for the Site of the Blood River Vow) that funded the Blood River Monument and KwaZulu Monuments Council began preparing to traverse unfamiliar territories in their heritage work.¹³⁵

At some point, the Blood River Monument considered, at the advice of the NMC, a possibility to purchase and develop a portion of the eastern bank of Ncome/Blood River, to avoid making one side of the battleground dominant. The KwaZulu Monuments Council was open to collaborations in that regard. There were also discussions about 'incorporating a 'Zulu symbol' or constructing a round thatched hut 'which the local community could either use to sell crafts, or for exhibition purposes', and broad public participation.¹³⁶ With the Blood River Monument already inscribed in national heritage from apartheid days, 'adding' some aspects of 'Zuluness', or rather a centralised Zulu past, would have been an interesting turn.

¹³⁴ Sabine Marschall, 'Ncome–Monument and Museum as "Critical Response"', (2008), 92-94.

¹³⁵ Before this Act, the eastern bank was part of KwaZulu 'homeland', with its heritage conservation administered by the KwaZulu Heritage Council. The western bank was part of the Natal Province of the Republic of South Africa, with its heritage conservation administered by the Natal office of the NMC. There were divergent views about the way forward, but the two councils at least considered the development of the Blood River Monument precinct to the eastern bank of the river.

¹³⁶ Sabine Marschall, 'Ncome–Monument and Museum as "Critical Response"', (2008), 92-94.

But these had by 1998 only materialised as far as affixing a plaque written in Zulu near the entrance of the new museum at the site of the Blood River Monument, and inviting a Zulu speaker to unveil the plaque. It will never be known what would have transpired had Amafa akwaZulu-Natali¹³⁷, the Afrikaner foundations, or the Voortrekker Museum or the local Molefe Tribal Authority, gathered momentum from that point, outside the category of 'national heritage'. While the Ncome/Blood River Legacy Project Steering Committee formed in 1998 encompassed members of DACST, KwaZulu-Natal Department of Education and Culture, NMC, Amafa aKwaZulu Natali, Federasie van Afrikaanse Kultuurvereniginge (FAK), Stigting vir die Bloedrivier-Gelofteterrein (Foundation for the Site of the Blood River Vow), Molefe Tribal Authority, and the Voortrekker Museum, the project was in the domain of national rather than provincial or local heritage. And, doing national heritage meant being overly concerned with such national objectives and imperatives as representivity, relevance, reconciliation and congruence. But doing national heritage also meant operating within broader networks of meanings, which then produced complexity rather than reproduce simple ideologies and discourses.

The second heritage-making moment I consider concerns becoming a museum. The Ncome Museum officially opened in November 1999, was a complicated management case for DACST and later DAC. It was an undeclared institution within a national monument declared in 1998 in terms of Section 10 (3) (a) of the *National Monuments Act*, Act No. 28 of 1969. Thus, the NMC was the authority over the entire monument, which included a section still to officially become a museum. But the NMC had no mandate to construct museums, meaning there was no legal authority over the museum work that DACST was facilitating on the site. The Legacy Project Steering Committee was still in place, although under an unofficially extended mandate. In that case, DACST shortened the 'arms-length', and became

¹³⁷ Formed out of a merger of merged the Natal office of the NMC and KwaZulu Monuments Council in 1998.

involved to the point of adjudicating tender processes. Phase one of the museum was ‘successfully’ constructed and officially opened in November 1999. The museum became national by virtue of being a Legacy Project, a status which allowed museums to circumvent procedure and be declared without a Council appointed by the ‘Minister’, in terms of Section 3 (2) of the *Cultural Institutions Act*.

However, it was on that occasion that DACST DDG Musa Xulu was charged with financial misconduct to do with intervening in tender processes for the construction of an access road to the museum and for the organising of the launch of the museum.¹³⁸ While it was practical of DACST to -‘due to logistical and funding difficulties’- temporarily place Ncome Museum under the management of Voortrekker Museum¹³⁹, the decision was irregular as no law provided for it.¹⁴⁰ Besides, the Voortrekker Museum was such a bizarre choice considering its apartheid muddied profile. The museum was established in 1912 as an extension of the Church of the Vow, through which Afrikaners honoured for their victory over the Zulu at the Battle of Blood River. Therefore, the merger or reconciliation of the institutions with completely different political profiles was rather premature. It also ironically ‘returned’ the site to the 1995 idea of constructing *umuzi* (round thatched hut) on the eastern bank, to be an extension of the Blood River Monument.

But it is imperative to note the direction of the Voortrekker Museum since its involvement in the Ncome/Blood River Legacy Project. In 2002 it appointed Sibongiseni Mkhize as the ‘first black director’, succeeding Ivor Pols who had served since 1977.¹⁴¹ Mkhize had acted as director of Durban Local History Museum before, and had been involved at various stages of making of Ncome Museum. He too was succeeded by a former

¹³⁸ Rob Adam, Director-General of the Department of Arts, Culture, Science and Technology, ‘Media Statement’, *Artlink News* (25 October 2000), http://www.artlink.co.za/news_article.htm?contentID=13926 Accessed on 13 June 2015.

¹³⁹ The museum was later renamed Msunduzi/Voortrekker or simply Msunduzi Museum. With the inclusion of Ncome Museum it was called Msunduzi/Voortrekker/Ncome Museum Complex.

¹⁴⁰ Sabine Marschall, ‘Ncome–Monument and Museum as “Critical Response”’, (2008), 98.

¹⁴¹ Bill Guest, ‘The Msunduzi/Voortrekker Museum Centenary (1912-2012)’, *Natalia* 42 (2012).

Ncome Museum Curator Bongani Ndhlovu, who too was succeeded by Mlungisi Ngubane, formerly with Ncome Museum. Ngubane, the Director during this research, described the three terms as the period of a transition ‘from being a single-theme museum to being a multicultural institution, with new exhibitions, including ‘the Birth of Democracy’, and ‘Colour, Grace and Spice’, featuring the Indian community of KwaZulu-Natal’.¹⁴²

Nonetheless, it was through the arrangement with the Voortrekker Museum that DACST could fund Ncome Museum. But it too was irregular, since the renamed Msunduzi/Voortrekker Museum was only declared a cultural institution in terms of the *Cultural Institutions Act* in 2012.¹⁴³ Also, regarding a ‘reconciliation bridge’ linking the east and west banks, neither DAC nor the Voortrekker Museum could sustain transferring funds to the Blood River Monument for the maintenance of the bridge. The Blood River Monument was not a declared cultural institution, thus its continuous funding for the sake of the bridge was irregular, not unless it was contracted as a service provider through a Public Private Partnership arrangement.¹⁴⁴ Such negotiations over administrative responsibilities reveal how - by assuming a particular institutional model and declaration status - the Ncome Monument and Museum Complex became arrested within operational rules that limit not just its present, but also its future possibilities.

The third moment to consider is the development of monumental work into institutionalised heritage-making related to the new Ncome Museum. The museum emerged through a number of arbitrary improvisations. Its debut collection and exhibition was of borrowed materials, which ‘helped challenge the notion that a museum must have a

¹⁴² Stephen Coan, ‘Using the past’, *News24* (14 December 2012),

<http://www.news24.com/Archives/Witness/Using-the-past-20150430> Accessed on 13 December 2015.

¹⁴³ It was declared by Minister Paul Mashatile on 10 May 2012. See, Republic of South Africa, *Government General Notice*, 193 (2013).

¹⁴⁴ Parliamentary Portfolio Committee for Arts and Culture, *Meeting Report: Closure of Reconciliation Bridge and road in Pretoria and Ncome: Voortrekker Monument, Freedom Park, Msunduzi Museum and DAC briefing; Status and future of Ncome Museum: DAC briefing* (02 February 2016).

permanent collection based primarily around tangible and movable material'.¹⁴⁵ These were unlabelled and unprovenanced, which although not deliberate, achieved the enlarging of the space between the objects and labels, the elimination of explicit interpretations, and the encouragement of active engagement and interpretation by the viewers.¹⁴⁶

Later, the first exhibitions were replaced by carefully prepared galleries, with walls and ceilings draped in patterned grass, and lined up with panels and glass cases bearing ethnographically classed and labelled displays of pottery, wooden sculptures, traditional outfits, beadwork and even 'King Dingane's carved wooden chair'.¹⁴⁷ The scope of the museum as reflected in its logo, 'Mission 2010' and 'Vision 2010', statements of significance, collections and displays was essentially limited to the work of culture.¹⁴⁸ These were themed around preservation and promotion of culture for the benefit of nation building and social upliftment. Culture was reduced to Zulu-ness made inclusive of 'the nation'. Even the logo was of a Zulu warrior in war regalia.

The public programmes too were generally mundane tours and trainings punctuated with debate competitions, mini-marathons, games and annual celebrations and festivals held on Heritage Day (24 September) and Day of Reconciliation (16 December). While 'cultural' activities occasionally transformed the generally dull and quiet complex into a vibrant space, they were ethnic in approach and promoted sentimentalism. Thus, becoming a national museum, Ncome Museum attempted to slot itself into a heritage of redress, transformation, and social responsibility. It placed emphasis on meeting the heritage and cultural needs of regional communities realised as making a nation. It also became part of the making of

¹⁴⁵ Kwezi Mpumlwana, Gerald Corsane, Juanitor Pastor-Makhurane, Ciraj Rassool, 'Inclusion and the power of representation', Richard Sandell (ed), *Museums, Society, Inequality* (London: Routledge, 2002), 251.

¹⁴⁶ Michael Baxandall, 'Exhibiting Intention: Some Precondition of the Visual Display of Culturally Purposeful Objects', Ivan Karp. and Steven Lavene (eds.), *Exhibiting Cultures: The Poetics and Politics of Museum Display* (Washington: Smithsonian Institution Press, 1991).

¹⁴⁷ Sabine Marschall, 'Ncome—Monument and Museum as "Critical Response"', (2008), 98.

¹⁴⁸ Minutes of the Parliamentary Portfolio Committee on Arts and Culture, 'Msunduzi/Voortrekker Museum & William Humphreys Art Gallery: Annual Performance 2009/10' (16 August 2011), <https://pmg.org.za/committee-meeting/13233/> Accessed on 14 June 2015.

heritage as ethnicity and the so-called facts of tradition. It seemed therefore that the museum was all about promoting dominant ideologies and producing an authorised heritage discourse. But was this the case?

Certainly, the museum's Ncome Museum was but a segment of the Msunduzi/Voortrekker/Ncome Museum Complex, which was on many occasions under one Council, one Director, one Chief Financial Officer and two Deputy Directors; one for the Pietermaritzburg campus and another for the Ncome campus. The Ncome campus had its operational staff performing functions like administration, research, education, curating, maintenance, although far less staffed compared to its sister campus. The administrator and officers stationed at Ncome reported to the directorate and Heads of Departments (HODs) in Pietermaritzburg.¹⁴⁹

Ngubane summarised each year as packed with efforts to fulfil the obligations of submitting to DAC four quarterly reports, an annual report, annual strategic plans, and performance reports of each function.¹⁵⁰ These were informed by monthly staff meetings, monthly HOD's meetings, and quarterly executive managers' meetings. The museum managers had a general anxiety about non-compliance and its repercussions. Accordingly,

internal audits were carried out twice per year, management meetings were held quarterly, and heads of department and staff met monthly. There was a risk policy, which was reviewed annually, and which directed the daily operations of the Museum.¹⁵¹

As a result of the operations that revolved more around risk management, mitigation and monitoring and evaluation, than creativity, salaries accounted for 67.5% of the budget between 2009/2010, and 70.7% in 2010/11. Another challenge was exorbitant costs of internal audits that museum paid twice a year in order to stay in good financial standing and

¹⁴⁹ The three departments regarded as the museum's core functions were, Research Information and Collections; Exhibitions; and Education and Outreach.

¹⁵⁰ Interview with Mlungisi Ngubane (7 November 2013).

¹⁵¹ Gilbert Torlage, Acting Director, Msunduzi/Voortrekker Museum, Minutes of the Parliamentary Portfolio Committee on Arts and Culture (16 August 2011).

avoid qualified audit reports. Yet this was not matched up by the government grant they relied on, which increased with a very slight margin each year, for example, R 8 671 000 in 2009/2010; R 9 261 000 in 2010/2011; R 9 835 000 in 2011/2012.¹⁵² The museum also paid another price for being a multi-campus mega-complex, as the ‘Minister’ increased the size of the council in 2010 to achieve broad representation, at the expense of the museum that covered their reimbursement from its coffers.

In the face of all these challenges, the remote, rural Ncome Museum was not so much of a highlight, even in the glory of its Legacy Project status. Its envisaged status had slipped, from a busy project to a big monument of reconciliation and Zulu-ness. From a monument, it had slipped to an interesting museum in the making, one characterised by randomness and mistakes. And from that, it had slipped to a national museum in a complex management arrangement, and with galleries of ethnic displays and ethnic festivals. Indeed, the Ncome/Blood River Legacy Project had produced a grand scheme. But its significant function was to host events, run cultural programmes and manage risk. Also coincidentally, in the DAC main website Ncome Museum or campus was not listed under ‘heritage institutions’ or DAC’s ‘affiliated institutions’. It featured under Msunduzi Museum, and there, under ‘venue for hire’.¹⁵³

On my research visits, one of which was during the ‘Courageous Conversations Conference’¹⁵⁴, the museum was virtually lifeless between major events. While the museum had planned programmes for school group and ‘local community members’, the usual scene was ‘dribs and drabs’ kind of appearances, except for event planning meetings, practices and rehearsals.¹⁵⁵ Although, the Ncome Museum Manager Dalifa Ngobese was adamant that the

¹⁵² See, Msunduzi/Voortrekker/Ncome Museum, *Annual Reports* (2009-2012).

¹⁵³ See, Department of Arts and Culture, main website, http://www.dac.gov.za/voortrekker_museum Accessed on 15 November 2016.

¹⁵⁴ The conference was held at Ncome Museum on 6 to 8 November 2013.

¹⁵⁵ The educational activities included themed learning focusing on areas like kings, regiments, weapons, heritage sites, and national symbols; open-air exhibitions, which also happened to be planned around events;

site was busier than it looked, and that a lot happened ‘behind scenes’, he acknowledged that that the museum was most popular with school learners as their school work required so.¹⁵⁶

But Ngobese was not bothered about how the project turned out.

Like history, heritage is made and has to be made by those who wish to, for the consumption of the rest. Not everyone can participate in the making, same as consumption. Ncome/Blood River Monument and Museum Complex is therefore to be taken as an interpretation or perspective to be shared, rejected etcetera.¹⁵⁷

Thus, even in its state of banality, Ncome Museum within the Ncome/Blood River Monument and Museum Complex still maintained a ‘significant’ presence in the post-apartheid museums landscape, although for the use and benefit of a few, and occasionally. In fact, even the banality was heritage; it was a representation of a complicated heritage practice.



competitions on debating, running a mini-comrade’s marathon, story-telling and indigenous games; and creativity programmes like designing, drawing, music, poetry and dance.

¹⁵⁶ Interview with Dalifa Ngobese, Ncome Museum (7 November 2013).

¹⁵⁷ Interview with Dalifa Ngobese (7 November 2013).

CHAPTER FOUR

Monuments and memorials as heritage sites and heritage resources: Freedom Park

The term 'monuments' is narrow and for this reason the term 'heritage resources' is preferred.¹

The term heritage site has taken up new meanings in the making of public history and culture in South Africa. The *National Monuments Act* No 28 of 1969, which is the only 'apartheid legislation' that featured the term heritage, made no reference to heritage sites. Instead, it referred to historical sites defined as 'any identifiable building or part thereof, marker, milestone, gravestone, landmark or tell older than 50 years', and wreck sites.² In conceptualising what was to become heritage in post-apartheid South Africa, the concept of heritage site became instrumental in enabling the refiguring of monuments and memorials as not simply 'tokens of the past', but heritage resources 'of cultural significance or other special value for the present community and for future generations'.³ In fact, monuments and memorials were envisioned as more than just gigantic sculptures of marble, mortar or bronze, repaired, maintained and cared for by the National Monuments Council. Making post-apartheid heritage was envisioned to involve a new configuration of monumental sites as heritage resources.⁴ They were considered as not just sites but heritage sites, and not just heritage sites but heritage resources.

By becoming heritage resources, monuments and memorials encompassed a category broader than just places to visit. They, together with heritage objects were projected to enable an ongoing making of knowledge, meanings and interpretations, especially in relation to the

¹ *White Paper on Arts, Culture and Heritage* (1996).

² *National Monuments Act*, No. 28 (1969) S 1 and 12. The Act was amended in 1979 and 1981, but 'heritage site' and 'wreck site' remained unchanged.

³ *National Monuments Act*, No. 28 (1969); *National Heritage Resources Act*, No. 25 (1999).

⁴ According to the *White Paper* (1996), heritage resources encompassed 'places of natural beauty, buildings, street landscapes, objects of historical importance, geological, palaeontological and archaeological sites and objects, rock art, shipwrecks, and graves of historical figures and of victims of conflict'.

concept of living heritage, and to be utilised for the edifying of the present and future generations.⁵ They were part of an assemblage of heritage resources through which different institutions of public culture would produce knowledge for, on behalf of, and with public citizenry, through a new commemorative ethos informed by principles of multiculturalism and open engagement. Monuments and memorials would contribute into a broader body of knowledge to be developed and managed by a range of institutions, including libraries, archives, museums and art galleries, through a variety of disciplines, practices and approaches.⁶

This work considers it significant that the *National Heritage Resources Act* No 25 of 1999 omitted the term national monument, and gave the South African Heritage Resources Act (SAHRA) a mandate to declare national heritage sites rather than national monuments.⁷ In terms of NHRA, SAHRA could evaluate significance of the sites previously declared as national monuments, or newly established sites, and declare them as national heritage sites.⁸ But SAHRA had no mandate to construct or declare new sites or structures as national monuments. This development can be considered a conceptual deconstruction of structures regarded as monuments and memorials, so that they were thought of as resourceful, creative or enterprising sites. It invoked meanings of functionality, openness and versatile utility of an open memorial landscape, and hinted a new inclination towards a memorial complex of multiple disciplines, practices and approaches.

Post-apartheid monuments and memorials were projected as mechanisms of governmentality through continual activity. Thus, they developed into institutions with operational structures to perform the resourcefulness ‘required’ of such heritage sites in the

⁵ Colette Scheermeyer, ‘A Changing and Challenging Landscape: Heritage Resources Management in South Africa’, *South African Archaeological Bulletin*, 60: 182 (December 2005), 121-123; Lyn Meskell, ‘Heritage as Therapy: Set Pieces from the New South Africa’, *Journal of Material Culture*, 13 (2008).

⁶ Henry C. Bredekamp, ‘The cultural heritage of Democratic South Africa’ (2009).

⁷ Gavin Whitelaw, ‘New legislation for cultural heritage’, *Nalalia*, 30 (2000), 58-63.

⁸ An example is the Voortrekker Monument inaugurated in 1949, which was officially declared a National Heritage Site in 2012, through the work of SAHRA.

new dispensation. And, it was at such stages in their development, that these sites became engrossed in strategising and performing against a stricture of rules, set standards and measures of compliance with policy. The Ncome/Blood River Legacy Project discussed in Chapter Three is one such monumental project that added museum components and developed into a declared cultural institution. But the Freedom Park Legacy Project explored in this chapter is a case of a series of monumentalising and memorialising ‘sub-projects’ executed in phases over a period of about 10 years. It transformed a desolate hill into a grand heritage site, dotted with monuments, sculptures, symbolic memorials and one museum, which the Minister of Arts and Culture, Pallo Jordan declared a cultural institution in 2008.⁹

This chapter investigates the conceptualisation and making of new monuments and memorials as heritage sites and heritage resources in post-apartheid South Africa. Through a study of the development of Freedom Park, this chapter considers processes through which a project first conceptualised as a monument, took up many forms and developed into a site considered as a national resource, and declared as a cultural institution. This chapter considers post-apartheid monumental work as an arena where many ideas and meanings of heritage, culture, tradition and resistance intersect. It therefore considers the analysis of these intersections as mutually constituted and articulated in a memorial complex, which is then seen as a form of discipline or governmentality of public citizenry.¹⁰ The chapter then addresses the question of what it meant for monuments and memorial sites to be regarded heritage resources, and be purposefully driven to fulfil nationalising functions, as if seemingly driven by dominant ideologies. It addresses the question of whether or not it is useful to consider the quests to achieve resourcefulness as supported by fundamental myths,

⁹ *Government Gazette*, No. 31443/No.1019 (26 September 2008). According to Section 1 (iv) of the *Cultural Institutions Act* of 1998, a cultural institution could be a public library, museum, zoological garden or other public cultural institution regarded by the Minister to be of kindred character.

¹⁰ Gary Minkley and Phindezwa Mnyaka, ‘Seeing Beyond the Official and the Vernacular’ (2015).

‘exclusivist, elitist and anti-democratic concepts’ and grand narratives and binary oppositions’.¹¹

This chapter also takes forward the central discussion of this thesis, about post-apartheid heritage as involving complex negotiations, rather than a simple authorised heritage discourse. It studies the development of Freedom Park to interrogate the notions of disciplinary expertise versus alternative voices, on which ideas of authorised heritage discourse in post-apartheid memorialisation are generally centred. The main aim of this chapter is to further expound the complexity of the assorted components of what seems to be another grand scheme of governance by means of simple invocations of pasts and presents, or coercion if not seduction of the publics seen as just consumers or beneficiaries.

The idea of post anti-apartheid memorial complex



Here I draw on Gary Minkley and Phindezwa Mnyaka’s use of the concept of post anti-apartheid memorial complex, which Minkley had earlier identified as a complex arena of ideas and meanings of ‘the symbolic’ represented discursively and materially.¹² Through a case study of a statue erected in Duncan Village near East London in South Africa, Minkley and Mnyaka critically analyse the making of post-apartheid heritage memorials as not just about contestations, but the intricate negotiations of power and knowledge at different stages.¹³ In this particular case study, the monumental project and site is seen as productive of traversing meanings of culture, traditions, struggle, resistance, visual, aesthetics and orality, that are produced, summoned and appropriated in intricate ways. Also, traversing meanings are seen as part of a post anti-apartheid heritage complex that, as discussed in Chapters One

¹¹ Sabine Marschall, ‘Canonizing New Heroes: The proposed Heroes Monument in Durban’, *South African Journal of Art History*, 18 (2003).

¹² Gary Minkley, ‘A fragile inheritor’ (November 2008).

¹³ Gary Minkley and Phindezwa Mnyaka, ‘Seeing Beyond the Official and the Vernacular’ (2015).

and Two, draws together romantic narratives of the traditional, and of the national liberation struggle ‘to produce a romantic memorial’.¹⁴

Making post-apartheid statues and monuments fell within a broad range of culture, memory, public history, and heritage works, which have been interpreted as involving politically charged actions, including a re-creation and *biographisation* of selected pasts and presents, canonisation of ‘heroes’ of the liberation struggle, and a visual juxtaposition of the ‘old’ with the ‘new’ monuments, coupled with invocations of particular ideas of African, cultural, traditional, indigenous, and struggle or resistance.¹⁵ Freedom Park in particular, has been largely analysed in relation to hegemony and contestations over knowledge and representation.¹⁶ Indeed, the Freedom Park project made use of particularised notions of culture, tradition, struggle, resistance, which Sabine Marschall has through a number of studies interpreted as simply foundation myths.¹⁷

But Freedom Park embodies complex processes of memorialisation than simple binaries of Afrocentric and Eurocentric; old and new; past and present; elitist and inclusive; and hero and ordinary. The project developed through periodic invocations of different meanings and narratives, by different individuals and groups, and at different instances. Thus, it is in consideration of the project’s multiple transmutations of meanings, concepts and forms that I argue against Marshall’s idea of an ‘exclusivist, elitist and anti-democratic’ heritage

¹⁴ Gary Minkley and Phindezwa Mnyaka, ‘Seeing Beyond the Official and the Vernacular’ (2015), 67-68.

¹⁵ For example, Ciraj Rassool, ‘The Individual, Auto/biography and History in South Africa’, PhD Dissertation (University of the Western Cape, 2004); Sabine Marschall, ‘Canonizing New Heroes’ (2003); Elizabeth Rankin, ‘Creating/Curating Cultural Capital’ (2013), 72–98; Gary Minkley, ‘A fragile inheritor’ (2008). While these scholars analyse use post-apartheid memorialisation through concepts like *biographisation* and canonisation, their approaches are different. Marschall and Rankin are concerned with hegemonies and contestations as depicting an undemocratic heritage practice, while Rassool and Minkley highlight nuances in these, which reflect the intricacies of knowledge-making and negotiation.

¹⁶ For example, Sabine Marshall, *Landscape of Memory: Commemorative Monuments, Memorials and Public Statuary in Post-apartheid South Africa* (Leiden: Brill, 2010); Gary Baines, ‘Site of Struggle: the Freedom Park Fracas and the Divisive Legacy of South Africa’s Border War/Liberation Struggle’, *Social Dynamics*, 35: 2 (2009); Michele Eileen Jacobs, ‘Contested monuments in a changing heritage landscape: that interface between the Voortrekker Monument and Freedom Park, //hapo Museum, Pretoria’, Master’s Thesis (University of Kwa-Zulu Natal, 2014); Ariane Janse van Rensburg, ‘Comparing altars and agendas - using architecture to unite?’, *South African Journal of Art History*, 24:1 (2009).

¹⁷ For example, Sabine Marschall, ‘Canonizing New Heroes’ (2003), 80-93.

discourse with regard to Freedom Park.¹⁸ Instead I argue that in its multiple transmutations, first as a project and later a declared cultural institution, it is impossible to, with precision, undo the entanglements of what made Freedom Park, and come up with a simple reading.

Ways of knowing Freedom Park

Freedom Park, that the South African government constructed on Salvokop Hill near Pretoria, defines itself as ‘a cultural institution housing a museum and a memorial dedicated to chronicling and honouring the many who contributed to South Africa's liberation’.¹⁹ Like the Nelson Mandela Museum discussed in Chapter Three, it has its own institutional history attributing its establishment to the TRC’s recommendations, the resolve of the first democratic government, Nelson Mandela and Bishop Desmond Tutu’s previous speeches, or demands by the ‘public’ that are said to have inundated the ‘President’s Office’ the entire 1990s.²⁰ Freedom Park claims on its website that it emerged to address ‘the public’s need for a memorial to fittingly honour those who sacrificed their lives to win freedom. It also celebrates and explores the country's diverse peoples, and our common humanity, through compelling stories, performances, exhibits and architecture’.²¹

Indeed, Nelson Mandela gave the concept a name and meaning in 1999, when he said, the day should not be far off, when we shall have a people's shrine, a Freedom Park, where we shall honour with all the dignity they deserve, those who endured pain so we should experience the joy of freedom.²²

¹⁸ Sabine Marschall, ‘Canonizing new heroes’, 89-90.

¹⁹ Freedom Park main website, <https://www.freedompark.co.za/about-us/overview.html> Accessed on 22 August 2016.

²⁰ *Truth and Reconciliation Report*, Vol. 5 (1998), 188-190; Freedom Park Website, ‘The history of the park’, <http://www.freedompark.co.za/about-us/history-of-freedom-park.html> Accessed on 23 September 2015; Parliamentary Portfolio Committee on Arts, Culture Science and Technology, *Meeting Report: Freedom Park Institute Briefing* (29 May 2001), <https://pmg.org.za/committee-meeting/570/> Accessed on 20 June 2015.

²¹ Freedom Park, <http://www.freedompark.co.za/about-us/history-of-freedom-park.html> Accessed On 28 August 2016.

²² Nelson Mandela, ‘Speech delivered on Freedom Day at Mthatha’ (27 September 1999), <https://www.nelsonmandela.org/content/page/speeches> Accessed on 13 August 2015.

The Freedom Park project emerged as a monumentalising venture for the sake of memorialisation of past collective struggles and triumphs. Between 2002 and 2009, the project developed into a vast memorial dedicated to ‘the nation’, which featured undulating gardens, water pools, structures, sculptors and ‘eternal’ steam and flame. In 2010, another construction phase that saw an addition to the landscape of a museum named //hapo.²³

Extensive studies have been conducted on the Freedom Park project, its conceptualisation, framework, design, architecture, aesthetics, representation, symbolism, contestation, uses, relationship with other sites, as well as its supposed nature as a ‘government and experts-driven project’.²⁴ Marschall has linked Freedom Park with a series of myth-making, hegemonic control of the representations of the past, marginalisations and exclusions that encompass the notion of dominant ideology.²⁵ My interest in the project is different. I do not approach it as a simple, singular, streamlined project with clear parameters and frameworks, or a linear, definable unfolding that can be measured from a beginning to an end. My interest in the project is its temporalities; the fleeting moments of ‘achievements’ and ‘failures’, the transitory, rather than lasting concepts, meanings, frameworks, designs, aesthetics, representation, symbolism, natures, uses and contestations.

²³ In the concept documents of the Freedom Park Trust, //hapo was explained as a Khoi word meaning a dream. See, Freedom Park Trust, ‘Concept documents’ file, Freedom Park Archives.

²⁴ See, for example, Sabine Marshall, *Landscape of Memory: Commemorative Monuments, Memorials and Public Statuary in Post-apartheid South Africa* (Leiden: Brill, 2010); Jonathan Alfred Noble, *African Identity in Post-apartheid Public Architecture: White Skin, Black Masks* (London: Ashgate, 2011); Duane Jethro, ‘Aesthetics of Power: Heritage Formation and the Senses in Post-Apartheid South Africa, PhD Dissertation (Utrecht University, 2015); Gary Baines, ‘Site of Struggle: the Freedom Park Fracas and the Divisive Legacy of South Africa’s Border War/Liberation Struggle’, *Social Dynamics*, 35: 2 (2009); Karel Bakker, ‘Preserving intangible heritage resources: Examples from South Africa’, paper presented at the 14th ICOMOS General Assembly and International Symposium (27 – 31 October 2003), Zimbabwe; Michele Eileen Jacobs, ‘Contested monuments in a changing heritage landscape: that interface between the Voortrekker Monument and Freedom Park, //hapo Museum, Pretoria’, Master’s Thesis (University of Kwa-Zulu Natal, 2014); Pieter Labuschagne, ‘Monument(al) meaning making in the ‘new’ South Africa: Freedom Park as a symbol of a new identity and freedom?’ (University of Pretoria, 2010); Ariane Janse van Rensburg, ‘Comparing altars and agendas’ (2009); Duane Jethro, ‘Freedom Park, A Heritage Destination: Tour-guiding and visitor experience at a post-apartheid heritage site’, *Tourist Studies*, 16 (December 2016).

²⁵ Sabine Marshall, *Landscape of Memory: Commemorative Monuments, Memorials and Public Statuary in Post-apartheid South Africa* (Leiden: Brill, 2010), 208-241.

My investigation transcends the previous studies in that, while I consider the developments, contestations ‘hampering progress’, and progress and outcomes, my focus is on the intricate makings and deployments of knowledges and meanings, and the tactical negotiations thereof. It is therefore in the shifting relations of power and knowledge between different role players, which went all directions, sometimes conjoining, sometimes criss-crossing, and sometimes cancelling each other out such that there was no progress. Also, while I consider what the park was envisaged to be and what it became, I am not interested in evaluating its failures and successes, but rather what it actually did and became over time, notwithstanding what it claimed to be.

Firstly, the project had no single but many theoretical and technical frameworks that were developed, appropriated, abandoned, and re-appropriated over time. To explicate this, I consider details pointing to the multifarious interests, approaches, disciplines, and practices making a complicated node of what seemed like a ‘from government to the people’ kind of project. I therefore take interest in personalities presenting as individuals or groups, whose theoretical and pragmatic ideas, inputs and influences in the different directions of the project determined what was to be the park’s various material manifestations and symbolisms.

The Freedom Park project and the Mbeki era

To trace the inception and development of the Freedom Park project, I begin with these multifarious interests and their manifestations at various moments, starting with political interests. Politicians and government officials had their share of say and influence in the direction of the Freedom Park project, especially through the project’s many public events, which created occasions for public discourse.

One such occasion was the official launch of the Freedom Park Trust (hereafter Trust) in June 2000, on which Deputy President Jacob Zuma had an opportunity to explicate the overall concept and themes of the park, having been briefed by the project's task team, which DACST had set up the previous year.²⁶ The 21-member Board of Trustees launched by Zuma on 1 June 2000 had been established by President Mbeki in December 1999.²⁷ It had also been discussed and approved at cabinet level in May 2000, and had been placed under chairmanship of another politician Joe Modise, who was the member of the ANC and former Minister of Defence.²⁸ The Trust too was dominated by politicians, although the cabinet had been careful to approve inclusion of academics, architects, legal experts and business people, in consideration of the five strategic objectives set forth for the Trust.²⁹

Pallo Jordan, the Minister of Arts and Culture from 2004 to 2009, also had a substantial influence in the shape and direction of the Freedom Park Trust and the project in their hands. For example, as the term of the first Trust came to an end, Jordan was growing concerned about issues of 'compliance'. Thus, on appointing new Trustees in 2005, Jordan considered skills and experience, especially expertise in business.³⁰ Indeed, the trustees' soon

²⁶ Jacob Zuma, 'Address at the Launch of the Freedom Park Trust' (1 June 2000) <http://www.thepresidency.gov.za/> Accessed on 20 June 2015.

²⁷ See, Parliamentary Portfolio Committee on Arts and Culture, 'Freedom Park Trust: briefing Arts and Culture' (14 March 2005), <https://pmg.org.za/committee-meeting/4950/> Accessed on 20 June 2015.

²⁸ See, Department of Government Communication and Information System, Statement on Cabinet meeting of 31 May 2000', <http://www.gcis.gov.za/content/newsroom/media-releases/cabinet-statements/statement-cabinet-meeting-31-may-2000> Accessed on 13 June 2015.

²⁹ The first Trustees were, Joe Modise (Chairperson-politician), Rob Adam (science), Lindsay Bremmer (architecture), Luli Callinicos (academic, former trade unionist), Rev Mvume Dandala (religion), Oscar Dhlomo (politician, business), Willie Esterhuysen (academic-business), Revel Fox (architecture), Faith Gaza (politician), Jakes Gerwel (politician, academic), Frene Ginwala (politician), Roger Jardine (science), Ahmed Kathrada (politician), Barbara Masekela (politician, business), John Matshikiza (actor, writer), Govan Mbeki (politician), Itumeleng Mosala (politician, academic-business), Dikgang Moseneke (politician, law), Ms Joyce Sebidi (artist), Wally Serote (poet, novelist, academic, politician), and Getrude Shope (politician). The six strategic objectives were: to contribute to nation-building and reconciliation, to establish Freedom Park firmly in the hearts and minds of stakeholders and embody national identity, to finish Freedom Park within the time frame and budget that had been set out, to promote and protect Indigenous Knowledge Systems (IKS) as a science and as a cultural practice. Fifthly, to manage Freedom Park effectively and efficiently as a heritage site in compliance with all relevant legislation, and to mobilise the continent and international communities behind Freedom Park through, "the African Renaissance and Global Stability". See, Parliamentary Portfolio Committee on Arts and Culture, 'Freedom Park Trust: briefing Arts and Culture' (14 March 2005).

³⁰ Sabine Marshall, *Landscape of Memory* (2010), 211. The Trustees appointed in 2005 included, Derrick Swartz (politics, academic-sociology), General Lehlohonolo Moloi (former MK and SANDF), Murphy Morobe

acquired ‘special’ latitude to exercise influence, such that ideas and position papers drafted by Trustees like Luli Callinicos and Wally Serote were carried through various stages of the development of the park. These two were academics, but also political activists in different ways.³¹ My emphasis here is not on the assumed expertise though, but on the multiplicity of contributions that were to characterise the project. In this section I highlight the onset of complex transactions of meanings in what seems to be an obvious embedding of dominant political ideologies in the foundations of the project.

Another occasion for politicians and government officials to influence the early direction of the project was the funeral of the Trust’s chairperson Joe Modise on 8 December 2001, at which President Thabo Mbeki said,

Joe Modise has passed away. We will compose songs to him. As we sing of him, we will also be making a solemn salute to the Luthuli Detachment of Umkhonto we Sizwe, and all other detachments that preceded and succeeded this pioneer freedom column of its time. We will build a monument to him. We will ensure that in our nation's Freedom Park, he has a place as one of those who played his part, as we progressed from the very origins of the earth and life.³²

Mbeki was a prominent promulgator of an idea of a monument not just to freedom but to resistance spanning across centuries. At the launch of the first phase of the Park on 16 June 2002, Mbeki’s speech extended the concept of Freedom Park beyond the narrow scope of a heroes’ monument. He said Freedom Park must

celebrate human achievements in their totality. It must celebrate evolutionary processes that have led to the emergence and transformation of human beings, including humanity learning to control nature, technological advances and endeavours

(Mbeki’s spokesperson), Mandla Adonisi (business), Thulani Gcabashe (business), Sizwe Nxasana (business), Edna van Harte (academic-military), Shirley Mabusela (children’s rights), Ms Beryl Simelane(legal). Getrude Shope became the new chairperson. Harte, Mabusela, and Simelane withdrew.

³¹ The social historian Luli Callinicos is considered by whom? a veteran trade unionist and liberation struggle activist, who contributed in mobilising the working classes through social and popular histories in the since the 1970s. See, the National Institute for the Humanities and Social Sciences website, <http://www.nihss.ac.za/content/contacts/luli-callinicos> Accessed on 23 November 2016. The poet Wally Serote has also been honoured as a liberation struggle activist, who was detained under Terrorism Act in 1969, after which he spent 18 years in exile. See, Matthew Williams, ‘Biography of Mongane Wally Serote’, South African History Online, <http://www.sahistory.org.za/article/biography-mongane-wally-serote-matthew-williams> Accessed on 23 November 2016.

³² Thabo Mbeki, ‘Oration at the Funeral of Joe Modise’, <http://www.thepresidency.gov.za/pebble.asp?relid=2740> Accessed on 20 June 2015.

to free humanity from the constraints of nature, from socio-economic backwardness and political oppression³³

Two days later, on the occasion of the Budget Vote of the Presidency on 18 June 2002, Mbeki added that Freedom Park was about ‘honouring and celebrating human achievements in all the different areas of life’. He spoke of,

freedom in a holistic sense – freedom from the adverse impact of nature, freedom brought about through socio-economic progress and technological advancement, spiritual freedom as expressed, for example by the creative arts and literature, as well as political freedom.³⁴

As Mbeki explained, a composite story of freedom would involve human evolution, migrations, encounters and conflicts and events leading up to the freedom of all South Africans, and the challenges thereof.

Again, Mbeki used his 2003 ‘State of the Nation Address, to ‘re-announce’ the Freedom Park project underway, which he explained as a ‘follow-up’ to the National Orders introduced the previous year.³⁵ He emphasised what he considered the monument’s potential to bring about ‘dignity of Africans and all human beings’. Mbeki’s ideal superseded the Mandela era’s simple ideas of freedom as an opportunity for redress and turning inequality on its head. His ideal was beyond heritage for reconciliation and nation-building, but heritage for building a self-image. He sought to instil an idea of Africa and Africans as ‘can be honourable and dignified’, and obviously sought to see Freedom Park becoming an epitome of such Africanist ideal.

Mbeki’s philosophies were interwoven into what the Trust packaged as a conceptual and contextual framework, which began featuring phrases like African renaissance:

Freedom Park, the South African Monument which will emerge in the African century as most Africans strive to reach consensus on what the African renaissance is,

³³ Thabo Mbeki, ‘Address by President Mbeki at the Occasion of the Launch of the Freedom Park’ (16 June 2002), paraphrased.

³⁴ Thabo Mbeki, ‘Address on the Occasion of the Budget Vote of the Presidency’ (18 June 2002). Such was the ‘positive heritage’ that the Freedom Park Trust later adopted as a nucleus of its depictions, which emphasised the so supposed unimaginable strides in science, medicine, technology that human beings have made.

³⁵ Thabo Mbeki, ‘State of the Nation Address’ (14 February 2003).

and as they, through NEPAD, search for a comprehensive socio-economic system, which when the African union emerge, with its myriad of institutions, must shift the masses of this our continent, into being active participants, and beneficiaries of both socio and economic upliftment, must be informed by this context.³⁶

Even Mbeki's 'I am an African' speech, which he had delivered some six years

earlier, on the occasion of the passing of the *Constitution of the Republic of South Africa*, was turned into a major reference text. It was included in the reading packs for Freedom Park's planning and designing teams. Its 'usefulness' was its motive appeal through an 'easy isomorphism' that presumed an 'easy expropriation of khoekhoe, san and white histories by blacks, and vice versa'.³⁷

Indeed, all plans seemed to fall into place within a supposed framework coordinating lines of thought 'from the TRC to Mbeki - from Mbeki to the Freedom Park Trust – from the Trust to materialisation of the Park'. A chain of resistance narratives mobilised around the theme 'struggle of humanity', linked southern African palaeontological 'discoveries', slavery, genocides, revolts, and wars of dispossession over centuries, with the 'most recent' struggle against apartheid and freedom and reconciliation. In its presentation to parliament in May 2001, the Trust was proud to have covered 'all phases of the struggle, from pre-colonial, colonial, apartheid, to post-apartheid'.³⁸

Mbeki must have been proud too, as the final proposal approved by 'government' pertained developments of a national monument on Salvokop in Pretoria, to 'commemorate the country's cultural, natural and political history'.³⁹ It was a grand R560 million project, dubbed the 'most ambitious of the Legacy Projects, which initially planned to construct in three phases a Garden of Remembrance with *Isivivane*, *S'khumbuto*, and Uitspanplek, sanctuaries and galleries, Wall of Names, and finally //hapo, the museum.⁴⁰

³⁶ *Freedom Park Trust Programme* (2004), 10.

³⁷ Lynn Meskell, *The Nature of Heritage: The New South Africa* (Oxford: Wiley-Blackwell, 2012), 45-46.

³⁸ Parliamentary Portfolio Committee on Arts, Culture Science and Technology, *Meeting Report* (29 May 2001).

³⁹ *South African Yearbook* (2007-2008), 88.

⁴⁰ *Isivivane* was constructed into a semi-circular structure, with its centre being the Lesaka, a symbolic burial ground with a perpetual steam surrounded by boulders, and with trees said to be collected from different

On 8 March 2004, upon the completion of the first phase costing R45 million, Mbeki symbolically received on behalf of the government and ‘the nation’ the Garden of Remembrance, as the Park’s first instalment to the ‘cleansing of the nation’. It was all ‘cleansed of evil spirits’, ‘consecrated’ and ‘made ready for public use’ by a diverse team of healers. Mbeki took off his shoes and stepped onto the sacrosanct *Lesaka*, took a moment of silence and knelt alongside the CEO of the Freedom Park Trust, Wally Serote and burnt incense called *impepho*, while the retired ANC military veteran, Freedom Park Trustee, and Andrew Masondo, the veteran ‘struggle activist’ and retired army general, who had become a traditional healer ‘chanted to the departed spirits’.⁴¹

Mbeki’s interest was also to extend to the actual designing and construction of the site. When the Trust ran an architectural competition for the project, not only was Mbeki interested in the outcomes, he met with the jury of the competition, expressed his preference for Salvokop as the site of the Park, and also visited the site during construction.⁴² On 16 December 2006, Mbeki was back at Freedom Park to ‘receive’ the *S’khumbuto* marking completion of the second phase of the project. For Mbeki, such ‘crowning’ moments were fulfilment of his long term vision of not just national but continental revival of the struggles of humankind, from cradle through a series of struggles and victories, to make themselves better. It was Mbeki’s instalment into the project that the //hapo museum developed at later stages, was to further nurture.

provinces. It was dedicated as ‘the spiritual resting place of those who played a role in the freedom and liberation of South Africa’. *S’khumbuto* consisted a 697m long ‘Wall of Names’, a ‘Gallery of Leaders’, the 2 000-seat amphitheatre, a hall called ‘The Sanctuary’, a flame, surrounded by water called the Eternal Flame, and a sculpture called the Reed Sculpture. Uitspanplek consisted of green lawns and pools of water.

⁴¹ Zibonele Ntuli, ‘I see it with my own eyes: Mbeki’, *10 Years of Freedom, 1994-2004*,

<http://www.southafrica.info/10years/reconciliationday-mbeki.htm> Accessed on 23 June 2015;

<http://www.iol.co.za/news/south-africa/park-honours-those-who-outsoared-the-shadow-1.207986#.VEwu2lfsrig> Accessed on 23 June 2015.

⁴² Jonathan Noble, *African Identity in Post-apartheid Public Architecture* (2011), 223.

Multiplicity: interests, disciplines, approaches and practices

Despite Mbeki's close involvement, the ideas and ideals that informed the project's concepts and material manifestations came through diverse processes and inputs by many individuals and different groups. Salvokop as the site of the park with a museum, and a site of Mbeki's preference, was suggested by the artist Danie De Jager. It was a site with 'a strong colonial link with the past because its name originate[d] from the custom during the ZAR era to signal the arrival of the post with flags'.⁴³ The sculptor was in the context of Freedom Park controversial for having produced 'apartheid monuments' like the statue of Hendrik Verwoerd. The Freedom Part Trust rejected his proposal for a monument in the shape of Mandela's outstretched arm, but carried his idea of a monument on the hill opposite the Voortrekker Monument, meaning Salvokop.⁴⁴

The urban design framework for the park and the museum was prepared by a joint venture of Mashabane Rose Associates, GAPP Architects and Urban Designers, and Mpheti Morejele Architects (MMA), to whom the Trust awarded a tender in 2002.⁴⁵ These became known as Freedom Park Architects in Association (hereafter FPAs), and were together with other contracted expertise such as surveyors, curators and healers responsible for blending concepts with design, implementation and performance, and for translating those into the many physical facets of what eventually became Freedom Park. In 2005, a new tender was awarded for the construction of the Intermediary Phase to Concor / Trencon Joint Venture.

Once the frameworks were in place, the granting of awards for the actual design was through an architectural competition, which the Trust ran in partnership with the South

⁴³ Pieter Labuschagne, 'Monument(al) meaning making in the 'new' South Africa' (2010), 117.

⁴⁴ See, Annie Coombes, *History After Apartheid* (2003), 22; Sabine Marschall, 'Signifying the power of the monumental image', *Image & Text: a Journal for Design*, 11 (2004), 33–41.

⁴⁵ Mashabane Rose Associates formed in 1995 by Phil Mashabane and Jeremy Rose, previously constructed Hector Pieterse Memorial and Museum, the Apartheid Museum. GAPP architects 'predominantly white' firm established in 1993, and ran by 10 directors. MMA was a 'predominantly black' firm founded by Mpheti Morejele in 1995.

African Institute of Architects (SAIA) and Union Internationale des Architectes (UIA), a global network of architects. None of the competitors satisfied the requirements of the award, yet the jury took a decision to award *ex-aequo*,⁴⁶ three non-South African architectural firms, each of whom received \$20 000.⁴⁷ The design of all structural engineering services for the subsequent Phases 2 and 3, in which the museum was constructed were done by another joint venture between Aurecon and its 'BEE partner' Leslie Madinga Associates (LMA). Thus, Freedom Park's concepts materialised through the work of diverse consortiums of local and international designers, surveyors, architects, and engineers. Their expertise and ideas converged and diverged at different points, and intervals.

Similarly, the concepts that 'informed' or briefed the 'technical' teams, did not always emerge or converge around palpable centres of power or knowledge. The conceptualisation of the major themes and elements of Freedom Park first revolved around the idea of a Garden of Remembrance, before elements such as the museum were considered. But the principle and practice of multiple inputs that the project embodied were maintained through all the different phases of the development of the park. Freedom Park archives contain volumes of discussion documents, position papers, proposals, strategic plans, minutes of meetings, records of events, and work plans and schedules, which show contributions and influences by a range of Africanists, traditionalists, spiritualists, anthropologists, sociologists, historians operating as independent advisors, consultants, and contractors, or as associations. The African Renaissance compilations containing documents of the South African Chapter of African Renaissance (SACAR), the Institute of Indigenous Knowledge Systems of South

⁴⁶ On the basis of what was just and fair under the circumstances, and not the strict rules of the competition.

⁴⁷ The competition's jury chaired by a trustee and architect Revel Fox met between April and July 2003, reviewed 133 entries, disqualified 15, and out of the remaining 117 awarded 3 competitors. The awardees were, OBRA Architects, Pablo Castro & Jennifer Lee of USA, Peter To Tai Fai of Hong Kong and Vladimir Djurovic & Imad Gemayel of Libanon. The three runner-ups of the shortlisted five received \$9 000 each. A South African firm Meyer Pienaar Tayob was among the runner-ups. See, 'No outright design winner in Freedom Park competition', *Mining Weekly* (23 July 2003), http://www.miningweekly.com/article/no-outright-design-winner-in-freedom-park-competition-2003-07-23/rep_id:3650 Accessed on 20 June 2015.

Africa (iIKSSA) Trust, African Renaissance Organisation of Southern Africa (AROSA), Traditional Leaders and Healers, Seek-A-Cure-Project, KARA institute, and Moral Regeneration Movement (MRM), were the key texts informing most conceptualisation, designing and planning stages.⁴⁸

The Trustees and their associates were also key figures in these bodies. The Trust set itself up as an operational structure with departments, committees and sub-committees led by figures seen as professionals and specialists in certain areas.⁴⁹ The structure included a Chief Executive Officer (CEO), Deputy CEO⁵⁰, Chief Financial Officer (CFO), Company Secretary, Corporate Services Manager, Office Manager, a team of researchers and various project managers. Wally Serote, the second Trust's CEO after Lindi Gabb, was an African renaissance philosopher involved in African Renaissance Organisation of Southern Africa (AROSA), Indigenous Knowledge Systems of South Africa (IKSSA) and (South African Chapter of the African Renaissance) SACAR. He led the Freedom Park Trust in numerous meetings and site visits involving these organisations and was instrumental in channelling ideas between these bodies and the Trust. The Heritage Manager Yonah Seleti was also an academic with interests in pan-Africanist philosophies and indigenous knowledge systems, who propagated the idea of Freedom Park's 'living' Pan African Archives. Despite its 'staffing' with professionals, specialists and individuals with high profile external links, the Trust contracted advisors and consultants from time to time, whose inputs shaped the material and conceptual forms of the various elements of the park, including the //hapo museum that was completed in 2012 and formally launched in 2013.

The 'advisory' inputs 'gathered' from different parts of the country offered specific advice on the contents to be included in exhibitions. Harriet Ngubane, a sociologist and

⁴⁸ African Renaissance Files, Freedom Park Archives.

⁴⁹ The Trust committees were, Management Trustees Committee, Audit Committee, Human Resources and Remuneration Committee, Finance Committee and Tender Committee.

⁵⁰ The position was only created in 2005, to replace that of a Chief Operations Officer (COO), which was considered redundant. Freedom Park Trust, *Annual Report* (2006).

advisor of the Trust, shared with the Trust a number of her academic papers which foregrounded the current ‘story of creation’ section of the //hapo exhibition. Her discussions included the concept of reeds as essential elements of African architecture, which saw erection of ‘steel reeds’ on the site’s hill-top, and inclusion of such knowledge in the museum exhibitions.⁵¹ Historians like Uma Dhupelia-Mesthrie, Sifiso Ndlovu also contributed papers on the ‘rites of passage among Indians in South Africa’ and ‘Kwa-Zulu Natal precolonial history’ respectively. These too featured in the museum exhibitions, under ‘peopling’ and ‘industrialisation and urbanisation’. There were also numerous documents ‘submitted by provinces’ supplying the Trust with lists of ‘victims of conflict, some of which informed the lists of fallen victims of past conflicts inscribed on stones that made up the Wall of Names gallery. Although controversy arose over the lists and Wall of Names, which I cover in the next sections, this point simply highlights processes through which knowledge was ‘gathered’ and generated in instalments and merely conveyed to the core features of the project.

Credo Mutwa, the sculptor and author of Zulu folklore, who calls himself a high *isanusi* (high shaman or spiritual teacher), traditional healer and prophet, and who has developed wide-ranging theories about African mythology and spiritual beliefs, was another key advisor of the Trust.⁵² The Trust even saw it fit to undertake a ‘fact-finding’ visit to Mutwa’s ‘healing garden’ in Kuruman in the Northern Cape on 11 April 2007. Part of the delegation were the FPAs represented by Mashabane Rose architects, who supposedly translated the trip’s lesson of boulders as primal images of stability, home and power into the design of //hapo at Freedom Park.⁵³ Mutwa’s notions of African cosmology, spiritualism, and healing were almost directly translated into the site’s major features like rocks, water, eternal

⁵¹ Harriet Ngubane, ‘The African Creation Story’ (2003), Freedom Park Archives. Ngubane suggested that a reed was a conduit to life and could be used as a sculptural element to express a connection between the earth and the sky.

⁵² See Credo Mutwa’s website and blog, <http://credomutwa.com/about/> Accessed on 12 April 2017.

⁵³ Based on Harriet Ngubane, ‘The African Creation Story’ (2003). See, Mashabane Rose Associates, ‘Freedom Park’, <http://mashabanerose.co.za/freedom-park> Accessed on 24 June 2015; Jonathan Noble, African Identity in Post-apartheid Public Architecture (2011), 249.

flames, gardens, and sanctuaries. But hard to miss were the eternalised video clips played over and over in the museum, one of which is of Mutwa explaining his concepts of humanity.

It was such 'indigenous' knowledge produced by healers, traditionalists, spiritualists, and Africanists like Mutwa and Serote that were almost entirely translated into the museum's exhibits classified into 'seven epochs' with titles like 'earth', 'ancestors' and 'peopling'. These sections explored singularised perspectives of origins of the universe, death and the afterlife, the physical and spiritual perspectives and civilisations, through texts, objects, sounds and video clips of 'experts' like Credo Mutwa explaining the concepts.

For another body of knowledge: the historical, which also informed the museum's themes and representations, a tender was awarded to the History Workshop of the University of Witwatersrand in 2003, to conduct historical research for the project.⁵⁴ The Wits History Workshop team comprised interdisciplinary academics, mostly social historians, whose research work focused on life stories, experiences and memories of 'ordinary' people in South Africa. Interestingly, the Trust had its own team of researchers by then. Nevertheless, as from 2002 the Trust also awarded tenders for what it called market research, or research find out what people wanted to see, do, experience, and learn at the park, including the planned museum. One went to Wisdom Keys Group in 2003, which was contracted to develop the Trust's communication strategy. Drawing from that market research and communication strategy, the museum created more exhibits under four epochs namely; 'resistance and colonisations', 'industrialisation and urbanisation', 'nationalisms and struggle', and 'national building and continent building'.

⁵⁴ Freedom Park Trust, 'Historical Research' file, Freedom Park archives.

Negotiations and power/knowledge relations

Jonathan Noble has considered processes such as stated above, which include promotion of authenticity of indigenous forms of knowledge through commissioned research, as fixing myths, practices, and nationalising ideologies and discourses.⁵⁵ Certainly, the processes produced a ‘con-joining of particular trajectories of ‘indigenous tradition’ and ‘popular resistance’ as ‘national heritage’.⁵⁶

Drawing from Sabine Marschall’s concept of vernacular, Minkley and Mnyaka define post anti-apartheid complex as a co-presence, in the arena of display or exhibition, of both the politics of sentiment (derived from romanticised, vernacular narratives of traditional anti-colonial pasts) and the politics of liberation (derived from the narratives of modern national liberation movements). The result is the ‘romantic or sentimental memorial’, ‘where citizenship and governance, and the post-apartheid modern are mutually composed, imagined and defined’.⁵⁷ Indeed, the making of Freedom Park saw a constitution and conjoining of sentimental ideas of a self-civilising, productive, progressive, unified yet ethnic pre-colonial Africa, with ideas of non-racial, non-ethnic, national liberation struggle, and the meeting of these with the technical to produce visual representations of a ‘true’ African ‘post anti-apartheid heritage’. The product was a heritage made visual, gigantic, fixable but navigable, therapeutic, and instructive of and transmitting particular knowledges and values. And indeed, it was heritage framed with inheritance, entitlement, culture, indigenous and collective identity.⁵⁸

But to go even deeper in this analysis, the question I ask here is, was it merely hegemonic? In an earlier study of a case of the re-making of cultural heritage in the Eastern

⁵⁵ Jonathan Noble, *African Identity in Post-apartheid Public Architecture: White Skin, Black Masks*, Surrey: Ashgate (2011), 252.

⁵⁶ Gary Minkley, ‘A fragile inheritor’ (November 2008), 17.

⁵⁷ Gary Minkley and Phindezwa Mnyaka, ‘Seeing Beyond the Official and the Vernacular’ (2015), 67-68.

⁵⁸ Gary Minkley, ‘A fragile inheritor’ (November 2008), 24.

Cape, Minkley had reckoned that, this “new heritage’ has become productive of significant continuities between old and new heritage, but also of contradictions and contestations in its reworkings as a post-apartheid heritage complex’.⁵⁹ Indeed, my research on the making of Freedom Park unearthed a series of sophisticated constitutions of the ‘new real heritage’.

For example, advisors and generators of the most bizarre and complicated coalesces of narratives of pre-colonial traditions, mythologies and knowledge systems, were academics like Harriet Ngubane, and Yonah Seleti, who at certain instances were in some bizarre collaboration with self-made ‘traditionalists’ like Credo Mutwa, and even the former army general Andrew Masondo, ‘playing’ the role of a traditional healer.⁶⁰ The president of the country Thabo Mbeki too, was sometimes part of these ephemeral teams and moments, especially on ‘validation events’ like dedications or launches. But it is important to note that during such fleeting moments at which these individuals and groups ‘collaborated’ and operated, the beneficiary or consumer publics were temporarily imagined and gathered as ‘crowds in attendance’. Therefore, it is best to analyse knowledges and meanings at Freedom Park as series of complicated transitory practices, rather than distinct discourses. And, it is best to understand even the idea of governmentality in relation to negotiations and temporalities, especially at the face of ephemerality of the very publics.

Furthermore, between the architecture, engineering, aesthetics, representation and functionality on the one hand, and mythologies, mysticism, ideologies, knowledge systems and symbolism on the other hand, the meeting point was not necessarily a stage of contestation of power. Designers and architects intermittently considered and incorporated materials like stone, water, fire, indigenous trees and plants, based on their purported symbolism ‘in the African context’. But it was an espousal carefully aligned with principles of architectural aesthetics.

⁵⁹ Gary Minkley, ‘A fragile inheritor’ (November 2008), 24.

⁶⁰ For example, the occasion of the ‘dedication’ of the Garden of Remembrance on 8 March 2004.

For example, Harriet Ngubane's concepts of reeds as essential elements of African architecture solved what emerged as an architectural aesthetic issue regarding the designing and construction of *S'khumbuto*.⁶¹ In this particular case, 'not having a heavy visual weight' was, although emphasized in concept documents, a matter of concern to the architects.⁶² A sculpture of almost 200 ascending 'reeds' in the form of tall steel lights, the tallest measuring 32 metres in height, was therefore incorporated into the design. The 'reeds' were seen as a 'spectacular sight' that ensured 'visibility of Freedom Park from all around the capital city'.⁶³ Thus, the meanings-loaded symbolism in items like reeds was sometimes incorporated, not for their supposed intrinsic value, but to resolve aesthetic issues.

Also, an opportunity presented itself for the re-thinking of what seemed to be clashing ideas about serenity of the Garden of Remembrance and accessibility of the park. On grounds of serenity, the Trust rejected proposals by Mbombela Operating Company to have a Gautrain rail link run underneath Salvokop and Freedom Park. But for the sake of accessibility of the park, the Trust was in favour of a link running through a tunnel of Salvokop, and a connection between the Park and Pretoria Station and the city. However, from the FPAs point of view, juxtaposition of the Garden of Remembrance with the Gautrain line, or visibility of the garden from the Gautrain line was unsettling.⁶⁴ It seemed in complete contrast with the Trust's own concept documents and design briefs. The FPAs therefore put it on record that the two ideas were incongruent and that with the rail link, the completed Garden of Remembrance was somehow below the initially proposed standards of serenity.

There were many such occasions on each of the park's three construction phases, whereby architects and engineers reported 'unforeseen geo-technical issues', thereby

⁶¹ *S'khumbuto* was planned to comprise a Wall of Names of the fallen heroes of different South African conflicts, a Gallery of Leaders displaying portraits of selected local and international leaders, a Sanctuary space for prayer and meditation, and an Eternal Flame placed in the middle of a water pool.

⁶² Mashabane Rose Associates, 'Freedom Park', <http://mashabanerose.co.za/freedom-park> Accessed on 24 June 2015.

⁶³ Freedom Park, *Annual Report (2009-2010)*, 44.

⁶⁴ Freedom Park Trust, *Freedom Park Architects and Associates Report (2004)*, Freedom Park Archives.

interrupting plans and schedules that they together with the Trust had designed.⁶⁵ Some of these required some re-conceptualising and modification of the original designs, including the symbolism attached to them. In 2005, the Trust incurred an increase in costs from R 124 966 to R 186 520, due to two unplanned additional works. One was about ‘dense vegetation and steep slopes’, which according to engineers warranted hand, rather than backhoe, excavations.

Another was an ‘unforeseen high vertical cut excavations demanding core drills and additional piles’.⁶⁶ The shuttling between implementation and the drawing board was not just indicative of intricate engineering, which was predictable of a rock-strewn site like Salvokop. But it was also an indication of malleability of the romanticised ‘vernacular knowledges’ embedded in the concept documents, plans and briefs, and how incorporate-ability of certain symbolisms hinged on factors within and beyond the ‘vernacular’. As a result, heritage was made and remade over time and across stages, and as concepts and implementation strategies demanded revisiting and refining.

But to problematize what might here seem as dichotomisation, homogenisation and designation of the idealistic versus the pragmatic, it is imperative to note that ideas represented here as pan-Africanist, African cosmological, traditional, spiritual, sociological, architectural or aesthetical, were by no means uniform or fixed. Similarly, there was no singular voice or viewpoint of architects except ‘self’ representations by FPAs purporting to speak with one voice. The oscillations in concepts between different implementing and interested parties were to characterise the Freedom Park Legacy Project through its stages of development. While some might have appeared as contesting counter or vernacular discourses, it is best to view these as forming part of a heritage complex characterised by interwoven representations of self, imagined epochs, and imagined pasts and presents. These

⁶⁵ Phase I was completed in 2004, Phase 2A in 2008 and Phases 2B and 2C in 2012.

⁶⁶ Report by ANT Geo-consultants, 10 May 2005, Freedom Park archive.

played themselves out through alternating deployments and negotiation of power/knowledge at various transitory stages, rather than representations of circumscribed power and knowledge.

Conceptualising and constructing //hapo

Like other elements of Freedom Park, the museum named as //hapo was conceptualised through brainstorming sessions involving the Freedom Park Trust (FPT / Trust) and architects and designers, and also through considerations of inputs by the Trust's advisors. It emerged through phases of heightened conceptualisation, design and construction activity, before the Freedom Park project became methodised and banal. The planning and designing processes involved brainstorming sessions by contracted researchers, advisors and invited practitioners, the approval of concept by the Trust, the tabling of concepts and briefs by the Trust to the designers and architects, and back and forth evaluations of concepts, plans and feedback between the Trust and the appointed implementers.

In the case of //hapo, the Trust approved the concepts in February 2006.⁶⁷ But according to Mashabane Rose Architects, the process of designing a brief to be tabled before designers and architects took longer than usual, and was paused for a while as the Trust revisited the concepts and briefs.⁶⁸ What posed a challenge was the question of how could the 'formula of infusing indigenous African cultural beliefs with modern commemorative design' be used in designing the museum building and exhibition spaces?⁶⁹ The formula had 'worked' in other completed elements of the park, although with much negotiation in consideration of geo-technical, aesthetic, accessibility and functionality issues as I have shown above. But the challenges of developing a monumental and memorial project into a

⁶⁷ Freedom Park Trust, *Annual Report* (2006).

⁶⁸ Mashabane Rose website, 'Freedom Park', accessed on 24 July 2015.

⁶⁹ Harriet Ngubane, 'The African Creation Story' (2003).

museum could have demanded a careful review of not just spatial configurations, but knowledges and meanings that had thus far been made fundamental in the project. It could have provided opportunities for dominant foundation myths to be infused into the nature, principles and trajectories of the museum.

But in the case of //hapo, the FPT was once again engaged in intensive structural designing process, which demanded very little in terms of conceptualisation. As with other Legacy Projects, making a museum was about designing and constructing a structure by appointing task teams, putting together briefs and running competitions based on those briefs. The //hapo briefs and their subsequent revisions included, for example, that architects should design the building and exhibition space to accommodate storytelling and storytellers.⁷⁰ Since it drew largely from Harriet Ngubane's African creation story', Ngubane was invited to explicate some of the concepts, and provide guidance on a consultant basis during the construction of //hapo. At the same time, the Aurecon Group, within the consortium of designers, engineers and architects working with the Trust, were contracted to play role, which in their terms was of 'giving serious consideration to a multitude of views and perspectives and distilling them into a balanced, logical action plan'.⁷¹

Yet it was in 2007, that Jeremy Rose of Mashabane Rose Associates came up with a 'winning' design, during the research excursion mentioned earlier, to Credo Mutwa's 'healing garden' in Kuruman. Rose was inspired by Mutwa's ideas of significance of rocks, earth, and mountains in 'indigenous African architecture'.⁷² His design for the museum was of a structure resembling an assemblage of huge boulders, described as follows,

⁷⁰ Mashabane Rose website, 'Freedom Park'.

⁷¹ Aurecon, 'The Freedom Park Museum, Gauteng', South Africa, undated, <http://www.aurecongroup.com/en/projects/property/the-freedom-park-museum-phase-of-the-heritage-site-development-site-tshwane-south-africa.aspx> Accessed on 10 July 2015.

⁷² Harriet Ngubane, 'The African Creation Story' (2003).

the museum buildings are multileveled and designed to follow the natural mountain contours, taking visitors on a historical ‘journey’ as they amble through them. Creating an easily walkable, flowing route for visitors was therefore crucial.⁷³

The architects claimed that through time and weather exposure, the copper sheets which the entire structure would be covered with, would oxidise and further bond the building to its surroundings. Pleased with the design, Ngubane thought it represented an ‘innovative, distinctly “African” approach that would be taken in the representation of South African history, customs, and culture within the museum’.⁷⁴

But the actual construction work posed a lot of challenges. It involved complicated geometries which kept drawing the Mashabane Rose architects and engineers from the Aurecon group to the drawing board. The challenges had to do with fitting the design into a rocky site not suitable for it. The design was adjusted to include structural steel fabrications, which the Trust approved. The Aurecon group was called upon to ‘design of a series of very technical, high retaining walls’, which earned the Aurecon group praise by the consortium of designers, engineers and architects ‘for bringing their vision to life’.⁷⁵ Thus, as construction issues emerged, there could be no rigidity regarding concepts, briefs and the ideas of ‘African architecture’. Regarding the exhibitionary space and exhibitions, the plan included,

an exhibition space where the narrative of South Africa going back 3.6 billion years was unfolded in visual and narrative form through a series of seven epochs that juxtaposed cultural, social, natural history, and performative aspects of display such as storytelling and the promotion of oral tradition to forge a complex, multivalent originary narrative of the nation.⁷⁶

But it was a highly technological exhibition designed by the artist Clive van der Berg. The installation project was managed by Gavin Olivier of Digital Fabric, in collaboration with TDC Africa and DWR Distribution for lighting, and Dimension Data and Sonic Factory for audio visuals. All this was to achieve interactive exhibition with touch screens, which

⁷³ Aurecon, ‘The Freedom Park Museum’.

⁷⁴ Aurecon, ‘The Freedom Park Museum’.

⁷⁵ Aurecon, ‘The Freedom Park Museum’.

⁷⁶ Duane Jethro, ‘The African Story of Creation’: Heritage Formation at Freedom Park, South Africa’, *Material Religion*, 9:3, (2013), 376.

according to the brief prepared by the Trust, was to be mounted without use of metalwork.

According to Olivier,

each and every item had to be designed from scratch, requiring several hundred custom designed mounts, bezels and housings. The results show in the final product, with every item sitting comfortably in its surrounding, it's not always about hiding technology away, but rather about ensuring that it looks like it is meant to be there.⁷⁷

It was the matter of not rejecting the concepts but creatively working with and through them to produce something not quite in the original brief but similar. It was through such multi-layered creative contributions and different approaches that //hapo was constructed.

According to architect and urban designer Paul Kotze,

Whereas many other social institutions in South Africa and elsewhere create the impression of being finite in their form and message, //hapo-Freedom Park Museum by the Office of Collaborative Architects seems to open up new possibilities and visions, while it simultaneously records and symbolises the complex evolution of South Africa.⁷⁸

Indeed, the museum in the making was at that stage a project of the Trust and its consultants and contractors. The project still had much room for regular revisions of possibilities and visions, and trials and errors, for as long as it complied with the *Public Finance Management Act*. Therefore, Ngubane's assertion about an 'innovative, distinctly 'African' approach' clearly had no foresight of the stage at which the museum was completed, and at which the Freedom Park project had transitioned into an institution with operational and oversight structures set in accordance with the *Cultural Institutions Act*. Freedom Park certainly became an arena of preoccupation with adhering to policy regulations and accounting requirements that came with the government subsidy.

⁷⁷ DWR Team, '//hapo Museum' (14 October 2013), <http://dwrdistribution.co.za/freedom-park-hapo-museum-2/> Accessed on 10 July 2015.

⁷⁸ Paul Kotze, 'Freedom Park, //hapo', 2014, <http://www.artefacts.co.za/main/Buildings/bldgframes.php?bldgid=9608> Accessed on 10 July 2015.

From a project to a heritage site and heritage resource: Becoming methodical and banal

From its initial plan, Freedom Park was purposed to provide spaces for “private reflections and spiritual fulfilment, fostering a sense of relaxation and enjoyment of the natural environment” with spiralling pedestrian pathways all around the precinct.⁷⁹ In terms of its initial concept, ‘vibrant commercial activities and a strong African based service industry [would] be developed to enhance the marketability of Freedom Park’.⁸⁰ The Park was planned to be,

a One-Stop Heritage Precinct... a place of historical meaning and celebration, enticing every South African citizen, who will find their heritage well-represented... The gardens will provide a space primarily for private reflection and spiritual fulfilment not discarding a sense of relaxation and enjoyment of the natural environment.⁸¹

But the big question that the Trust and later the administrations of the park had to deal with was how would ‘the nation’ in ‘its diversity’ associate with the site, its symbolism and ceremonies. As I demonstrate in the above sections, through various engagements with different disciplines and practices, concepts, stories and myths were constructed, compared and made verifiable. Through contributions by different mechanical bodies, physical spaces and materials were constructed. Lines between the conceptual and the perceptible were imagined to meet and run apart in different moments. In this manner, Freedom Park developed to stand on two pillars; that ‘the nation’, whose ‘deep wounds from the past struggles’ could undergo healing by ‘traditional’ means associated with ‘indigenous knowledge systems’; and that ‘the African voice and spiritual being could be emancipated, freed and given expression’.⁸² Thus, the park was projected as a heritage resource that would

⁷⁹ *Freedom Park Trust Programme* (2004).

⁸⁰ Parliamentary Portfolio Committee on Arts, Culture Science and Technology, *Meeting Report* (29 May 2001).

⁸¹ Parliamentary Portfolio Committee on Arts, Culture Science and Technology, *Meeting Report: Freedom Park Institute Briefing* (12 November 2002), <https://pmg.org.za/committee-meeting/570/> Accessed on 20 June 2015.

⁸² The religious denominations and the Moral Regeneration Movement were also included as role players in the healing of ‘the nation’.

feed into broader post-apartheid nation-building, reconciliation, social-cohesion and nation-healing agendas.

The Freedom Park Trust's first monumental rendition was the Isivivane launched in 2004, the year of the ten-year celebrations of democracy, with which it was planned to coincide. It was a symbolic memorial in many respects, as it was imagined as the 'resting place of the spirits of those who died in the struggle for humanity and freedom', and therefore a sacred space.⁸³ The second monumental rendition was the Isikhumbuto, which the Trust 'handed over to the nation' in 2006. It consisted of the Wall of Remembrance, on which the 'names of our heroes and heroines were inscribed'; the Amphitheatre for public gatherings; the Sanctuary for prayer and meditation; the eternal flame as a symbol of remembrance of lives lost during the past political conflicts; and the Gallery of Leaders, a tribute to local, continental and international 'outstanding' leaders.⁸⁴ But the Wall of Names was presented to President Mbeki as incomplete, and as open to further augmenting by the public. This occurred on 16 December 2007, the Day of Reconciliation, which in many respects marked the end of multiplicity of input, trials and errors, and open engagement.

The Wall of Names had been contested vastly, especially with regards to the omission of soldiers in the South African Defence Force (SADF), who died in the border wars and internal conflicts. In dealing with the contestations, the Trust had manipulated and negotiated meanings of death, nationhood and humanity to merge what Sabine Marschall perceived as two distinct approaches in the canonisation of heroes;

in order to create social cohesion, consensus must be created about the past as a foundation of a mutual understanding and experience of the present. But how does one create such consensus? One way is to generate a fixed "text", such as a list of heroes, that is non-negotiable and sanctioned through different media and repeated ritualized action. The other approach, broadly inclusive, accessible and transparent, presumes an open text, forever changing and expanding until "everybody's name is there".⁸⁵

⁸³ Hendrik Prinsloo, 'Freedom Park-South Africa's Flagship Heritage Precinct', *Innovate*, 5 (2010). 74.

⁸⁴ Hendrik Prinsloo, 'Freedom Park' (2010).

⁸⁵ Sabine Marschall, 'Canonizing new heroes', 89-90.

Blending what seemed like two approaches, the Trust, mostly represented by Wally Serote, had refused to include the SADF soldiers, on the basis that ‘they did not die for freedom and humanity’.⁸⁶

Yet, on 9 August 2008, the Freedom Park Trust hosted a wreath-laying and launch of a memorial book inscribed with the names of deceased SADF soldiers, as if to open-endedly settle the matter. While the Trust had taken a stance against blanket inclusivity, it also opened its research around the Wall of Names, to ongoing contributions by members of the public. From then on, more research would be done and more names would be added on the Wall of Remembrance, although still creating uncertainty about the criteria. Thus, the Trusts’ approach to matters of inclusivity reflected a complex heritage-making, which left scholars like Elizabeth Rankin convinced that unlike other post-apartheid memorial work, the Freedom Park project was ambiguously selective but inclusive.⁸⁷

In the midst of contestations regarding the Wall of Names, the Trust launched construction of the //hapo museum. But the Isikhumbuto was the last monumental rendition by the Trust, as construction of the //hapo was completed by another administration. The lifespan of the Freedom Park Trust almost coincided with Mbeki’s nearly two presidential terms. The Trust was launched in 2000, just months after Mbeki came into power, and disbanded in 2009, a few months after the ANC had ‘recalled’ Mbeki from the presidential office. Thus, it was no longer Mbeki but Deputy President Kgalema Motlanthe delegated by President Jacob Zuma, who spoke at Freedom Park Corporate Nexus Cocktail on 16 March 2012, who performed the formal ‘hand-over of the institution to the nation’, who officially

⁸⁶ Cobus Claassen, ‘Border troops won’t be honoured’, *News24* (18 December 2006), <http://www.news24.com/SouthAfrica/News/Border-troops-wont-be-honoured-20061218> Accessed on 13 August 2015; Gary Baines, *South Africa’s ‘Border War’: Contested Narratives and Conflicting Memories* (London: Bloomsbury, 2014).

⁸⁷ Elizabeth Rankin, ‘Creating/Curating Cultural Capital’ (2013), 95.

launched the //hapo museum on 22 April 2013, and who was back there again for another wreath-laying ceremony on 27 April 2014.⁸⁸

With effect from 1 April 2009, the Trust was dissolved, and Freedom Park was officially declared a Cultural Institution in terms of the *Cultural Institutions Act*, which marked the establishment of a new structure with a council and an operational team of professionals. Like other cultural institutions, the Minister of Arts and Culture appointed members of the Council, who then appointed Wally Serote to continue as CEO.⁸⁹ In March 2011, Serote retired, and was replaced by Fana Jiyane, the former Executive Director of Khanya College, former CEO of Maropeng Cradle of Humankind, and a former recipient of the Mandela Scholarship Fund of the University of Sussex, through which he obtained an MPhil in Development Studies. The CEO, Deputy CEO and Company Secretary became the executive team, leading the rest of the operational team. This was made up of six departments: Heritage and Knowledge; Public Participation; Information and Communications Technology; Innovation and Incubation; Park Operations; and Human Resources.

Staff in these departments were classified into: ‘legislators, senior officials and managers’; ‘professionals’; ‘technicians and associated professionals’; ‘clerks’; ‘service and sales workers’; ‘skilled agriculture and fishery workers’; ‘craft and related trades workers’; and ‘plant and machine operators and assemblers’.⁹⁰ From government grants of R 50 000 000 in 2009, R50 984 000 in 2010, and R 53 757 000 in 2011, each year more than

⁸⁸ See, Fana Jiyane, cited in ‘Motlanthe Set To Unveil Africa’s Largest Museum In Pretoria’ (22 April 2013), <http://www.sabreakingnews.co.za/2013/04/22/motlanthe-set-to-unveil-africas-largest-museum-in-pretoria/> Accessed on 23 July 2015. The wreath-laying event was part of the celebrations of twenty years of freedom. It was also a conclusion of a two-day ‘Khoisan Culture and Heritage Event which had its own wreath-laying ceremony in memory of ‘Khoisan genocides’. Freedom Park, ‘Media Release’, 24 April 2014.

⁸⁹ Members of the council appointed on 21 August 2009, were: Shirley Mabusela, who carried on from the previous board as Chairperson, Edith Morongwa Dikotla (academic-cultural studies), Vusi Mchunu (heritage consultancy), Nomusa Mdlalose (cultural studies, story-telling), Boyce Mgcina (Traditional Healer), Patrick Roy Mnisi (business), Narissa Ramdhani (political studies, consultancy), and Ian van Niekerk (finance), Mdlalose was later employed as member of staff of Freedom Park.

⁹⁰ Freedom Park, *Annual Report* (2009-2010), 33.

half was spent on personnel expenses related to salaries, while the rest covered ‘operations’. Employee costs accounted for R 25 354 514 in 2009 and R 31 969 263 in 2010. Interestingly though, ‘park operations’, rather than heritage-making, was at that stage made core business ran by the largest department. The department consisted of about 32 members, who were in charge of facilities management, security and maintenance. Heritage and Knowledge was the second largest department, with about 23 members in charge of research, collections and exhibitions.

Also, the function called ‘innovation and incubation’ was a peculiar feature. It entailed ‘implementing and managing national and international multi-disciplinary and cross-institutional research and other initiatives to create value from IKS’.⁹¹ This two-persons department was not set to do much other than maintain relations and promote IKS programmes already established by the FPT. As I have earlier asserted, these seemed like perfect examples of dominant ideologies. But the more these ‘exchanged hands’ and shifted from one theorist to another, and between theorists, practitioners, performers, politicians and publics with different approaches, the more complicated these became. With these communications, exchanges and negotiations occurring on different occasions and over time, heritage-making was more about further complicating entanglements than creating distinct discourses or knowledge forms. In the early days of Freedom Park as an institution these complications manifested in an obvious confusion about the institution’s core function. By 2009, with all its key physical structures completed and ‘presented to the nation’, the park was already manifesting an inclination towards becoming just a ‘leisure park’ than a dynamic heritage-making institution.

I regard the transition from a project to an institution as not just one occurrence but a series of transmutation into different formulations, assemblages and relations of various

⁹¹ IKS stands for Indigenous Knowledge Systems. See, Freedom Park, *Annual Report* (2009-2010), 38.

disciplines and practices. I argue that, while Freedom Park seemed to gain a new momentum in governmentality through occasional but grand public events, it lost its early manifestations of making a sensation through daily engagements of the space by different role players, such as consultants, practitioners and constructors. As the numerous planning sessions, knowledge search, materials gathering, drilling, building, site visits, and cleansing ceremonies that characterised the project phase settled, Freedom Park entered a phase of managerial hierarchies, strict lines of authority ordered operations, accountability and adherence. While this could have spelt out distinct deployments of power from one end to another, attempting compliance was fragmentary and messy.

Yet, it was a new chapter for the site and institution that had for about a decade enjoyed the status of a multi-million-rand project bustling with activity, although largely around construction and launches. As a project, Freedom Park was inundated with submissions, ideas and demands, but also showered with best wishes and support. DACST and later DAC allowed the Trust much leeway and freedom of creativity, with almost no ramifications for episodic failures or non-compliance with its own schedules and the ‘nations expectations’. I carefully studied the Minutes of the Parliamentary Portfolio Committees on Arts and Culture to compare discussions of annual reports and presentations by the Nelson Mandela Museum, Freedom Park, and Msunduzi Museum reporting on Ncome/Blood River Museum, and the Freedom Park Trust between 2000 and 2007. Unlike the other two, the Freedom Park Trust representatives received more clarity seeking questions, recommendations and support than criticism.

On one occasion, on 14 December 2006, a delegation of the Trust sought audience with the Minister of Arts and Culture to complain about insufficient funding. The Minister undertook to solicit more funds from the National Treasury on behalf of the Trust, and to

consider procuring an Information technology (IT) system for the Trust, from his departmental budget.⁹²

But as an institution, and similar to the Nelson Mandela Museum and Ncome Monument and Museum Complex discussed in Chapter Three, and Robben Island Museum discussed in Chapter Five, Freedom Park was shrouded in infamy related to mismanagement, underperformance and non-compliance. Firstly, the new management ‘inherited’ outstanding projects from the disbanded Trust. Phases 2B and 2C of the construction of //hapo museum were still due for completion in 2012. At the same time, the Wall of Names remained open-ended, yet contradictorily seeking conclusion. Secondly, the ushering of the new Zuma regime saw a discounting if not abandonment of Mbeki’s African renaissance enterprises, which then meant a significant refiguring of Freedom Park’s resourcefulness with regards to governmentality in a dispensation of ecotourism and self-sustainability of sites of public culture. While these developments seemingly ‘liberated’ Freedom Park to its own devices, measures of control, monitoring and evaluation of ‘state resources’ remained stringent and still promoted routine.

Although the Freedom Park’s council and operational team operated from 2009 onward, in a period that falls outside the scope of this work, I use the work around reconciliation to illustrate the argument I make about becoming a site, a resource, and institution, and subsequently methodical and banal. I consider new meanings, actions and technicalities around the idea of a Road of Reconciliation, to make comparisons between what seemed to be unconstrained making and layering of knowledge, meanings and interpretations at ‘project stages’ against the subtle but powerful constraints beyond the ‘project stages’. It is through a glimpse into the work that went into those Freedom Park elements completed at earlier stages that I am able to illuminate the state of banality into

⁹² See, Freedom Park Trust, ‘Report on the Meeting with the Minister of Arts and Culture’, Freedom Park Archives.

which the museum emerged. At the same time, it is through a glimpse into the ‘post project’ stages that I am able to illustrate governmentality even through overt banality.

Endeavouring reconciliation as a rendition of resourcefulness

On 16 December 2011, the South African Day of Reconciliation, President Zuma officially opened a ‘Road of Reconciliation’ linking Freedom Park with its neighbour, the Voortrekker Monument, so that ‘the two institutions [would] start implementing joint programs for visitors’.⁹³ With that development, the post-Trust administration then suddenly had a ‘gesture of reconciliation’ to follow-up on, and forge constructive sustainable engagements with the Voortrekker Monument.

But making a reconciliation that involved forging physical links with the Voortrekker monument through the Reconciliation Road, turned out to be a challenging venture for the post-Trust administration. President Zuma had officially opened the road in December 2011, five months after it was gazetted for national heritage status on 8 July 2011, but before its official declaration by Minister Mashatile in March 2015.⁹⁴ The opening of the road was meant to enable visitors’ easy access between the sites and contribute to mutual understanding and appreciation of the ‘differing perspectives of South Africa’s history that both sites offer’.⁹⁵ But each institution would maintain its independence.

It is imperative to note though that it was mostly around the issue of access that fundamental discrepancies in the reconciliation effort were manifested. The functions of joint

⁹³ Department of Arts and Culture, ‘President Zuma to officially open the access road between Voortrekker Monument and Freedom Park’ (14 November 2011), <http://www.dac.gov.za/content/president-zuma-officially-open-access-road-between-voortrekker-monument-and-freedom-park> Accessed on 22 December 2016.

⁹⁴ The Voortrekker Monument was officially declared a National Heritage Site by the Minister of Arts and Culture Paul Mashatile in 2012. See, South African Government News Agency, ‘Voortrekker monument now a national heritage site’ (16 March 2012), <http://www.sanews.gov.za/south-africa/voortrekker-monument-now-national-heritage-site> Accessed on 22 December 2016. See also, *Government Notice*, No.34421/No.549 (8 July 2011),

⁹⁵ Department of Arts and Culture, ‘Briefing of the Voortrekker Monument’ (2 February 2016); Janse Van Rensburg ‘Comparing altars and agendas’ (2009), 33.

management of the road and the gates connecting the two sites and joint ticketing, involved monetary exchanges. There were crucial technical issues related to monetary transfers between a declared cultural institution and an ‘undeclared’ institution, and between a state subsidised institution and an unsubsidised one.

Since the Voortrekker Monument was not a declared cultural institution, it did not receive subsidy from DAC. Yet for the sake of the Reconciliation Road, DAC transferred to the Voortrekker Monument, annual subsidy of not less than a million rands for the road’s upkeep and security.⁹⁶ The payment remained irregular until the Voortrekker Monument was declared a National Heritage Site in 2012.⁹⁷ Even then, the Voortrekker Monument remained privately-owned. As it transpired, reconciliation was difficult and expensive to maintain as DAC transferred a total of R 1 170 000 between 2011 and 2015. In 2015 DAC did not transfer money to allow a review of the management of the road, with a possibility of increasing funding for Freedom Park to manage the maintenance of the road.

Despite the technicalities, on 25 May 2014, representatives of military veterans’ organisations gathered for what Freedom Park main website had termed the ‘greatest show of unity and reconciliation amongst former sworn enemies.’⁹⁸ It was a joint wreath laying ceremony, and Annual Memorial Service performed at the *Isivivane* in Freedom Park and the SADF Wall of Remembrance at the Voortrekker Monument Heritage Site.

On two of my numerous visits to Freedom Park, I once ventured into a literal reconciliation of the two sites. On the occasion, Bongane Mkhize of Freedom Park offered to drive me from Freedom Park, through the Road of Reconciliation to the Voortrekker Monument. We went through two gates linking the two sites. Freedom Park’s exit was wide open, but the gate into the Voortrekker Monument was guarded. Mkhize signalled to the

⁹⁶ Except for 2014/2015 when R 607 000 was transferred.

⁹⁷ Luke Alfred, ‘No easy road between Voortrekker Monument and Freedom Park’, *Mail & Guardian* (24 April 2015).

⁹⁸ Freedom Park main website, <http://www.freedompark.co.za> Accessed on 15 April 2016.

guards and he opened for us without hassles. Being on the grounds of the Voortrekker Monument, I was amazed at the stark contrast. It was a 'normal' weekday and yet the monument was abuzz with visitors. We even struggled to find parking closer to the hub of activity as tourist buses, minibuses, cabs and private vehicles nearly filled up the entire public parking lot. Freedom Park on the other side was virtually devoid of visitors.

Duane Jethro had earlier made a similar observation:

Freedom Park's visitor numbers were generally very low. It was readily apparent while doing embedded research in 2010 and on subsequent visits in 2012 and 2013, that Freedom Park was not attracting the numbers of visitors projected by hopeful pre-construction survey data. For example, the Freedom Park Annual Report for the 2011/2012 year declared that it drew between 1500-2000 visitors per month, and up to 1000 visitors on popular days of national commemoration which could translate into figures of about 40, 000 visitors per year. In 2013, after being fully operational, the CEO declared that the park attracted 23, 000 visitors. These figures are very low when compared with the Voortrekker Monument, the closest, most comparable heritage site. The Voortrekker Monument attracted roughly 350, 000 guests per year, 150, 000 of which were school going learners, 200, 000 of which were ordinary visitors, of which 75 percent were international guests.⁹⁹

Freedom Park had indeed become banal, compared to the phase of its dusty construction.

Nonetheless, within the brown face-brick walls, the maize corridors, and the cushy offices, staff was seemingly working like a colony of bees. There were meetings-in-progress in almost every section, such that people spoke in hushed voices. Some sat behind desks laboriously working on plans, work schedules, reports, research, strategies of implementation, stake holder management, and mapping objectives, implementation, and outcomes against performance indicators. Some paced up and down on consultation errands, while tour guides on duty leisurely sat in stationary shuttle carts, tea rooms, or pavements chatting with security guards. As a researcher, I was on a daily basis subjected to the same routine of security checks all the way from the gates to the buildings. I would be asked to identify my host for the day, who would be phoned to confirm my appointment. Although I

⁹⁹ Duane Jethro, 'Freedom Park, a Heritage Destination': visitor experience at a post-apartheid heritage site', *Tourist Studies*, 16:4 (2016).

could find my way to most offices, the receptionist would politely ask me to sit and wait for my host, who would meet me at the reception. The security was so tight with access controlled gates and doors. It was indeed a perfect set-up of a corporate.

What had happened to the Trust's idea of a one-stop-precinct or a place of relaxation, reflection and enjoyment, or Mbeki's idea of institutions that would 'shift the masses of this our continent, into being active participants, and beneficiaries of both socio and economic upliftment'?¹⁰⁰ In such state, all those earlier ideas had remained in the realms of imagination, designing, planning, implementation and festivities, and had not translated to the people's daily engagement with the site and its features.

Assessing institutions like the Freedom Park, Marschall has interpreted the whole buzz of erecting monuments and staging public memorials, and then retracting to banality as nothing more than 'institutionalised commemoration'. She has argued that memorials, monuments and sites are used in a politically competitive manner to lay claims and taking ownership of and appropriating key icons of the 'struggle for liberation'.¹⁰¹ This is of course a dominant ideology thesis. In contrast, I have shown that the Freedom Park is a product of layers and interchanges of disciplines, practices, meanings, knowledges and approaches. It has developed, and continues to develop through overlapping moments, in which domains or lines of power have, if at all discernible, only manifested temporarily. While it feeds into what seems to be simple and *binary* nation-building agendas, it is part of a complicated network of heritage institutions, within which other networks of disciplines, practice and operate to produce knowledges and meanings with many nuances.¹⁰²

¹⁰⁰ *Freedom Park Trust Programme* (2004), 10.

¹⁰¹ Sabine Marschall, 'Pointing to the Dead: Victims, Martyrs and Public Memory in South Africa', *South African Historical Journal*, 60 (2008), 103-123.

CHAPTER FIVE

Working world heritage

The concept of world heritage creates an impression of a discourse, in that it seems to stand for a particular practice, which like history, anthropology and law is a form of knowledge with its own set of rules and regulations, guidelines, procedures, mechanisms, conventions and structures. Like other discursive fields such as world health and world trade, the world heritage 'system' purports to be effective in establishing its norms, truths and realities through a network of knowledges and meanings. As disseminated through regulations, guidelines, conventions and other publications, these packages of knowledges and meanings seek to make and define the concept of universal significance.

But contrary to simple assumptions of world heritage as producing a discourse authorised by experts, and officialised and endorsed by the United Nations Education and Scientific Organization (UNESCO) and world heritage advisory bodies, I approach world heritage as an arena of multiple disciplines, practices and approaches, where intricate negotiations of a complex of meanings take place. I evaluate the interactions and disconnections of these disciplines and practices in the imagining and figuring of what appears as a globalised public citizenry, and possibilities and slippages in the attempted governmentality of such public citizenry.

I draw from the Foucauldian concept of discourse and Tony Bennett's concept of exhibitionary complex, which is different from authorised heritage discourse. I draw from these concepts to study discursive structures in the making of world heritage, within which power constitutes itself, and within which power manifests not necessarily in negative

coercive force, but in various adaptable and substitutable forms of agency.¹ I examine the manner in which the world heritage practice seemingly transforms itself into an object of power, through its sets of norms and standards of heritage conservation. I examine the manner in which it seemingly offers ‘only a small group of experts’ intellectual space and ability to define and diffuse these ‘rules and principles’.² But in constituting itself as a discursive practice it does not necessarily produce knowledge/power binaries, and rather employs but multi-dynamics of knowledge making.

I also adopt the concept of heritage as metacultural from Barbara Kirshenblatt-Gimblett’s work on world heritage. She describes heritage as metacultural for generating ideas of both historicity and culturality, progressive and retrogressive change, tangibility and intangibility, people as both objects and subjects of cultural preservation, and things as events and events as things. Kirshenblatt-Gimblett perceives world heritage as ‘first and foremost’ a list that effectively associates an item or site with other ‘masterpieces’. But the list also achieves disassociation of items or sites from others, which effectively results in another list or ‘a list of that which is not...’³ World heritage listing is a symbolic gesture that confers value to what is listed and also provides a context for world heritage-ness of that which is listed.

According to Kirshenblatt-Gimblett, the process involves valorisation, regulation and instrumentalisation of what would have been ordinary in order to effect its revitalisation. Those associated with the item or site that has acquired heritage power through listing; acquire a new metacultural relationship with it. Listing changes these ‘owners’ or producers’

¹ Michael Foucault, *Discipline and punish: The Birth of the Prison* (New York: Pantheon Books, 1977), Tony Bennet, ‘The Exhibitionary Complex’, *New Formations*, 4 (Spring 1988).

² Haiming Yan, ‘World Heritage as discourse: knowledge, discipline and dissonance in Fujian Tulou sites’, *International Journal of Heritage Studies*, 21:1 (2014), 67. See also, Emma Waterton, Laurajane Smith and Gary Campbell, ‘The Utility of Discourse Analysis to Heritage Studies: The Burra Charter and Social Inclusion’, *International Journal of Heritage Studies*, 12:4 (2006).

³ Barbara Kirshenblatt-Gimblett, ‘World Heritage and Cultural Economics’, Ivan Karp, Corinne Kratz, Gustavo Buntinx, Barbara Kirshenblatt-Gimblett, Ciraj Rassool, Lynn Szewaja, and Tomás Ybarra-Frausto (eds.), *Museum Frictions: Public Cultures/Global Transformations*, (Duke University Press, 2006).

understanding of the ‘heritage’ concerned and alters their relationship with it. As agencies of the item’s cultural reproduction, these practitioners operate within a metacultural phenomenon, which alters the rate at which they effect changes to the item.

World heritage is therefore metacultural, in that it is a meeting of professional museological practices such as collecting and conservation, with knowledge systems and cultural practices of performers and other practitioners. The result is an exhibitionary complex representing an array of disciplines, power relations, knowledge forms and apparatuses, coming together to ‘render forces and principles of order and regulation visible’.⁴ From the announcement of the inscription and the publicisation of ‘the List’, to the ‘open’ regulation and monitoring of world heritage sites by local practitioners, governments and UNESCO, the visible ‘forces and principles of regulation’ achieve regulation of behaviours and in effect governmentality of a populace. Yet it is a form of governmentality that not necessarily implies coercion, but that is enabling in different ways and at different levels and moments.

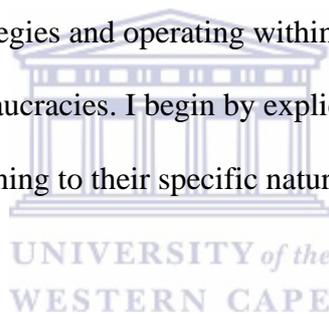
This chapter uses the case of Robben Island to study the structures, processes and transactions through which ‘ordinary’ sites, objects and practices are made world heritage, through deployments of discourses, rules and processes that seem domineering. It traces processes of making Robben Island a world heritage site, to scrutinise the knowledge/power relations within the web of the workings of global and national bodies of heritage-making, heritage professionals, consultants specialising in different areas, local practitioners and communities.

In this chapter I argue that operations related to making Robben Island a world heritage site do not reflect tenacity of a single ‘official’ heritage discourse, but rather a series of constructions and disruptions of world heritage meanings in response to changing local

⁴ Tony Bennet, ‘Exhibition, Difference and the Logic of Culture’, *Museum Frictions* (2006).

and global circumstances. I demonstrate that issues that arose at different moments epitomise complicated negotiations of history, heritage and tourism knowledge and power dynamics among and between international or local bodies, government departments, state agencies, non-governmental organisations, the business sector, interest groups and individuals. Indeed, there were instances where individuals' or group interests seemed to take precedence over others, or moments at which agendas of UNESCO, the South African government departments, political organisations or individuals seemed to dictate the heritage trajectory.

Yet it is improbable to single out and pinpoint distinct lines of dominance or specific hallmarks in such shifting and temporal deployments of power. The production of world heritage takes place within a multiplicity of institutions, groups and individuals appropriating different practices, methods, strategies and operating within different knowledge forms and protocols which set in place bureaucracies. I begin by explicating these bureaucratic multiplexes in general, before turning to their specific natures in relation to South Africa and Robben Island.



Bureaucratic entanglements and seeming like AHD

The quest to become world heritage revolves around getting inscribed on the World Heritage List. Once 'achieved', inscription on the list produces meanings of uniqueness, surpassing the rest, and being 'universally' outstanding. Further, it also produces meanings of representation of a given polity or people imagined as a nation. In essence, inscription is 'achieved' through the same mechanisms and operations that are appropriated in the making of a nation, since sites are 'nominated by nations'. For a site to be nominated, it first has to be designated and valorised within the context of a nation, from which it gets scaffolded to a global context, where it holds a representative position of both a nation and the world. Thus, getting on, and

staying on the List is about being subject to, and maintaining links with bureaucracies at different levels and settings. In this section I outline what seems to be a perfect authorised heritage discourse in the workings of world heritage, after which I use the case of Robben Island to deconstruct the perceptions of a simple discourse.

World heritage practice operates by mobilising states imagined as nations around its underpinning text named as the UNESCO *World Heritage Convention* (hereafter *Convention*). ‘Nation states’ become state parties to the *Convention* when they endorse and pay an Instrument of Ratification in an amount determined by the state concerned.⁵ Three months after making the twentieth payment the *Convention* comes into force within that particular state, by means of state law/s.⁶ Becoming state party to the *Convention* grants the ‘nation state’ global status and eligibility to identify and nominate sites for inscription on the UNESCO World Heritage List, and participate in formulating and implementing guidelines for protection of world heritage.

Attaining such status can be considered evidence of confidence in the state party’s capacity to uphold UNESCO’s values and principles. And, it creates an impression of AHD as it attests to confidence in disciplines such as archaeology, anthropology, ethnography, history, cultural studies, geology, architecture, and environmental sciences within the state party concerned, and the expertise these disciplines can offer in setting up structures and rules, of knowledge making and in regulating a public citizenry. Another qualifying factor or added advantage for ‘nation states’ is an efficient national antiquities, heritage or museum service which can formulate conservation management plans and set up processes for nominating sites.⁷ This too produces preoccupation with structures, rules and regulations, and might, without attention to nuances, be considered AHD. Only a state party with an extensive

⁵ 191 state parties as of 15 August 2014. For the full list, see, <http://whc.unesco.org/en/statesparties/>

⁶ *World Heritage Convention*, Articles 31-35; *Republic of South Africa: World Heritage Convention Act*, Articles 31-35.

⁷ Colin Breen, ‘Advocacy, international development and World Heritage Sites in sub-Saharan Africa’, *World Archaeology*, 39:3 (September 2007), 364.

list of all sites with a potential for world heritage inscription is eligible to nominate sites for inscription. The list is referred to as Inventory of Property or Tentative List in the *Operational Guidelines for Implementation of the Convention*.⁸ Therefore, inventorying processes often precede ratification of the *Convention*.

As a matter of procedure, nomination dossiers in their fairly uniform formats but different contents, are submitted to the World Heritage Committee⁹ (hereafter Committee), which sends them to the Advisory bodies for evaluation. The Advisory bodies, which in many cases would have done site visits and provided advice on conservation matters, and assistance in the preparation of nomination dossiers, evaluate and send the dossiers back to the Committee with recommendations for inscription, referral, deferral or non-inscription, presented in ‘lengthy reports online and in briefer presentations in the international meetings’.¹⁰ The Committee takes final decisions for inscriptions or de-listing of sites in an annual session that runs over a period of ten days, and may disregard the recommendations of the Advisory bodies on the basis of unsatisfactory management plans among other reasons.¹¹

There is growing a concern among heritage scholars and commentators such as Joost Fontein, and Lynn Meskell that processes, from inventorying to nomination, and from nomination to inscription, can be extremely painstaking and expensive, and characterised by intense politicised lobbying locally, regionally and internationally, at different levels and

⁸ State parties must submit their tentative lists to the World Heritage Committee prior to submitting nominations and should draw their nominations from the submitted tentative lists. See, *World Heritage Convention*, Article 6 (3); *Operational Guidelines for the Implementation of the World Heritage Convention*, II.C (63).

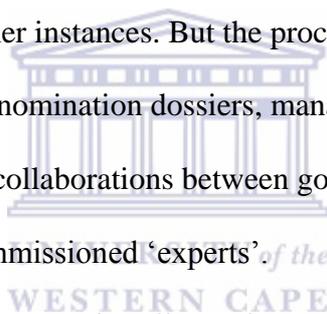
⁹ The World Heritage Committee consists of twenty-one members elected at a General Assembly of State Parties to the *World Heritage Convention*, to serve a four-year term. Each state party is represented in the General Assembly by one delegate such as a government official in the heritage, arts, culture, environmental affairs and tourism sectors or the State’s ambassador to UNESCO. The Committee administers the World Heritage Fund; determines the uniform percentage of financial contributions to the World Heritage Fund applicable to all States Parties; and decides on financial assistance to nominated and inscribed sites. The Committee has the World Heritage Centre as its Secretariat, which coordinates within UNESCO all matters related to World Heritage, performs the Committee’s administrative roles and implements the Committee’s programmes and projects.

¹⁰ Lynn Meskell, ‘From Paris to Pontdrift: UNESCO meetings and Mapungubwe and mines’, *South African Archaeological Bulletin*, 66:194 (2011), 150.

¹¹ Lynn Meskell, ‘UNESCO’s World Heritage Convention at 40: Challenging the Economic and Political Order of International Heritage Conservation’, *Current Anthropology* 54:4 (August, 2013), 487-488.

stages.¹² The processes demand of state parties huge capital injections into the nominations. This is driven by an assumption that it is investment driven by projected economic benefits through tourism, which world heritage inscription would be seen to guarantee.¹³ There are social and political prospects too, including geo-political alliances and manoeuvres for strategic political locus with the United Nations, which are also seen to influence decision to list or de-list.¹⁴

In many cases, the nominating processes begin with exploration of possibilities of universalising some of the nationalised concepts of heritage significance. In certain instances, the nominating processes may be steered by local activists in certain instances, and government officials and their ‘expert’ advisors mobilised around institutional structures such as agencies and committees in other instances. But the processes also include production of concept documents giving rise to nomination dossiers, management and conservation plans, and vice versa, prepared through collaborations between government officials or politicians, and heritage practitioners and commissioned ‘experts’ of the



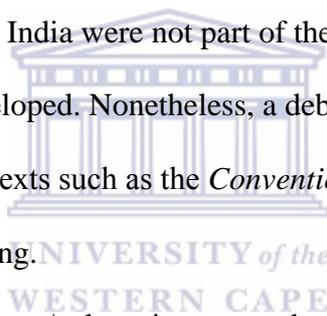
While the dossiers are in format virtually predetermined and patterned on the standards, guidelines and selection criteria outlined in the *Operational Guidelines for the Implementation of the World Heritage Convention* (hereafter *Operational Guidelines*), its overt disposition towards monumentality, as well as guidance provided by the Advisory

¹² For example, Lynn Meskell, 'Transacting UNESCO World Heritage gifts and exchanges on a global stage', *Social Anthropology*, 23:1 (2015), 3-2; Joost Fontein, *UNESCO, Heritage and Africa: An Anthropological Critique of World Heritage* (LAP Lambert Academic Publishing, 2000).

¹³ Anna Leask and Fyall, Alan (eds.), *Managing World Heritage Sites* (Oxford: Butterworth-Heinemann) (2006); Bruno S Frey, Pamini Paolo, and Steiner Lasse, 'What determines World Heritage?: A Econometric Analysis', *Working Paper Series* (University of Zurich, January 2011); Lasse Steiner and Frey Bruno S., '**Correcting the Imbalance of the World Heritage List: Did the UNESCO Strategy Work?**' (University of Zurich and University of Warwick, Switzerland, March 2011); Lynn Meskell, 'UNESCO's World Heritage Convention at 40: Challenging the Economic and Political Order of International Heritage Conservation', *Current Anthropology*, 54:4 (August 2013); Lynn Meskell, 'Transacting UNESCO World Heritage gifts and exchanges on a global stage', *Social Anthropology*, 23:1 (2015), 3-21

¹⁴ Joost Fontein, *UNESCO, Heritage and Africa* (2000).

bodies¹⁵, there are conceptual and contextual variations. For example, in the 1990s, a debate ensued concerning perceptions of ‘natural’ and ‘cultural universal significance’ ensued. The debate revealed biasness produced by the notions of universal heritage embedded in UNESCO’s main world heritage texts such as the *Convention* and *Operational Guidelines*, which informed listing and delisting. The overrepresentation of Europe in the World Heritage List might be considered an indication of differentiation between ‘representative culture and nature’, and resilience of a worldview representing confrontation of the developed with the underdeveloped.¹⁶ Since European sites dominated the list, Europe appeared as the site of culture, while the rest of the world was least cultural or had no with cultures no ‘universally significant’ cultures. But the matter was more complicated, since other overrepresented nation states like USA, China and India were not part of the categories like geographic Europe or theoretically underdeveloped. Nonetheless, a debate ensued calling for a review of UNESCO’s main world heritage texts such as the *Convention* and *Operational Guidelines*, which informed listing and delisting.



One intervention to the nature/culture issue was the Global Strategy adopted in 1994, which sought to achieve ‘a balanced, representative, and credible world heritage list’. However, this revealed inherent and rigid conceptual and contextual discrepancies and divides among UNESCO on the ‘nature/culture issue’. Instead of bridging gaps, Joost Fontein considers the debate as having produced further tensions between the World Heritage Committee and ‘experts’ based at the World Heritage Centre.¹⁷ The ‘issue’ still could not be resolved by the ‘expert meeting’ held in Amsterdam in March 1998, and the World Heritage

¹⁵ The advisory bodies are: The International Union for Conservation of Nature (IUCN) providing advice on ‘natural sites’, International Council of Museums and Sites (ICOMOS) providing advice on ‘cultural sites’, and International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM) providing expert advice and training on conservation of sites.

¹⁶ Marie-Theres Albert and Birgitta Ringbeck, *40 Years World Heritage Convention: Popularizing the Protection of Natural and Cultural Heritage* (Boston: De Gruyter, 2015), 3.

¹⁷ Joost Fontein, *The silence of Great Zimbabwe: Contested landscapes and the power of heritage* (Cavendish Pub Ltd, 2009), 46-48.

Committee meeting held in Kyoto in November/December 1998. Nonetheless, the debate produced within the word heritage practice new inclinations towards cultural values and conservation practices. This was considered a deviation from heritage conceptualisations that were previously understood as framed around the European ideas of nature as that which could be conserved separately from culture. It was considered a deviation from associating nature with purity and pristine beauty, and culture (especially Africa-related) with savagery and violation of nature, although entertaining. Again, the imagined divide overlooked similar attitudes towards regions like Asia and Latin America.

Despite such sustained discrepancies in world heritage conceptualisation, state parties are still in the ambit of the *Convention* expected to execute, each in its own accord the responsibility to:

identify, nominate, protect, legislate for, conserve and transmit world heritage within their geographical boundaries to future generations.¹⁸

Upon achieving inscription, it is the prerogative of the state party concerned to set up structures through government departments for the conservation and protection of the world heritage within its boundaries. The setting up of structures and application of the guidelines on declared sites often presents with deviations and subversions indicative of diversity of meanings of the concept of world heritage and knowledge systems applicable to particular sites. State parties may achieve this by establishing agencies, councils, and funding models within government ministries, but the Committee mandates a formal appointment of a team led by a Chief Executive Officer; evidence of implementation of a Conservation Management Plan; and periodic reporting to the Committee on the state of conservation submitted.

Should the site be declared ‘Under Threat’ or ‘In Danger’, the state party must submit to the Committee specific annual reports and impact studies prepared by site heritage

¹⁸ *Operation Guidelines for the Implementation of the World Heritage Convention*, WC.05/2 (2 February 2005), Introduction, I.C 15.

practitioners in collaboration with ‘experts’ deployed by the local government and intervening Advisory bodies in the form of missions.¹⁹ Otherwise, a similar party, excluding the Advisory bodies prepare general mandatory reports on legislative and administrative provisions and actions taken for the application of the *Convention*, including the state of conservation of the world heritage sites within the territory concerned. These are required of each state party irrespective of site status, and the dates of submission can be determined by the state party concerned. And indeed, such procedures and requirements seem like AHD. But in this chapter I demonstrate how the Robben Island world heritage project was a complicated manoeuvre in and out of these rules.

It is with regards to legislative and administrative provisions, reporting on the state of conservation of properties, and the monitoring and evaluation of such that negotiations play themselves out between practitioners operating on the sites, government officials representing the state party, contracted experts or consultants, the Advisory bodies and UNESCO through the Committee. On one hand, there is much socio-economic and political instability and fluidity at state party levels involving regime and policy changes, which affect legislation and policy making at government levels, and management and strategic planning at site levels. On the other hand, global imaginings are also in a constant making and remaking, rendering the *Convention* and its implementation contestable.

Nonetheless, there appears to be a solid consistency in the bureaucratic rules and structures of heritage conservation and accounting, irrespective of regime change at local level and changing global currents. For example, while the ‘List’ is increasingly affected by geo-political alliances as Meskell argues,²⁰ there has been no significant revision of the rules of world heritage conservation management since the establishment of the two texts that serve as the main sources of reference for the World Heritage Centre and Advisory bodies:

¹⁹ The reports are submitted to the UNESCO General Conference through the World Heritage Committee.

²⁰ For example, Lynn Meskell, ‘Transacting UNESCO World Heritage’, 3-21.

the *Convention* and the *Operational Guidelines*. Indeed, this paints a picture of an authorised heritage discourse.

To further affirm this picture, I consider another rigidity with regards to factors determining transactions in world heritage practice. Disciplines through which ideas of universal heritage significance are generated, including archaeology, anthropology, architecture, art and history seem to be evolving in relation to their shifting political economies. So is their appropriation in the governmentality of an imagined global citizenry, which seems inconsistent as they are sometimes summoned and sometimes not. As it seems, there is a striking continuity in the manner in which certain knowledges about nature, culture, traditions, past, history are in different epochs and instances invoked to verify new knowledges and justify existence of certain administrative structures and mechanisms by individuals and communities making local heritages, agencies and government departments making regional and national heritages, and world heritage agencies, advisory bodies and committees making world heritages.

But world heritage making is not that simple, as the contributions of each of these individuals or groups, and operations within each of the established structures, are negotiated into world heritage in very complex ways. I illustrate this through a discussion on participation of the South African government in world heritage systems, and development of Robben Island into a world heritage site.

South Africa as a state party: working world heritage since 1995

It is the bureaucratic entanglement with knowledge production discussed above that South Africa as a nation state became enmeshed in when its parliament approved ratification of the *World Heritage Convention* on 28 May 1997, and when it officially declared such ratification

to UNESCO on 10 July 1997. For South Africa, the world heritage practice was a post-apartheid phenomenon, made possible by the demise of apartheid and the lifting of South Africa's ban from participating in UNESCO's projects.²¹ On 4 May 1994, UNESCO published a statement congratulating Nelson Mandela on his victory during presidential elections, also inviting South Africa to re-join UNESCO. On 12 December 1994, South Africa was officially re-admitted to UNESCO, thus putting to an end a ban since 1956. On becoming a state party, South Africa like other state parties, signed the 'instrument of ratification'²² and accepted the responsibility to identify, protect, conserve and present world heritage, as well as contribute to the World Heritage Fund an amount determined by the General Assembly of States Parties to the *Convention*.²³ It was the Department of Environmental Affairs and Tourism (DEAT) headed by Minister Pallo Jordan that initiated the processes of ratifying the *Convention*, and that subsequently facilitated preparation of nominations for World Heritage inscription.

The state party status earned South Africa eligibility to submit to the Committee its tentative list of sites identified as having a potential for inscription on World Heritage List, and nominate such sites. The first entries on a tentative list submitted at the World Heritage Centre were: Robben Island, described as a site 'used at various times between the 17th century and the 20th century as a prison, a hospital for socially unacceptable groups, and a military base'²⁴; Greater St. Lucia (later renamed iSimangaliso) Wetland Park, described as 'one of the outstanding natural wetland and coastal sites of Africa'²⁵; the Fossil Hominid Sites of Sterkfontein, Swartkrans, Kromdraai and Environs, described as containing 'essential

²¹ Padraig O'Malley, *The Heart of Hope Archives*, <https://www.nelsonmandela.org/omalley/index.php/site/q/031v02039/041v02040/051v02045.htm> Accessed on 22 June 2014.

²² This is a document that a state signs and deposits with the Director-General of UNESCO as a declaration of its ratification of the *Convention*.

²³ *World Heritage Convention*, Articles 16 and 31; *Operation Guidelines for the Implementation of the World Heritage Convention*, WC.05/2 (2 February 2005), Introduction, I.C 15.

²⁴ <http://whc.unesco.org/en/list/916>

²⁵ <http://whc.unesco.org/en/list/914>

elements that define the origin and evolution of humanity'²⁶; and UKhahlamba/Drakensberg Park, described as having 'exceptional natural beauty in its soaring basaltic buttresses, incisive dramatic cutbacks, and golden sandstone ramparts'²⁷. With those four, South Africa had carefully attempted a balance of the 'natural' with the 'cultural' and 'monumental', with Robben Island presented as all qualities in one.

To facilitate inscription of South African sites on World Heritage List, the *World Heritage Convention* was incorporated into South African law by means of the South African World Heritage Convention Act (SAWHCA) No. 49 formulated in 1999. This made South Africa one of the very few countries to enforce national implementation on the *Convention*.²⁸ Subsequently, South Africa, a relatively 'new comer' state party, was in 1999 elected by the General Assembly of State Parties to serve on the 21-member World Heritage Committee between 1999 and 2005²⁹. Tanya Abrahamse, a natural scientist, former Chief Director in President Nelson Mandela's office, and Deputy Director-General of the Department of Environmental Affairs and Tourism represented South Africa on the Committee. Excited about South Africa's world heritage prospects Abrahamse said:

Even though we are new on the committee, I think we are respected for being very upfront and having no holy cows, and because we have such legitimacy in the world...People see us as having broken barriers, asking the difficult questions.³⁰

Indeed, Robben Island, a site promoted as a symbol of breaking barriers had already been nominated for world heritage inscription. Its perceived legitimacy in the world was articulated in the *Robben Island Nomination File* signed by Minister Pallo Jordan on behalf

²⁶ <http://whc.unesco.org/en/list/915>

²⁷ <http://whc.unesco.org/en/list/985>

The former three sites were inscribed on the World Heritage List by the World Heritage Committee meeting held in Morocco from 29 November until 4 December 1999. See, <http://whc.unesco.org/en/list/916> Accessed on 23 April 2015.

²⁸ By 2009 South Africa was one of 3 out of 186 countries that had laws to enforce implementation of the *World Heritage Convention*. See, https://www.environment.gov.za/mediastatement/unesco_worldheritage_committeeenominations. Accessed on 17 December 2015.

²⁹ South Africa was re-elected by the General Assembly of State Parties held in October 2009 in Paris, France to serve in the World Heritage Committee between 2009 and 2013.

³⁰ Adele Sulcas, 'World Heritage listing a boost for SA', *IOL News* (5 December 1999).

of the state party on 17 June 1998, and submitted at the World Heritage Centre on 30 June 1998.³¹ It was therefore not coincidental that South Africa's ratification of the *Convention* in 1997 and the vigorous promotion of Robben Island as a potential prominent site of universal significance between 1996 and 1999 were almost simultaneous. Accordingly, Robben Island was among the first sites that DEAT through the Department of International Relations and Cooperation (DIRCO) presented in a bid to assert what Abrahamse referred to as South Africa's 'legitimacy in the world'. It was indeed a bid as tactful and vigorous as South Africa's 2006 bid to host the 2010 World Cup.

Phase I – Listing, ambivalence and a hasty start

The Robben Island that was so forcefully promoted in 1999 as a world heritage site was still going through phases characterised by trials and errors, ad hoc administration and financing, and multi-departmental and multi-disciplinary interests and approaches. On 4 September 1996, cabinet had approved recommendations by the Future of Robben Island Committee³² to have Robben Island developed into a National Monument, National Museum and World Heritage Site. Indeed, the National Monuments Council (NMC) reporting to the Department of Arts, Culture, Science and Technology (DACST) declared the site a National Monument under the *National Monuments Act*, Act No.28 of 1969, and assumed responsibility for its protection.³³ In the same year, 1996, the last group of 'common-law prisoners' still held on

³¹ See, Department of International Relations and Cooperation, South Africa, <http://www.dirco.gov.za/foreign/Multilateral/inter/whc.htm> Accessed on 12 April 2016

³² The Future of Robben Island Committee had been established in 1995 after the ANC had proposed to cabinet that a committee be set to decide the future of Robben Island. In 1995, the Future of Robben Island Committee solicited 'public opinion' and reviewed more than 200 wide-ranging submissions. Having reviewed the submissions, the Committee made recommendations, which cabinet approved on 4 September 1996.

³³ For declaration of Robben Island as a National Monument, see, *Government Gazette* No. 17187 and *Notice* No. 804, dated 10 May 1996; *Government Gazette* No. 17567, *Notice* No 982, dated 15 November 1996. The site was declared a National Monument under the *National Monuments Act* (No 28 of 1969). Robben Island was one of a host of heritage sites associated with Nelson Mandela that the NMC endorsed before the council was

Robben Island was transferred to prisons on the mainland.³⁴ In December 1996, the Department of Correctional Services (DCS) handed-over the island to DACST.³⁵

From DCS to DACST, DoE, DPW and DEAT

DACST facilitated the turning of the entire island into a museum, as well as its official launch in January 1997 as the very first post-1994 ‘national’ museum to be established in terms of the *Cultural Institutions Act No.29* of 1969. Also, DACST became the main source of funding for the fledgling museum. Before March 1997 and in the 1997-1998 financial year, Robben Island Museum (RIM) received from DACST subsidies of R7 500 000 and R28 470 000 respectively.³⁶ In the 1998-1999 financial year RIM also successfully negotiated with DACST for a grant of R6.4 million for capital works on the island, with commitment for renewal in the next two financial years.³⁷

But until the promulgation of the *Cultural Institutions Act* of 1998, all ‘national’ museums declared under the *Cultural Institutions Act* of 1969 or 1989 fell under the Department of Education (DoE). As an alternative to launching under DoE, RIM was launched as an associate institution of DACST, in the light of a projected organisation of museums under DACST.³⁸ But DoE continued running the village school that already existed

replaced by SAHRA in 1999, including Mandela’s home in Soweto and Pretoria’s Great Synagogue. See, Ciraj Rassool, ‘The Individual, Auto/biography and History in South Africa’ (2004), 229.

³⁴ Prisoners who had been charged for offenses under common law had remained behind after the last political prisoners were released from Robben Island in 1991.

³⁵ See, Carolyn Strange and Michael Kempa, ‘Shades of Dark Tourism: Alcatraz and Robben Island’, *Annals of Tourism Research*, 30:2 (2003), 400; Patricia Davison, ‘Museums and the re-shaping of memory’, in Gerald Corsane (ed.), *Heritage, Museums and Galleries: An Introductory Reader* (London: Routledge, 2005), 191.

³⁶ *Minutes of Robben Island Museum Council Meeting* (4 December 1997).

³⁷ Robben Island Museum, *Administrator’s Report to the RIM Council Meeting* (12-13 September, 1998).

³⁸ As discussed in Chapter One, a new legislation was in the making, based on contributions from Museums South Africa (MUSA), the South African Museums Association (SAMA), Commission for Reconstruction and Transformation of Arts and Culture (CREATE), and later the Arts and Culture Task Group (ACTAG). From these structures people like Andre Odendaal and Gordon Metz became key figures in the establishment of RIM, and served in its various areas of operation.

on the site. Thus, the site hosted two government departments, both with interests in heritage and museum work, although operating within different but overlapping parameters.

At the same time, the Department of Public Works (DPW), which provided maintenance services for the site's built environment including the harbours and roads, had not withdrawn its services at the departure of DCS.³⁹ By 1998, DPW had committed between R11 million and R20 million for the upgrading of RIM infrastructure, and about R1 million for maintenance and renovation. However, in September 1998 DPW partly withdrew its funding commitments 'due to budget cuts'.⁴⁰ Following that, RIM and DPW entered into a string of negotiations regarding facilities management, service provision and leasing of state assets on the island. The outcome was a memorandum of understanding and a Cabinet Memorandum drafted in May 1999, which clarified the *modus operandi* (modes of operation) for the future. The agreements included a commitment that DPW would administer payments for a building that RIM rented at the V&A Waterfront as from 1999. This too was not sustained, as in June 1999 DPW failed to make the payments, although funds had been transferred between DACST and DPW.⁴¹ Such occurrences marked the beginning of RIM's complicated relationship with DPW, one marked by inconsistency as I show in the three phases of world heritage-making discussed in this section.

Another institution with extensive interests regarding Robben Island was the NMC. Without limiting itself to monumentalising Robben Island, the NMC had by 1996 begun immersing itself into the workings of UNESCO. In June 1996 the NMC organised a workshop sponsored by UNESCO, themed around developing a regional management strategy for rock art in Southern Africa.⁴² In October 1996, representatives of the NMC were present at the World Heritage Committee Meeting held in Harare, Zimbabwe. With regards to

³⁹ *Robben Island Nomination File: World Heritage Site Status* (17 June 1998).

⁴⁰ Robben Island Museum, *Administrator's Report to the RIM Council Meeting* (12-13 September, 1998).

⁴¹ *Minutes of Robben Island Museum Council Executive Committee Meeting* (4 June 1999).

⁴² The workshop was held in Stellenbosch, South Africa between 5 and 9 June 1996.

making Robben Island a world heritage site, several inter-departmental meetings between RIM and DEAT, DACST, DPW were held in Cape Town and Pretoria in 1998, 'to streamline co-operation and clarify lines of authority regarding the world heritage application process, funding and joint projects'.⁴³ Throughout those deliberations, DACST's interests were largely informed and represented by the NMC. Besides, the NMC was the ultimate authority over Robben Island, due to the national monument status of the site.

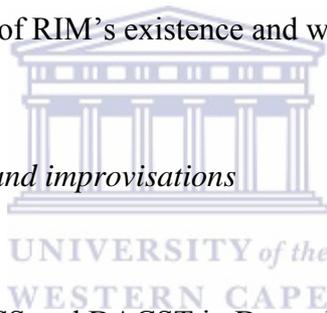
While departments like DEAT, DPW and other statutory bodies had legal rights and duties with respect to certain activities on the island, formal and written approval from NMC was required before any modification to the island could take place, such as trimming trees, and removing abalone. In February 1997, the NMC facilitated the establishment of a Robben Island Environmental Reference Group, a public forum led by Lynton Burger, who was seconded by the Environmental Evaluation Unit of the University of Cape Town (UCT). The forum developed a proposal for the conservation and restoration of Robben Island's marine habitat and built environment. In September 1997, the NMC facilitated the establishment of a Historical Reference Group, which advised on archaeological and historical research regarding built environment and collections development.

But the NMC's capacity was limited. Within a year of RIM's establishment, the NMC was inundated with requests to resolve mounting environmental issues related to the island, and had accumulated backlogs. Yet, in terms of the *Environmental Conservation Act*, Act No. 73 of 1989, certain infrastructural activities and changes in land use on the island required environmental impact assessments to be carried out, and DEAT was the ministry responsible for such affairs. Such intersecting and overlapping roles between the NMC or DACST and DEAT evidenced absence of distinct lines of authority and the complexity of the Robben Island world heritage project.

⁴³ Robben Island Museum, *Administrator's Report to the RIM Council Meeting* (12-13 September, 1998).

By the end of 1998, a need for a carefully crafted decision-making process regarding the island had become apparent. A formal committee or communication structure was constituted ‘between the NMC and RIM, DEAT, DPW, and other ‘concerned parties’, ‘to expedite and coordinate decisions without conflict’.⁴⁴ A Robben Island Integrated Environmental Management Initiative managed by a representative of RIM and monitored by representatives of DEAT was also launched.⁴⁵ The initiative coordinated base studies of the island’s state conservation and environmental risks, in which all these parties had interests. Thus, for approximately two and a half years of operation there were in effect three government departments that had some form of authority of Robben Island, and their interests did not always coincide. It was such departmental and institutional networks that RIM staff had to navigate from early stages of RIM’s existence and world heritage-making.

The rush, ad hoc staffing and improvisations



From the ‘hand-over’ between DCS and DACST in December 1996, to the ‘opening of Robben Island to the world’ in January 1997, the site was within a week transformed from a mere former prison or habitus to a museum. But the process was so rushed that the official decommissioning and gazetting of the site, from prison to museum, was only finalised on 1 April 1997, three months into RIM’s operation as a museum.⁴⁶ The museum therefore operated illegally until its official launch by President Mandela in September 1997.

Through the rush, the museum opened with a great sense of uncertainty about where to begin and what to do with the space and the materials in it, and how to possibly make national and world heritage out of these. That created occasion for messy trials and errors

⁴⁴ Robben Island Museum, *Directors Report to the RIM Council Meeting* (28-29 November 1998).

⁴⁵ RIM was represented by its Heritage Resources and Environmental Manager Juanita Pastor-Makhurane. DEAT was represented by Acting Deputy Director for Cultural Resources Management Makgolo Makgolo, and Coordinator of Law Reform Programme Ingrid Coetzee.

⁴⁶ See, *Government Notice* 816 of 1997 and *South African Government Gazette* 18015 of 19 May 1997.

especially in making world heritage, which were sustained beyond the inscription announcement. Some hasty improvisations were made, including ad hoc staffing and improvised visitors' facilities, exhibitions and tours. Here I discuss the early attempts at staffing, and developing the space and tour operations, in order to highlight these trials, errors and improvisations.

With regards to staffing, DACST placed the museum under interim administration directed by Andre Odendaal, formerly of the UWC History Department who had taken over as Director of the Mayibuye Centre.⁴⁷ The Mayibuye Centre was established in 1991 at the UWC, as the centre of history and culture, and among other things, a repository for the records of the International Defence and Aid Fund (IDAF).⁴⁸ Odendaal reported to an interim council mostly consisting of members of the Future of Robben Island Committee. An ANC veteran and former Rivonia trialist⁴⁹ Ahmed Kathrada, who at the time was the chairperson of the Future of Robben Island, chaired the council.⁵⁰ Odendaal was in charge of the first cohort of volunteer ex-political prisoners (hereafter EPPs), ex-correctional services employees, who volunteered as tour guides and story-tellers, and a few maintenance staff.⁵¹ From 1 June 1997, the interim council offered permanent employment contracts to some of the volunteers. But the director's position remained interim until April 1998, and so were other arrangements such as the ferry service, tours and exhibitions.

⁴⁷ Andre Odendaal was also the former member on the War Graves and Victims of Conflict division of the National Monuments Council.

⁴⁸ See, Geraldine Frieslaar, '(Re)collections in the archive: making and remaking the International Defence and Aid Fund (IDAF) archival collection', PhD Dissertation (University of the Western Cape, 2015).

⁴⁹ The Rivonia trial of 1963 to 1964 was of 11 liberation activists charged for plotting against the South African government of the day, a crime regarded as high treason. The trial became international news, and the trialists gained much prominence as examples of personal sacrifice for the cause of humanity. Rivonia trialists mentioned in this thesis are Nelson Mandela and Ahmed Kathrada.

⁵⁰ The members of the council ranged from academics, politicians, heritage practitioners, artists, to business experts. They were, Gabebe Abraham-Willis, Colin Bundy, Hilmi Daniels, Carolyn Hamilton, Barbara Hogan, Vincent Kolbe, Saki Macozoma, Joshua Maqungo, Benedict Martins, Mandlakayise Matyumza, Kwedi Mkalipi, Thandi Modise, Laura Robinson, James April, Ahmed Kathrada, and Vukani Magubane. See, *Minutes of Robben Island Museum Council Meeting* (4 December 1997).

⁵¹ Carolyn Strange and Michael Kempa, 'Shades of Dark Tourism: Alcatraz and Robben Island', *Annals of Tourism Research*, 30:2 (2003), 400.

With regards to the space and tour operations, the museum opened doors to a space lacking visitors' facilities. The site looked relatively derelict and 'characterised by discontinuity', except for the administrative area and the Maximum Security Prison (MSP), where the new RIM chose to concentrate most of its operations.⁵² It was in these areas that the first facilities and exhibitions were later developed as improvisations of the former prison's built environment and its furnishings and amenities.

The museum's early days were characterised by a great zeal and sense of urgency to live up to the brand of living museum, and gain international recognition as icon of struggle and triumph. Through publicity oriented events featuring locally and internationally celebrated individuals, the museum profiled itself as the ultimate pilgrimage site, and a hub of discourse and tourism activity.⁵³ At first, the museum allowed 265 touring visitors per day.⁵⁴ A prison tour guided by EPPs was by default the first improvisations and strategy. It included a stop at the sites of prison hard labour, such as the lime and bluestone quarries. But by the end of the first year the daily intake had increased to 1000.⁵⁵

Reflecting on these early days, Annie Coombes traces how the new RIM had to manage 'public history and private enterprise' that had been 'at loggerheads' since 1994, whereby private companies were landing 'parties of tourists on the island without clearance from the government authorities', and the RIM authorities after January 1997.⁵⁶ The tour guiding by the EPPs was one strategy to marry the conflicting opinions of 'leaving Robben

⁵² IUCN/ICOMOS/ICCROM Report (1999), http://whc.unesco.org/archive/advisory_body_evaluation/916.pdf Accessed on 16 April 2016.

⁵³ The events included a multi-party discussion programme broadcasted by the Voice of the Cape on 3 February 1997; an Anglican Church Pilgrimage to Robben Island led by Arch Bishops Njongonkulu Ndungane and Tutu on 2 March 97; an International Women's Day Programme on 8 March 1997; a fundraising event featuring Nelson Mandela, the American actor Bill Cosby, Hillary Clinton as the Secretary of State of United States of America, and Kofi Annan as the Secretary General of the United Nations on 21 March 1997; a Robben Island- Bloubergstrand swim on 28 April 1997; the Robben Island Museum official opening on 24 September 1997; and a Media Launch of new R7.5 million Makana Ferry on 4 December 1997 by the Speaker of Parliament Frene Ginwala and Public Works Minister Jeff Radebe.

⁵⁴ Gerald Corsane, 'Using Ecomuseum Indicators to Evaluate the Robben Island Museum and World Heritage Site', *Landscape Research*, 31: 4 (October, 2006), 406.

⁵⁵ Robben Island Museum, *Report of the Administrator to Robben Island Museum Council Meeting* (17 Jan 1998).

⁵⁶ Annie Coombes, *History After Apartheid* (2003), 64-65.

Island untouched/unretouched’ and ‘developing it more fully as a tourist facility’.⁵⁷ The EPPs rendered touristic performances that were meant to represent the ‘real’, ‘living’ testimonies and experiences of the ‘real’ Robben Island. As Coombes narrates, the approach was in its early implementation a bit disastrous, due to its obvious one-sidedness, its sanitisation of the past to represent the museums’ mantra of triumph over adversity, and its lack of the personal.⁵⁸ Besides, among the ad hoc tour guiding team, only two members had previous exposure to the formal tourism industry or heritage sector. The team ‘trained on the job’ through vigorous programmes ratified by the South African Tourism Board.

But it turned out that RIM was going through phases of trials and errors, as Coombes acknowledges some changes in the environment and tour narratives between 1997 and her next visit in 2000, probably in response to feedback from the publics. Indeed, by September 1997, about 15 staff members had obtained tour guiding accreditation. A few other individuals involved in heritage management participated in short trainings offered by international organisations and institutions.⁵⁹

Between January 1997 and June 1998, temporary toilets and seating arrangements were constructed in the harbour area. Based on the advice of the EPPs, the MSP’s B-Section associated with Nelson Mandela’s solitary confinement was ‘returned’ to what it looked like in the 1960s and 70s, during the ‘height of its occupation by South Africa’s most famous political prisoners’.⁶⁰ The walls were repainted in ‘prison grey’, and certain sections of the walls were blocked in a manner that altered the ‘original U-shaped plan’.⁶¹

⁵⁷ Annie Coombes, *History After Apartheid* (2003), 71.

⁵⁸ Annie Coombes, *History After Apartheid* (2003), 73-75.

⁵⁹ For example, in 1997 the Heritage Education Manager Khwezi Mpumlwana spent two months at the Amistad Centre at Tulane University in New Orleans.

⁶⁰ This specific feature latter became a concern of the advisory bodies, and was therefore highlighted as an issue of authenticity in the site’s nomination dossier for world heritage listing. See, *Robben Island Nomination File*, (c) ‘Authenticity’, 10.

⁶¹ *Robben Island Nomination File*, (c) ‘Authenticity’, 10.

On 3 December 1997, RIM's interim administration concluded an agreement with Autshumato Ferries (Pty) Ltd of the Makana Trust, an association of EPPs. The company would provide a ferry service to operate between Cape Town Harbour and the island.⁶² In 1998, the agreement with Autshumato Ferries (Pty) Ltd was extended to include a second ferry named Makana. Another agreement was reached with Daimler Benz in 1998, for a donation of five buses to facilitate visitors' transfers within the island.⁶³

Such decisions contributed to the interim administration's main strategic objective to quickly turn the dull former prison into a vibrant space of museum and tourism activity, and develop and promote a 'distinct new corporate identity' for the museum.⁶⁴ Indeed, RIM noted as indicators of excellence eco-tourism related 'successes' such as: introduction of distinctive uniforms for staff, most of whom had undergone customer care training and accredited tour guiding courses, the opening of a new information office in the island village, the completion of new exhibitions in the A and D sections of MSP, the arrival of Daimler Benz buses; the introduction of Makana, a new 170 seater 'state of the art vessel', the completion of a new island signage made of slate mined from Robben Island, and the opening of a tea room at the island's Visitors' Centre.⁶⁵

But Coombes also notes as part of the developments, 'an obvious attempt to capitalise on the pulling power of one of the most (internationally) famous previous occupants'.⁶⁶ This 'Mandelaisation' as Ciraj Rassool referred to it, extended to rigorous research projects and new exhibitions, which also turned out to be complicated processes as discussed later in this chapter.⁶⁷

⁶² The Makana Trust was established in 1996 to assist ex-political prisoners to develop financially.

⁶³ The five buses arrived on the island in February 1999.

⁶⁴ Robben Island Museum, *Report of the Administrator to Robben Island Museum Council Meeting* (17 Jan 1998).

⁶⁵ Robben Island Museum, *Directors Report to Robben Island Museum Council Meeting* (27-28 February 1999).

⁶⁶ Annie Coombes, *History After Apartheid* (2003), 74. Coombes refers to Nelson Mandela. See also, Ciraj Rassool, 'The Individual, Auto/biography and History in South Africa', 267-272.

⁶⁷ Ciraj Rassool, 'The Individual, Auto/biography and History in South Africa', 269.

To return to the early improvisations, a Historical Reference Group established in September 1997, launched a Memories Project in October 1997, which involved oral history research, and media campaigns and appeals to EPPs to lend to the museum their treasured mementoes used or made on the island. Through oral history research the project generated more than 200 oral testimonies of Robben Island EPPs.⁶⁸ It developed a new collection to add to more than 3000 items left behind by the former prison authorities, for which the interim administration was yet to figure a curatorial plan. As the first curatorial strategy, the museum commissioned local artists on an ad hoc basis to curate the first improvised tour route, which included the Visitors' Centre situated near the island's harbour, the MSP and quarries previously mined by political prisoners.⁶⁹ The stops at such spaces, including a cairn of stones⁷⁰ at the lime quarry, together with liberation struggle narratives, were 'memorative strategies' to evoke meanings of human rights violations. According to Coombes, it is such strategies that made RIM comparable with sites like Hiroshima and Auschwitz, and therefore deserving a world heritage status.⁷¹

But by the end of 1997, a lot was still in the interim in the new museum. And, such interim state of affairs, lack of clear direction and haphazard planning and operations soon festered dissatisfaction among staff, which in certain instances was expressed through protests and work stoppages.

At one instance a staff work stoppage coincided with the retreat of the Truth and Reconciliation Commission held on Robben Island between 11 and 13 January 1998, which drew media attention to the affairs of the fledgling museum. Staff frustrated by among other things, brief three-months employment contracts, 'white and coloured labour preference',

⁶⁸ Noel Solani, 'Memory and Representation: Robben Island Museum 1997-1999', Master's Thesis, University of the Western Cape (November 2000).

⁶⁹ Works curated by artists, musicians, poets and writers in 1997 included the *Engaging the Shadows* exhibition in the Maximum Security Prison and *Thirty Minutes* installed at the Visitors' Block or Centre near Robben Island Murrays Harbour.

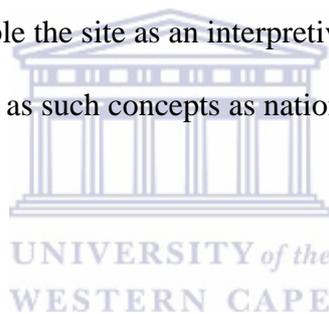
⁷⁰ This was apparently created by the EPPs on their post-apartheid reunion on the island.

⁷¹ Annie Coombes, *History After Apartheid* (2003), 83-84.

irregular salary scales, and ‘tension between commercialisation and heritage’, solicited to no success the TRC’s support for their cause.⁷² In a picture published by *Cape Times* on 14 Jan 1998, the TRC’s chairperson Bishop Tutu could be seen leaving the Robben Island guest house with a picnic basket on his head, almost disregarding the protesting staff.⁷³ The image packaged and represented a phase and moment of a difficult grappling by different groupings with how to appropriate selected pasts to desired presents.

At that stage, Robben Island was not yet on the tentative listed submitted to the World Heritage Committee on 30 June 1998. RIM was this ‘new’ meeting space of new meanings of pasts and presents, such as resistance versus reconciliation, which were still being shaped and therefore malleable. Thus, the project of making Robben Island world heritage was at such infancy one that rendered malleable the site as an interpretive space, subject and object of many post-apartheid uses, as well as such concepts as nation and nation-building.

Ambivalence



In a space of two years, Robben Island had been transformed to a museum, and had developed from an ordinary site to a functional museum and vibrant tourist attraction. Under an interim administration in 1997, the museum had made great advances in crafting a visitors’ experience around an improvised tour route manned by ad hoc workforce. It even cut its teeth at sourcing donor funding and entering into contracts for ferry services, environmental risk and impact assessments and exhibitions development. In 1998, RIM became a declared cultural institution through promulgation of CIA, which established RIM

⁷² Robben Island Museum, *Report of the Administrator to Robben Island Museum Council Meeting* (17 Jan 1998).

⁷³ The picnic basket was said to belong to the TRC Commissioner Wendy Orr. *Cape Times* (14 January 1998).

alongside the two new flagship institutions and 11 other institutions.⁷⁴ As in accordance with CIA, the Minister of Arts, Culture, Science and Technology Lionel Mtshali instituted a RIM council, which in turn formally appointed Andre Odendaal as the first Director or Chief Executive Officer (CEO) of RIM.⁷⁵

But the processes unfolded in such a way that it simply involved reinstating members already serving in the positions. Regarding appointment of the council, the public nominations process stipulated in CIA was evaded. Similarly, Odendaal did not have to apply and be interviewed for the CEO position. Nonetheless, on becoming a declared cultural institution, RIM received funding from government in the form of annual subsidy rather than periodic grants. The status also enabled the contractual Property Management Agreement between RIM, NMC, and DPW, through which the site was managed from June 1998. By the end of 1999, the museum had fulfilled the stipulations of the *Cultural Institutions Act* with regards to its administration structures and roles, and had made a number of museological advances in the area of collections management, especially by ‘acquiring’ the Mayibuye Archives.

But in the haste to become fully fledged, some of what RIM considered as achievements counted as museological miscalculations and counterproductive by world heritage standards. While the biggest strides towards making Robben Island a world heritage site were taken through this phase of miscalculations as I show in the next sections, the project developed through a number of slipups committed against the set world heritage standards.

⁷⁴ *Cultural Institutions Act*, Act No. 119 of 1998, Schedule 1 (S 17). The other 11 institutions were Afrikaans Language Museum and Language Monument; Engelenburghuis Art Collection; Foundation for Education, Science and Technology; JLB Smith Institute for Ichthyology; Natal Museum; National English Literary Museum; National Museum; National Zoological Gardens of South Africa; Voortrekker Museum; War Museum of the Boer Republics; William Humphreys Art Gallery.

⁷⁵ *Cultural Institutions Act*, Act No. 119 of 1998, Schedule 1 (S 17). The Minister of Arts, Culture, Science and Technology was to be appoint a council for the museum through a public nominations process. In terms of *Cultural Institutions Act* No. 119 of 1998, 5 (1), the council was to appoint a Chief Executive Officer, who was to report to the council on his or her executive and accounting functions.

For example, the earlier renovations of some key physical features of the Maximum Security Prison (MSP) were not just a reflection of utter subjectivity in *biographisation* of a select few. The renovations were in contravention of certain world heritage protocols, and were noted with concern by the ICOMOS mission to Robben Island in February 1999. The development was a blunder that, upon ICOMOS' advice, featured in the *Robben Island Nomination File*, as an indication of the site's poor but potentially redeemable state of conservation.⁷⁶ Even so, the site was still considered worthy of listing, based on RIM's 'achievements' and 'potential'. Besides, the meanings accorded to RIM's museological approaches, including using EPPs as tour guides, presented the site as one of unique significance, and RIM as an institution worthy of developing and safeguarding such significance. Thus, RIM standing as a museum had such bearing on the world heritage project that, as discussions later in this chapter will show, in instances of the sinking of the RIM ship, it sunk with the world heritage cargo in it.

Making museum communities through beneficiation was one of RIM's early approaches that, although contestable, was loaded with meanings of effective museology. Besides, a seemingly well managed stakeholder relations credited RIM as a fully functional, self-sustaining and well-managed institution capable of safeguarding world heritage. The approach involved inviting EPPs and former prison warders to participate in key areas of knowledge and heritage-making, and thereby enjoy economic benefits from the project.

According to Gerald Corsane, who was involved in the heritage work surrounding Robben Island RIM from as early as 1996, the beneficiation approach was not just a stop-gap to address a lack of initial workforce and struggle narratives, but a strategy to make RIM an

⁷⁶ ICOMOS Report on Robben Island (1999) http://whc.unesco.org/archive/advisory_body_evaluation/916.pdf Accessed on 16 April 2016; *Robben Island Nomination File*, (c) 'Authenticity', 10.

ecomuseum.⁷⁷ Corsane applies the concept to mean ‘a new museological approach’, which set RIM on two pillars. The first was about ‘plac[ing] human affairs into a broader environmental context’, or making the people associated with Robben Island the crucial part of the celebrated environment. The second was about enabling local communities to take active roles in planning and functioning of the museum.⁷⁸

To Corsane, the strategy signified a democratised heritage knowledge production, which stimulated joint ownership and management of Robben Island. Besides EPPs and former prison warders, researchers were ‘allowed or invited to contribute to the island’s research work’, and ‘indigenous groups visited the island and contributed their own knowledge...about the medicinal value of plants and healing and cleansing practices’.⁷⁹ It was a strategy fitting the World Commission on Culture and Development (WCCD) considered advantageous for sites to be nominated for world heritage.⁸⁰ Thus, RIM’s *ecomuseology* corresponded with world heritage notions of involvement and benefit of local communities.

But ideas of ownership and beneficitation as far as RIM was concerned were far more complicated than a simple equation of democratising ownership or balancing the scales. Linking RIM’s rhetoric of Robben Island for all humanity with the EPPs’ sense of entitlement to privileges was a matter of haphazard invocation and conjoining of the site’s selected pasts and its shifting post-apartheid moments, and aspiration for world heritage status. A number of blunders were committed, some of which were particularly demerits for a potential world heritage site. But the blunders sometimes coincidentally fell within timely moments of RIM’s evolving legal statuses.

⁷⁷ Gerard Corsane was commissioned by the Swedish International Development Agency (SIDA) to prepare a Business Plan for the establishment of the Robben Island Training Programme (RITP) in 1996. In 1998, he became the first Robben Island Training Programme coordinator.

⁷⁸ Gerald Corsane, ‘Using Ecomuseum Indicators’ (2006), 399-418.

⁷⁹ Ibid.

⁸⁰ Pérez de Cuellar (ed), ‘The World Commission on Culture and Development (WCCD) Report’, *Our Creative Diversity* (1996).

For example, in 1998 a ferry company named Waterfront Expeditions (Pty) Ltd took legal action against RIM for what it saw as an irregular process through which the museum outsourced its ferry services. It even appealed to President Mandela to intervene and the Heath Commission⁸¹ to investigate RIM. The application lodged with the Cape High Court was against RIM as the first respondent, and the Minister of Arts, Culture, Science and Technology, Autshumato Ferries, Nkululeko Charters, Le Tigre Cruises, and the Minister of Finance were co-respondents, all of whom were considered collaborators in an undue practice. But to conclude what could have been a messy lawsuit attracting bad international publicity, the court ruled in favour of RIM. It established that although RIM as an organ of state, the museum was not required to comply with the *State Tender Board Act*, Act No.86 of 1968, which would have obliged RIM to put the ferry service out to tender.⁸² In April 1999, Waterfront Expeditions (Pty) Ltd withdrew its court application and agreed to pay R110 000 legal costs, of which RIM was to get R60 000.⁸³

Thus, RIM had effectively exploited its status as a provisional cultural institution under DACST to enable economic benefits for the Autshumato Ferries Company associated with EPPs. Nonetheless, the case prompted RIM to formally advertise for outside services in the areas of security, cleaning, fund-raising, licensing management, information technology, exhibition development, advertising, ferries, hospitality management and shops. It also prompted RIM to re-strategise around its stakeholder. Reporting on 'RIM's success' in the trial, Odendaal then declared to the RIM council a plan on how the soon to become world heritage site would be managed from then on. The plan involved an invitation for proposals for long-term ferry contracts, which would be concluded at least two months before the

⁸¹ The commission chaired by Commissioner Willem Heath was established in 1995 to investigate maladministration and corruption in relation to public funds and public assets.

⁸² RIM was still an associate institution of DACST from which it received provisional subsidy.

⁸³ Other respondents would receive R50 000, excluding the Minister of Finance.

approved operator would sail.⁸⁴ By actually mentioning the aspirations for world heritage in the new plan, RIM was being careful in negotiating strategies and approaches to count to the favour of Robben Island's world heritage nomination.

Another approach that counted in favour of Robben Island's nomination for world heritage inscription was the work around a collaborative environmental conservation management. This process, although disorganized, protracted and with much tensions, fulfilled a major requirement for world heritage inscription. As discussed in the previous sections, the approach involved a collaboration of RIM, NMC, DPW and DEAT in developing a conservation management plan for Robben Island. Through eight different 'specialist studies' conducted in 1998, during the phase of hasty trials and errors, a need was established for coexistence and effective conservation management of the penguin colony, indigenous and alien vegetation, scrap deposit along the island shore, large and small mammals, and residents and visitors.⁸⁵ Another need identified was consideration of for example, the vegetation invading structures like graves and quarries, the sizes of animal species to be preserved, the danger of removing scrap deposit with artefacts, and the number of visitors to be permitted. But these 'issues' were too wide-ranging. And making decisions around them involved negotiation of multiple inputs, which was made complex by obvious tensions among 'specialists' within the growing number of 'concerned parties' in conservation management.⁸⁶

By the end of 1998, a draft environmental policy, draft environmental impact assessment, draft state of environment report and draft environmental management plan had been produced. Yet the museum still had no integrated conservation management plan. With

⁸⁴ Robben Island Museum, *Directors Report to Robben Island Museum Council Meeting* (12-13 June 1999).

⁸⁵ Robben Island Museum, *Directors Report to the Robben Island Museum Council Meeting* (28-29 Nov 1998).

⁸⁶ The 'concerned parties' included independent conservation groups like the Wildlife and Environment Society of South Africa, which mainly lobbied for the formal conservation of 'natural' environment, and against arbitrary heritage making and conservation. See, 'WESSA standing strong and caring for the earth at 90' (24 January 2017), <http://wessa.org.za/general/wessa-standing-strong-and-caring-for-the-earth-at-90/> Accessed on 14 April 2017.

the nomination of Robben Island for world heritage listing underway, there was a sense of urgency and pressure from the world heritage advisory bodies to speed up processes. RIM and DEAT set plans for Odendaal and DEAT's Acting Deputy Director for Cultural Resources Management Makgolo Makgolo to meet on a monthly basis to review progress. Instead due to time constraints regarding the nomination, the process of developing a Robben Island conservation management plan overlapped and eventually merged with the process of developing a *Robben Island Nomination File*.

From nomination to inscription

The preparation of *Robben Island Nomination File* was an initiative of the Robben Island Environmental Reference Group's establishment in 1997, and by extension, the Robben Island Integrated Environmental Management Initiative. Since the group involved RIM, NMC, DEAT and DPW, the nomination was a multi-departmental and multi-institutional affair involving diverse expertise and interests. As a standard practice, the world heritage advisory bodies ICOMOS and IUCN visited Robben Island on different occasions during the nomination process, and advised on a range of issues including environmental risks and mitigation measures.

Laura Robinson of the NMC compiled the final *Robben Island Nomination File* submitted to the World Heritage Committee in July 1998. Patricia Riley of the NMC prepared the RI Conservation Survey attached to the *Nomination File*. Xolile Mtakatya's linocut titled 'Amanyundululu Esiqithi' provided a background design for each page of the *Nomination File*. The government of Norway provided a grant of 3 million Norwegian kroners or approximately 1.95 million rands for the preparation of the dossier. But most information on the site's nature and state of conservation was based on surveys that the NMC

and RIM had commissioned in 1992/1993, and 1997/1998 respectively, as well as records of the Cape Town Department of Sea Fisheries. But among all contributors, it is indeed remarkable that the work of nominating a 'post-apartheid site' for world heritage inscription was performed by the unreconstructed NMC. This then poses another challenge to the notion of a post-apartheid heritage discourse as a distinct and cohesive body of knowledge.

Actually, *Nomination File* for Robben Island acknowledged contributions by the Interim Director of RIM, Andre Odendaal and RIM staff, the NMC, Makgolo Makgolo of DEAT, Rob Crawford of the Sea Fisheries Institute affiliated to the DEAT, ICOMOS' expert mission to Robben Island, a heritage consultant Harriet Deacon, a historian Carolyn Hamilton based at the University of Witwatersrand, technical assistants from the Nordic World Heritage Office Kris Endressen and Bergitta Hoberg, a botanical artist Jean Grose, a linocut artist Xolile Mtakatya, and a photographer Mark Skinner.

It was a dossier summarising 'the multi-layered history of Robben Island's habitation', making a case for the site's 'authenticity in the African context' and justifying its inscription based on its supposed comparability with other world heritage sites. The site was presented as meeting at least two of the ten world heritage inscription criteria.⁸⁷ It was presented as meeting criterion iii, for its 'long history of banishment, imprisonment and human suffering...embodied in various cultural landscapes that exist on the island'. It was also presented as meeting criterion vi, for being 'a symbol of triumph of the human spirit over enormous adversity and hardship'.⁸⁸ According to the *Robben Island Nomination File* the site

⁸⁷ Criterion III requires a site to 'bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared'. Criterion VI requires a site to 'be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic or literary works of outstanding universal significance'.

⁸⁸ *Robben Island Nomination File*, 15-16.

signifies both the oppressive continuities of South Africa's past and the happy disjuncture of its democratic present. In an international context, it also provides a tangible symbol of success in the struggle towards equal human rights for all people.⁸⁹ Thus, the case for Robben Island was by extension a case for recognition of a 'new

South Africa' as a legitimate party in the arena of global cultural knowledge making. And, it was a case made through the use of the disciplinary knowledge of the old NMC. Thus, confirming the making of world heritage in post-apartheid South Africa as not necessarily coming through 'the new'.

The document was also explicit about the outstanding conservation management plans for the site, although it mentioned the plans as work-in-progress due for finalisation by the end of March 1999. Besides, ICOMOS's report on its mission to Robben Island in February 1999 was although advisory in nature, unequivocal about the site's poor state of conservation and RIM's museological blunders. ICOMOS commented particularly on the state of conservation of the 'Old Jail' and the A and C sections of the 'New Jail', as 'either dilapidated or had cracked walls and collapsing ceilings'.⁹⁰ ICOMOS also noted with concern the renovation involving repainting of the B-Section, which according to ICOMOS effected changes in the structure of the section.⁹¹

Nonetheless, the advisory bodies credited RIM for its earlier work albeit haphazard.

ICOMOS later made a positive note, that:

RIM staff have developed a diverse range of educational initiatives; responded to urgent infrastructure needs and successfully developed an extraordinary archive of oral and video history and documentation that would otherwise have been quickly dispersed and lost. The use of Reference Groups since 1997 has provided direct information from ex political prisoners. There is a clear recognition of the symbolic nature of the Site and the need to elucidate and protect such intangible values, and its role as a showcase for new democracy.⁹²

⁸⁹ *Robben Island Nomination File*, 16.

⁹⁰ *ICOMOS Report on Robben Island* (1999).

⁹¹ *Robben Island Nomination File*, (c) 'Authenticity', 10.

⁹² Webber Ndoro, Trevor Sandwith and Sheridan Burke, *IUCN-ICOMOS-ICCROM Monitoring Mission to the Robben Island World Heritage Site South Africa from 6–12 February 2004*, UNESCO World Heritage, iii.

By 'extraordinary archive', the ICOMOS report referred to RIM's strides to develop a museum collection. During the ICOMOS mission in 1999, Andre Odendaal was facilitating proposals and negotiations, which resulted in the signing of a 99-year lease agreement between the UWC and RIM, to incorporate the Mayibuye Centre and its archival collection into RIM. The agreement signed on 1 April 2000 gave the archives a new name, UWC Robben Island Mayibuye Archives (hereafter Mayibuye Archives).⁹³ RIM took over the operations management of the archives, as well as responsibility for all policy decisions and technical matters pertaining to the archives. RIM gained,

a library of more than 50 000 photographs; more than 1000 film productions; a large oral history collection with more than 1000 interviews; an art collection, including the 'International Artists Against Apartheid' exhibition worth several million rand; about 2000 posters and more than 10 000 cartoons and other graphic material; a documentary archive with papers from more than 250 individuals and organisations; a publishing unit, which had published over 80 books on apartheid and the struggle for democracy; a large amount of Robben Island related material, and staff familiar with the material and have managed it for years; assets worth millions of rands, including outstanding balance in the current Mayibuye Centre account; books; poster stock worth hundreds of thousands of rand for sale in RIM shops; and a significant income generating potential from productions and sale of material.⁹⁴

As Olusegun Morakinyo demonstrates, the acquisition of Mayibuye Archives 'actualised RIM as a museum with tangible archival collections'.⁹⁵ The agreement also facilitated RIM's aspirations to become an 'educational living memorial', since it enabled a joint convening of museum and heritage studies between RIM and the public history and heritage programmes of UWC and UCT.⁹⁶ But the RIM-led negotiations had failed to reconcile two distinct pedagogical approaches, which Morakinyo identifies as the expertise-

⁹³ To oversee the implementation of the agreement and joint projects, a joint working committee between RIM and Mayibuye Archives, chaired by Odendaal was established. See, Olusegun Morakinyo, 'A Historical and Conceptual Analysis of the African Programme in Museum and Heritage Studies (APMHS), 1997-2007', PhD Dissertation, (University of the Western Cape, 2011), 64-66.

⁹⁴ Robben Island Museum, *Director's Report to the Eight RIM Council Meeting* (12-13 June 1999), Appendix 11.

⁹⁵ Olusegun Morakinyo, 'A Historical and Conceptual Analysis' (2011), 65.

⁹⁶ In March 1998, RIM launched the Robben Island Training Programme (RITP), after securing its funding through an agreement with Swedish International Development Agency (SIDA). The agreement facilitated a collaboration between RIM and the University of Cape Town and the University of the Western Cape, in offering a Post Graduate Diploma in Museum and Heritage Studies.

oriented curriculum of the International Committee for Training of Personnel (ICTOP), and Public History's critical approach to heritage studies.⁹⁷ The result was a twofold curriculum embracing both technical training modelled on the ICTOP and critical conceptual approaches of the Public History project of the UWC History Department.

Nonetheless, the development 'achieved' a positioning of RIM as a 'museum of public historical scholarship and research', aimed at benefitting both RIM staff, and scholars and practitioners from across the world.⁹⁸ RIM effectively simulated ICOM's 'international' museum training programmes, while tapping on local academic institutions for accreditation, scholarship and expertise. The negotiations and the outcomes thereof, were a manifestation of a heritage-making and heritage scholarship that would not merely be an authorised expertise-oriented discourse, but a negotiated affair between a reflective enquiry on the practice and technical training and professional development. It is such 'achievements' that were a positive feature in the *Report on Robben Island* that ICOMOS submitted to the World Heritage Committee in 1999.

In its report and recommendations to the Committee, ICOMOS avoided the implausibility that the state party would with regards to Robben Island produce a comprehensive management plan in just a month after ICOMOS' mission to Robben Island, especially given the state of the draft plans that ICOMOS had evaluated. In fact, South Africa had already failed to meet the March 1999 conservation management plan 'deadline' when the Committee took a final decision on Robben Island's nomination in December 1999.

ICOMOS, having been convinced of RIM's potential in developing and safeguarding the site, still recommended Robben Island for inscription. Dawson Munjeri, who was on Robben Island from 1 to 4 February 1999 representing the World Heritage Committee and

⁹⁷ The latter focused on theoretical engagements with critical issues emerging out of the heritage practice, while the former focused on imparting skills for professional development of heritage practitioners. Olusegun Morakinyo, 'A Historical and Conceptual Analysis' (2011), 77. ICTOP was an ICOM's (International Council of Museums) triennial programme for training and professional development of museum personnel.

⁹⁸ Olusegun Morakinyo, 'A Historical and Conceptual Analysis' (2011), 69.

ICOMOS, even suggested last minute additions to the nomination before its review by ICOMOS and the Committee in March and July 1999 respectively. The additions included highlighting RIM's 'advances' in the areas of collections and exhibitions.

Subsequently, the World Heritage Committee session held at Marrakesh in Morocco from 29 November to 4 December 1999, inscribed on the World Heritage List three of the four sites nominated by South Africa. These were: Robben Island, Greater St. Lucia (later renamed iSimangaliso) Wetland Park, and the Fossil Hominid Sites of Sterkfontein, Swartkrans, Kromdraai and Environs.⁹⁹ Congruent with the *Nomination File*, UNESCO inscribed Robben Island as a cultural site meeting listing criteria iii and vi: for its 'history of unbroken human habitation from the second half of the seventeenth century'; and as 'a symbol of triumph of human spirit of freedom and of democracy over oppression'. Greater St. Lucia Wetland Park was inscribed as a natural site meeting criteria i, iii and iv, whereas the Fossil Hominid Sites of Sterkfontein, Swartkrans, Kromdraai and Environs were, like Robben Island, inscribed as cultural sites meeting criteria iii and vi.

The announcement of Robben Island as a World Heritage Site particularly earned the South African delegation to the session a standing ovation. Thrilled by the achievement, Tanya Abrahamse remarked:

We really presented our jewels to the world, and Robben Island was particularly poignant. The committee felt Robben Island could have made the list on the basis of "criterion 6" alone, the criterion in terms of which Hiroshima and Auschwitz were chosen.¹⁰⁰

The South African Ambassador to France, Thuthu Skweyiya referred to the site as 'an ongoing welcome of [South Africa] to the structures and activities of the community of

⁹⁹ About Ukahlamba / Drakensberg Park, outstanding issues regarding coordination of management plans for its various components were noted. Its declaration therefore only occurred in 2000.

¹⁰⁰ Adele Sulcas, 'World heritage listing a boost for SA', *IOL News* (5 December 1999), <http://www.iol.co.za/news/south-africa/world-heritage-listing-a-boost-for-sa-1.21718?ot=inmsa.ArticlePrintPageLayout.ot> Accessed on 17 December 2015.

nations and a shrine for all the people of the world'.¹⁰¹ Heritage work around Robben Island had indeed ushered South Africa into a community of distinct forms of knowledge. But in South Africa and within RIM, processes such as heritage policy-making and conservation management plans were still forging structures, which as they took shape got Robben Island into more intricate entanglements of practices and approaches in the national and international arenas.

Phase II – a state of anxiety

Two things launched RIM into a state of panic in this phase: adhering to the demands of administering a world heritage site, and working towards the declaration of RIM as a national heritage site. While struggles around these occurred simultaneously, I discuss them separately in order to distinguish between the world heritage and the museum's problems.

With regards to the 'burden' of world heritage, RIM transited from a state of haste, clumsiness and stumbling towards listing, to a new world of rules, strict reporting and being closely monitored.

The world of rules, procedures, and reports: anxieties about compliance

The World Heritage Committee has a procedure of examining state parties' periodic reports by region, and in a six-year cycle. The period December 2001 to July 2002, happened to be the World Heritage Committee's period of examining periodic reports submitted by African state parties.¹⁰² In terms of the *Operational Guidelines for the Implementation of World Heritage Convention*, the process concluded a single cycle of systematic monitoring of the

¹⁰¹ Thuthu Skweyiya, addressing the 28th session of the World Heritage Committee held at Suzhou, China in 2004. <http://whc.unesco.org/archive/2004/whc04-28com-26e.pdf>

¹⁰² *Operational Guidelines for the Implementation of the World Heritage Convention*, S 203, 54-55.

conservation management by the advisory bodies. It evaluated the implementation of the sites' conservation plans as reflected on the state parties' periodic reports, against the *Operational Guidelines* and recommendations by the advisory bodies, which would have monitored the sites over a certain period.

But the *Operational Guidelines* offered no guidelines on operations at specific site level. For example, it offered no guidelines on how Robben Island's 'natural and cultural resources' could be integrated into the museum's activities and conservation plans.¹⁰³ The *Cultural Institutions Act* was not useful in that regard either. It only clearly outlined the parameters of the constitution of the council and its roles, and offered no guidelines for role-players at site level.

Interestingly, RIM had embarked on lots of activity two years prior to this World Heritage Committee's examination cycle. But none of it had produced reports satisfactory to the world heritage monitoring bodies. Instead, in the phase I call 'listing, ambivalence and a hesitant start', RIM's operations had developed into a multi-transactional web of interests fraught with contestations over conservation strategies. While the situation had not deterred Robben Island's inscription, after inscription, the situation became a negative performance indicator to the Committee, and a major cause for concern and anxiety about RIM. The advisory bodies reported on the situation as a manifestation of uncoordinated interests and plans for the site's conservation.¹⁰⁴

Thus, to tackle the ICMP as the major task at hand in the early 2000, RIM turned to consultants and 'world heritage experts'. In January 2000, RIM contracted Lucien le Grange Architects and Planners, and Nicolas Baumann & Revel Fox Planners to conduct a survey of

¹⁰³ The *Operational Guidelines* were designed to guide state parties through nomination, periodic reporting and fundraising. UNESCO's publications with guidelines and toolkits to assist site managers were only published from 2007 onwards.

¹⁰⁴ See for example, *ICOMOS Report on Robben Island* (1999).

built environment. These were assisted by RIM Heritage Department staff,¹⁰⁵ Lesley Townsend of SAHRA and Melanie Attwell representing the Cape Town City Council. Their work established the site's heritage significance and suggested policies to conserve such significance.

In February 2000, RIM contracted Nigel Rossouw, Rene Brown, Pat Morant and Harriet Deacon to review the State of Environment at the site.¹⁰⁶ Harriet Deacon subsequently reviewed the documents and developed a draft Operational Plan and together with the Conservation and Use Committee and RIM management and council representatives workshopped RIM staff on the plan. In January 2002, Henri Fortuin, another consultant from the Council for Scientific and Industrial Research (CSIR) collated the findings and plans and developed an Environmental Management Plan.

But hiring consultants became one among many operations associated with a number of financial and personnel issues that developed within RIM at that time. These too are discussed later in this chapter, but the issues that arose resulted in the resignation of the RIM's director, Andre Odendaal, and subsequent dismissal of the financial manager. Two members of RIM's council, Paul Langa and Ben Martins temporarily filled the void as interim directors, but no formal appointment was made in a period of nearly three years. The two interim directors assumed duties at the end of the December 2001 to July 2002 report examination cycle, during which the Committee had had no report on Robben Island to examine. South Africa as the state party had by then not submitted to the World Heritage Committee reports on the state of conservation of Robben Island. Thus, the change of administration and the delays associated with it became another concern of the World Heritage Committee, since it got linked to the delays in finalising the ICMP, and the MoU

¹⁰⁵ Including Juanita Pastor-Makhurane (Heritage and Environmental Resources Manager), Shaun Davis (Environmental Coordinator) and Anthea Josias (Collections Coordinator). These were later joined by RIM Deputy Director Lynette Maart.

¹⁰⁶ The four also worked with staff in the RIM Heritage Research and Conservation Department; Juanita Pastor-Makhurane, Nikhil Bramdaw and Shaun Davis.

with SAHRA. And, the pending formal appointment of a new director for RIM became another addition to the list of world heritage issues to be addressed.

Nonetheless, NMC, DPW, DEAT, and conservation bodies such as Earth Watch, in fulfilment of their various mandates and interests, carried out a number of overlapping and intersecting research projects, surveys, auditing, inventorying, and documenting of the site's built and 'natural' environment. Robben Island was abuzz with activity surrounding identification of risks, and formulation of mitigation strategies. Many proposals and draft conservation management plans emerged from different directions. There were a number of draft policies and plans regarding different aspects of the museum's functions, such as visitors' management, tours, collections, and education and training. In 2003, departmental heads were assigned roles of project managers to facilitate conservation planning for these various aspects of the museum's functions.¹⁰⁷ But these were not integrated into a single plan, and implemented effectively enough for the site to fulfil the regulations of its world heritage status. The situation invited a constant monitoring of RIM by the World Heritage Committee through mandatory reports, by UNESCO's missions dispatched to defaulters, and also by the Parliamentary Portfolio Committee of DAC.

Battling to stay world heritage

During the 27th World Heritage Committee session held in June 2003, the committee noted that:

Robben Island's state of conservation is a cause for grave concern... The property has a high number of visitors, and it would be wise to strictly control their number and

¹⁰⁷ Robben Island Museum, *Minutes of the Strategic Planning Workshop*, Monkey Valley, Noordhoek (10-11 December 2003).

access to the buildings, particularly the most fragile ones'...The State party should be requested to prepare a management plan as soon as possible.¹⁰⁸

As a result, the Committee dispatched a joint IUCN, ICOMOS and ICCROM delegation on a fact-finding mission to Robben Island between 6 and 12 February 2004.¹⁰⁹ It was an investigative programme packed with activities, :tours and site visits; reading sessions of about 40 documents supplied by RIM; and briefing sessions and meetings with departmental managers, the Interim Director Paul Langa, and Deputy Director Denmark Tungwana, who also directed the mission programme.¹¹⁰ The team observed several threats to the site's integrity, including:

progressive invasion by alien plants; uncontrollable fires; presence of unsuitable herbivores, feral cats, rabbits and black rats; overharvesting and/or poaching of abalone and other marine resources; solid waste, littering and impact of vehicles, residents and visitors on endangered fauna and geological features; impact of infrastructure upgrades and development.¹¹¹

The following were issues identified as preventing effective implementation of the previous recommendations by advisory bodies and the findings of specialist studies:

Poor integration of the available various management and policy documentation into a single comprehensive Conservation Management Plan; high staff vacancy rate; lack of skills in some areas; poorly integrated management structures; confused definition of roles and responsibilities; lack of co-operative and co-ordinated action; lack of specific annual plans of operation; difficulties associated with operational aspects of maintenance and conservation practices and funding; lack of certainty in preventative maintenance funding and programming; increased deterioration of the site's built heritage; lack of proactive management of significant tourism development and visitor pressures; and lack of Site Interpretation Strategy.

The mission recommended as matters of priority:

Development of an Interpretation Plan for the site, and a Visitor Management Strategy; review of the Robben Island Tourism Development and Management Plan; a comprehensive analysis of the opportunities and constraints of tourism products

¹⁰⁸ <http://whc.unesco.org/en/soc/2726>

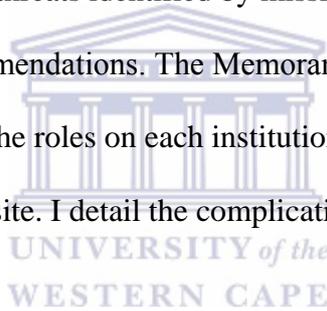
¹⁰⁹ The mission team consisted of Webber Ndoro (ICCROM), Trevor Sandwith, a consultant to IUCN, Sheridan Burke (ICOMOS).

¹¹⁰ The documents included draft plans, policies, reports and correspondences. Among the presentations, Shoni Khangala gave a detailed PowerPoint presentation entitled 'The challenges faced by Robben Island Museum as a World Heritage Site and Tourist destination'.

¹¹¹ Webber Ndoro et al. *Report on IUCN-ICOMOS-ICCROM Monitoring Mission to the Robben Island* (2004).

based on the unique natural and cultural landscape character of the site; review of the proposed MOU between DPW and RIM to attach DPW's quarantined financial and resource commitment, clarify responsibilities for day to day works; review of the draft MOU between RIM and SAHRA to clarify roles of the Heritage Advisory Committee; a member of SAHRA staff seconded to work with RIM for a period of up to five years.¹¹²

At the end of the mission, South Africa as the state party was left with nineteen recommendations meant to assist the museum develop a comprehensive Integrated Conservation Management Plan (ICMP) and submit a report to the Committee on or before the 1st of February 2005. Within 12 months, RIM's several management plans were to be consolidated into a single plan. The museum also had to prepare Annual Action Plans of Operation, with specific time-bound objectives and allocation of management responsibilities. All conservation threats identified by mission were to be addresses urgently, according to the mission's recommendations. The Memorandum of Understanding between SAHRA and RIM was to clarify the roles on each institution in ensuring effective conservation management of the site. I detail the complications in this relationship later in this chapter.



RIM once again entered a phase of frantic heritage-making and unmaking, characterised by more strategic planning than implementation, structuring and restructuring of operations, firming of bureaucratic structures and controls, and hiring and dismissal of key staff. The museum revived the strategy adopted in 2003, of assigning each of the several tasks at hand to project managers. Palesa Morudu managed the project of developing a new visitors experience and branding and marketing. Tshimangadzo Nemaheni managed the project of developing a conservation management plan and incorporating Jetty One into the visitors' experience. Nash Masekwameng managed the business development project. Julian Daniels managed the project of organisational redesign, and human resources management

¹¹² Webber Ndoro et al., *Report on IUCN-ICOMOS-ICCROM Monitoring Mission to the Robben Island* (2004), 32.

and development. The directorate, including Paul Langa, Ben Martins and Denmark Tungwana, managed the project of governance and reporting, and stakeholder relations and partnerships.¹¹³

In addition, a role of an overall Project Manager or Product Development Team was created, to see to fruition RIM total business strategy, of which developing the ICMP was just part.¹¹⁴ For this task, RIM contracted Khensani Maluleke and Lindiwe Gadd of Matimu Heritage Solutions. They collated what the museum had by far developed as the site's historical background and statement of significance and through inter-departmental strategic planning workshops developed stakeholder participation strategy, and framework and timeframes for conservation plans.¹¹⁵

Also, a team of architects from Mashabane Rose Associates performed part of the project management, by assessing conditions of buildings and structures, investigating impact of vehicular traffic, developing proposals the impact of transportation on environment, convening meetings, developing work schedules, clarifying legal frameworks, developing visitor management strategy, and liaising with 'stakeholders' like DPW, SAHRA and Marine and Coastal Management.¹¹⁶ Another consultant and previous RIM employee Harriet Deacon was appointed to assist in identifying useful documents, co-authoring, reviewing documents, and ensuring quality control.¹¹⁷

Although 'the mission' had mandated that the ICMP be the main project, at least between February 2004 and February 2005, the focus of RIM management was divided. Other issues seen as priorities for 2004/2005 financial year included,

¹¹³ Palesa Morudu was the Marketing Manager. Tshimangadzo Nemaheni was the Heritage Manager. Nash Masekwameng was the Finance and Administration Manager. Julian Daniels was the Human Resources Manager.

¹¹⁴ Robben Island Museum, *Minutes of the Strategic Planning Workshop*, Monkey Valley, Noordhoek (10-11 December 2003).

¹¹⁵ Robben Island Museum, *Business Strategy* (2004/5).

¹¹⁶ Robben Island Museum, *Business Strategy* (2004/5).

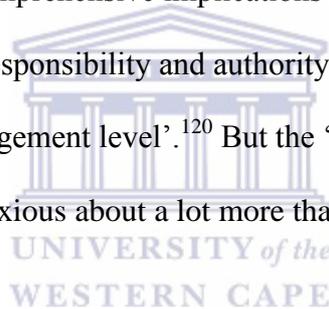
¹¹⁷ Robben Island Museum, *Business Strategy* (2004/5).

repairs and renovation of the MSP; walking tours; disabled access; research and development; branding and marketing; business development; organisational redesign, human resources management and development; governance and reporting; and stakeholder relations and partnerships.¹¹⁸

With such multiple projects and divided focus among the Management Committee (MANCO) of executive officers and departmental heads or senior managers, the immediate outcome was another minimal productivity regarding the ICMP. Nemaheni's team managed to produce a document within 10 months following 'the mission'. But in a strategic planning session held in December 2004, attendees were concerned that what the document entailed

[had] implications not just for the management of the heritage resources of the island, but also in terms of the organisational strategy, structure, its approach to tourism and visitor management to name a few.¹¹⁹

It was decided that 'due to the comprehensive implications of the [mission's] recommendations', the 'overall responsibility and authority for the ICMP and implementation should rest with the highest management level'.¹²⁰ But the 'highest management level' referred to was at that moment anxious about a lot more than the ICMP.



Deeper troubles

Between 2003 and 2007, Robben Island was engulfed with allegations of financial irregularities and mismanagement of resources. Among many issues facing the MANCO, were operational issues related to ferry services and staff vacancies and shortage of specific skills, and environmental issues related to overgrazing and reports of animals starving to death.¹²¹ I detail in the next sections, but note them here for their effect in RIM's non-fulfilment of the world heritage requirements.

¹¹⁸ Robben Island Museum, *Strategic Planning Workshop Report* (2-3 December 2004).

¹¹⁹ Robben Island Museum, *Strategic Planning Workshop Report* (2-3 December 2004).

¹²⁰ Robben Island Museum, *Strategic Planning Workshop Report* (2-3 December 2004).

¹²¹ John Yeld, 'We Have Problems', *Cape Argus* (2 May 2008).

While the World Heritage Centre received a report on Robben Island on 3 February 2005, it still did not contain the ICMP. The report contained a Progress Report, a Services Section Report of the ICMP still in draft form, a Draft Project Proposal for Extended Environmental Monitoring to be conducted in cooperation with Earth Watch Institute, and a Draft of Memorandum of Understanding between RIM and SAHRA. As far as the submitted report was concerned, RIM had only addressed five of the nineteen recommendations of the last world heritage mission. Besides, many key components of the ICMP had not yet been integrated into the process, including the Phase I Tourism Development Plan of 2001, the Visitor Management Plan and the Interpretation Plan.¹²²

During the 29th World Heritage Committee session held in Durban in July 2005, Robben Island was again on the agenda.¹²³ The museum had made some internal managerial adjustments, but more was still outstanding. The RIM council had in April 2005 finally appointed Paul Langa as the museum's CEO. Denmark Tungwana, the museum's second Deputy Director, who had initiated a probe in 2001 to investigate alleged financial irregularities under Odendaal's administration, had become the Chief Operations Officer. Nash Masekwameng had become the Chief Financial Officer. The government too had played its role. In May 2005, the South African National Assembly voted that DAC allocate RIM a once-off R35,5 million 'to assist with the management and maintenance of such an important national asset'.¹²⁴

Indeed, the World Heritage Committee noted the filling of the three executive positions as progress in the right direction. But it was still concerned that the ICMP was still incomplete, especially the state of conservation of many elements of Robben Island. Another ICOMOS and IUCN mission visited Robben Island and spent five days between 1 and 5

¹²² *Report on the 29th World Heritage Committee Session*, Durban 10-17 July 2005, <http://whc.unesco.org/archive/2005/whc05-29com-07BReve.pdf>, 53-55 Accessed on 18 July 2015.

¹²³ *Report on the 29th World Heritage Committee Session*, Durban 10-17 July 2005.

¹²⁴ Department of Arts and Culture, *Budget vote by Minister Pallo Jordan at National Assembly* (18 May 2005).

December 2005 assisting the museum to draft a framework and a five-step work plan to facilitate the development of the ICMP. South Africa had the 1 February 2006 as the revised deadline to comply with the world heritage protocols regarding Robben Island.

SAHRA too had worked with the museum in the development of the ICMP, but was not yet entirely appeased with RIM's plans to execute its role in conserving the site. In 2005, RIM finally signed a Memorandum of Understanding (MoU) with SAHRA. But due to the outstanding completion and implementation of the ICMP, SAHRA offered RIM a two-year provisional protection under NHRA for a maximum of two years.¹²⁵ In terms of NHRA, SAHRA, or a provincial heritage resources authority, may,

provisionally protect for a maximum period of two years any protected area; heritage resource, the conservation of which it considers to be threatened and which threat it believes can be alleviated by negotiation and consultation...¹²⁶

The MoU expressed commitment of the two parties to 'support and coordinate the joint and several responsibilities to implement the integrated conservation management plan', and also made SAHRA RIM's supervisory authority.¹²⁷ It was also through the MoU that SAHRA made a commitment to:

keep permanent records of all the heritage resources identified on Robben Island; advise, assist and provide professional expertise to RIM; and together with the Robben Island Museum to promote and encourage public understanding and enjoyment of the national heritage site.¹²⁸

As an agency regulating heritage conservation management, SAHRA's commitment hinged on completion of a comprehensive inventory of all heritage resources at or associated with RIM, as well as completion and implementation of the ICMP.

¹²⁵ Robben Island was under SAHRA's provisional protection no.514, alongside sites like the Freedom Park on Salvokop, Pretoria and the Historical Green Point Burial Ground near the Cape Town city. See, *Government Gazette*, No. 27614 (3 June 2005).

¹²⁶ *National Heritage Resources Act* No. 25 of 1999, S 29.

¹²⁷ *Memorandum of Understanding Between Robben Island Museum (RIM) and the South African Heritage Resources Agency (SAHRA)* (June 2005). See also, Marianne Merten, 'Robben Island still at sea', *Mail & Guardian* (29 July 2005). <http://mg.co.za/article/2005-07-19-robben-island-still-at-sea>. Accessed on 23 July 2015.

¹²⁸ *Memorandum of Understanding* (June 2005).

But to be a world heritage site even more complicated. The world heritage practice on its own had many facets of what seemed to be a compact package of rules. One of these was the concern that RIM's internal affairs and operations, remained 'inadequate' and frequently messy, despite the new 'meeting requirements' status. For instance, by the 30th session of the World Heritage Committee held in Lithuania in July 2006, South Africa had finally honoured its obligation to the Committee: RIM had completed its ICMP. The session noted with thanks the completion, but regretted that the recommendations of the 2004 mission were not yet 'fully implemented'.¹²⁹ The Committee also noted the final signing of a memorandum of understanding with SAHRA, and a service level agreement between RIM, the Department of Public Works (DPW) and the Department of Arts and Culture (DAC), which finally clarified roles related to maintenance and capital works on the island. But the Committee was increasingly concerned about findings of gross mismanagement by most RIM senior executive staff and council, general misconduct, fraud, wasteful expenditure and improper record keeping and accounting.¹³⁰

South Africa was again given 1 February 2007 as a new deadline to fulfil the requirements and furnish the World Heritage Committee with another report on Robben Island. The 31st World Heritage Committee session held in New Zealand, in 2009 finally adopted the *Robben Island Museum Integrated Conservation Management Plan (2007-2012)*. The session noted continued progress on the implementation of the ICMP, but was still concerned about 'institutional/managerial' stability.¹³¹ By then, RIM's CEO, CFO and COO had been suspended on allegations of misconduct, and RIM was headed by a caretaker CEO Henry Bredekamp. The World Heritage Committee then encouraged continued stabilisation

¹²⁹ *World Heritage Decision 30 COM 7B.44*, <http://whc.unesco.org/en/decisions/1130> Accessed on 23 July 2015.

¹³⁰ *Report on the 30th World Heritage Committee Session*, <http://whc.unesco.org/archive/2006/whc06-30com-19e.pdf> Accessed on 18 July 2015.

¹³¹ *World Heritage Decision 33 COM 7B.50*, <http://whc.unesco.org/en/decisions/1842> Accessed on 23 July 2015.

of the museum and recommended that a reactive monitoring team be invited from the World Heritage Centre or ICOMOS. A new report deadline was set for the 1st of February 2011.

Thus, in the world heritage system, allegations of mismanagement against RIM management were not to be brushed aside. Apparently, conservation practice as the principal factor in the making of world heritage, was interlinked with a number of operations and roles played differently by different individuals and groups. While the Robben Island world heritage project gave an impression of generating a simple discourse of structure, rules and expertise, the actual operations reflected an intricate manoeuvre in and out of breaking and keeping the rules.

Certainly, all planning, strategizing and implementation to do with architecture, flora and fauna, graves, objects, visitors, ferries, buses, roads, research, narratives, education, tours, marketing, personnel, government departments, policies, local heritage agencies, world heritage convention and guidelines, were now covered in one document called ICMP. Yet things still fell apart after completion of the ICMP. Thus, making world heritage out of the site of Robben Island was not a simple matter of fulfilling requirements through effective structures and expertise, or adopting or reproducing an authorised heritage discourse, but a classic case of an entangled negotiable meanings, knowledges, practices and approaches. As a result, the world heritage-making between 1999 and 2007 constantly revolved around doing and undoing, productivity and unproductivity, and progress and lapses.

Working heritage backwards: from world heritage to national heritage

The very first nomination and inscription of South Africa's sites on the World Heritage List occurred almost simultaneously with the promulgation of the NHCA and NHRA, and the establishment of SAHRA. Since Robben Island was from the onset of its heritage-making

destined for national and international recognition, becoming a national heritage site after scoring the world heritage status was almost assured. Yet it was in that which seemed amenable, that the world heritage system was to manifest as a network of structures with intricately intersecting rules and procedures. And these should not be reduced to an authorised heritage discourse.

At the time of Robben Island's inscription on the World Heritage List, NHRA was only seven months into existence, having been passed in April 1999. Although NHRA established SAHRA, the agency only launched its operations in 2000, and with a sense of uncertainty about where to begin with regards to Robben Island. Firstly, the promulgation of NHRA made all national monuments like Robben Island (RI, not RIM) to technically revert to the control of provinces, until such time that a process to re-accord each site a national heritage status was initiated by a heritage authority and approved by DACST, and later DAC. When Robben Island obtained world heritage status in December 1999, the site became a World Heritage Site managed by Robben Island Museum, a 'National' Cultural Institution. Since the island was not yet a National Heritage Site, RIM therefore operated within a Provincial Heritage Site. In a most peculiar and vexed configuration Robben Island was a provincial site, managed by a national museum, but reporting to world heritage bodies.

To 're-earn' the national heritage status, three steps were to be followed. Identification followed by grading and then declaration by SAHRA was the set procedure. To be categorised as Grade I heritage resource or national heritage, the site or property had to be 'with qualities so exceptional that [it was] of special national significance'.¹³² And, such decisions on 'special significance' were the prerogative of SAHRA's Grading and Declarations Review Committee comprising SAHRA staff and representatives of the council of SAHRA. An Integrated Conservation Management Plan (ICMP) produced in consultation

¹³² 'Grading', SAHRA website, <http://sahra.org.za/grading/> Accessed on 16 March 2016.

with SAHRA was a requirement, as a surety that the site or property would be ‘managed and used sustainably’. Grading and declaration processes also involved at least 60-days of public consultation and gazetting.¹³³

After such carefully formulated nomination dossier that presented Robben Island as a site of national and universal significance, Robben Island was all these three steps ahead. As such, SAHRA’s work around its declaration seemed a matter of working heritage backwards for the sake of ticking boxes. Since RIM was previously a declared National Monument, and had just been declared a World Heritage Site, it appeared that identification by means of a nomination process could be bypassed and taken as given. Besides, RIM’s ‘special significance’ had already been encoded in many ways: the recommendations by the Future of Robben Island Committee to cabinet in 1995; the cabinet’s decision to have the site developed into a National Monument, National Museum and World Heritage Site on 4 September 1996; the NMC’s declaration of RI as a National Monument in 1996; the launch of RIM as a museum in 1997; the listing of RI on South Africa’s tentative list in 1998; the declaration of RIM as a Cultural Institution in 1998; the nomination of RI for world heritage in 1998, and its inscription on the World Heritage List in 1999.

However, RIM’s hasty ‘achievements’ between 1997 and 1999, had at different stages involved circumvention of essential requirements and procedures. Becoming a museum without facilities, staff and plans was an anomaly, and so was becoming world heritage without a comprehensive conservation management plan. To be on the tentative list, nominated and then listed, Robben Island was to have a full provision of the state party’s duty to ensure its ‘identification, protection, conservation, presentation and transmission to future generations’.¹³⁴ In the case of Robben Island, the South African national government technically did not have such full provision. Most heritage-work leading to the world heritage

¹³³ The proposed declaration would be published in a National Gazette for public comments.

¹³⁴ *Operation Guidelines for the Implementation of the World Heritage Convention*, WC.05/2 (2 February 2005), Introduction, I.C 15.

inscription had apparently neglected conservation. Interestingly, to become national heritage RIM had to go through more stringent qualification stages than went through the world heritage system. Thus, efforts to make national heritage after making world heritage seemed to be a nullifying of some of the world heritage-making of the phase of RIM's hasty start. It was a further bureaucratic entanglement with a lot more complications than simply falling within a straightforward discourse of rules and professionalism.

It is this further entanglement within ambiguous rules and procedures that embodied RIM's heritage practice, and that RIM came to a realisation from its inscription in December 1999. As discussed in the previous sections of this chapter, producing an ICMP for Robben Island had already proven to be mammoth task requiring surveys and inventories. It had also proven to be a multi-stakeholder consensus on a number of plans and policies for research, collections, exhibitions, conservation, visitors' management, and funding and accounting. And such plans for sustainable management of diversity and consensus also had to feature in the periodic reports to be submitted to the World Heritage Centre, and had to positively reflect in the sites' monitoring and evaluation reports of the advisory bodies.

Through the *Robben Island Nomination File*, South Africa as a state party had guaranteed that the site's comprehensive development and conservation management plan would be finalised by the end of March 1999. But that did not materialise. Instead as discussed in the previous sections, RIM entered a phase of about six years of frantic heritage-making and unmaking, characterised by more strategic planning than implementation, structuring and restructuring of operations, firming of bureaucratic structures and controls, and hiring and firing of key staff and consultants. In essence, the phase was about putting even more effort into maintaining the world heritage status. It was then in such context that RIM was assessed (by the same SAHRA it was evaluated with at world heritage level) through a frame that would see RIM undergo complicated, imaginary, retroactive steps of

identification, grading and declaration as a national heritage in fulfilment of the terms of the *National Heritage Resources Act (1999)*. To trace RIM's ups and down in becoming a national heritage site, I centre my discussions on painting a picture of its mutative organisational and operational structures, and financial status.

Making, un-making and re-making the structures

As shown earlier, between 1996 and 1998, RIM largely operated with volunteer staff and interim managers. Andre Odendaal formally became the director or CEO in 1998. But it was only as from 2000 that RIM's organisational structure began to take shape of a corporate body, with a new focus on functionality and compliance. Between 2000 and 2001, more appointments were made for 'key functions' in the areas of finance and marketing. Lynn Maart and Denmark Tungwana, who had held interim management positions for more than two years were formally appointed as Deputy Director and second Deputy Director respectively. The two effectively performed functions of Chief Financial Officer and Chief Operations Officer, as a continuation of Maart's previous roles as RIM's Interim Finance and IT Manager, and Tungwana previous role as Odendaal's deputy. RIM's organisation included a Management Committee (MANCO) of executive officers and departmental heads or senior managers. MANCO was subdivided into two clusters.

There was a Heritage and Museum cluster, dealing with 'matters of content and the interpretation of the institutions' strategy', and the Support Services cluster, dealing with in 'tactical strategic operational matters'. The offices of Estates, Heritage, Tourism and Education fell under the Heritage and Museum cluster. The offices of the Chief Financial Officer, Human Resources, Company Secretary, Media Liaison, Security, IT Specialists and

Marketing fell under the Support Services cluster.¹³⁵ Certainly, it was one of RIM's early targets to become compactly organised, sophisticated in structure, and corporately run and managed. Striving to obtain this was a complicated task, as I have shown with other government-funded cultural institutions discussed in Chapter Three. It meant setting in place policies and guidelines for all aspects of operations and internal and external association, and breaking and revising those every now and then. And, as discussed in Chapter Four, becoming a national heritage site was about becoming a heritage resource. Also, a combination of a national heritage site status with that of a cultural institution meant striving to balance complying with rules and requirements and staying resourceful. It therefore meant being too complicated, and perpetually messy and banal.

RIM set out on a similar route, but landed in a deeper state of mess and uncertainty about the very structures and strategies. One of MANCO's preoccupation since 2000 involved reviewing RIM's stakeholder management and personnel policies and employment procedures, including overtime compensation. To contribute to the process, Odendaal had single-handedly drawn up a draft policy towards EPPs, which sought to balance RIM's determination to employ EPPs, with a caution against creating unrealistic expectations of opportunities that RIM could not meet. Odendaal was concerned that 'opportunists' were using EPPs and their organisations to dubiously benefit through RIM's business opportunities.¹³⁶

Since the launch of the Memories Project in 1997, which extended EPPs to Reference Groups in 2001, the EPPs had become a form of 'museum community' trusted for valuable inputs in memory-making and conservation management processes. Their sessions were convened by RIM's Research Unit within the Heritage Department. Participating EPPs were

¹³⁵ Nosipho Blacky, 'Organization management challenges of national heritage institutions in South Africa: a case study of the Robben Island Museum (RIM)', Masters' Thesis (University of the Western Cape, 2012), 78-79.

¹³⁶ *Minutes of Executive Committee of Robben Island Museum Council* (4 June 1999).

grouped according to their eras of imprisonment, the prison sections in which they were held, and their groupings or *groupe* for prison hard labour called *span*.¹³⁷ The ‘communities’ were on various occasions invited to the island, and would spend hours and days on site reminiscing and sharing with staff ideas pertaining to conservation, restoration and curation of different spaces. In that way, RIM created a ‘community’ of both beneficiaries and knowledge resources, whose memories and experiences could be easily translated into a single mind and vision of ‘the nation’.

But this turned out to be a complicated museological strategy. Besides, in the world heritage system, such transactional practices carried a level of complication since issues of beneficiation had to be carefully managed in relation to universal value, benefit to members of the nation state concerned, and conservation. The complication in the case of RIM was not only about endemic contestations related to conflicting political ideologies among the EPPs, but also about shifting conceptualisations of heritage and value thereof. Some EPPs enjoyed economic benefits from their associations with RIM, through business contracts and memory projects. For example, the ‘Untold Stories’, a documentary project run by a partnership between Ben Nomoyi’s Film and Video Production and the Eastern Cape ANC Veterans Association, generated money through publications of EPP’s life stories. Research for these productions was conducted on the island, sometimes using information generated by RIM and RIM’s resources as props. Yet RIM had no producer or beneficiary status in the project.¹³⁸

The level of miscalculations and complications that such contracts carried was with regards to agreements being implemented with lurking EPPs’ dissatisfaction about the extent of their beneficiation, and the level of transparency about RIM’s business deals and

¹³⁷ Nolubabalo Tongo, ‘The use of ex-political-prisoners’ reference groups as a research method for conserving the intangible/tangible significance of the Robben Island Maximum Security Prison (a case study)’, *Historic Environment*, 19:2 (2006). *Groupe* and *span* are Afrikaans words meaning groups and work respectively.

¹³⁸ Letter from M. J Maqungo, Coordinator of the Interim Structure of the ANC’s Veterans League, Province of the Eastern Cape, to Andre Odendaal, dated 17 May 1999.

transactions. In such contest, firmer bureaucratic controls that came with MANCO's review of stakeholder and personnel policies turned RIM into a more nervous corporate, with a lot of mistrust and tension in the air. Thus, RIM's hardest attempts at working national and world heritage by instituting neater and firmer structures still landed the institution at a deeper state of uncertainty about its new strategies.

In July 2002, a group of EPPs who were also RIM staff, locked themselves up in former prison cells and went on hunger strike, demanding the resignation of Odendaal and Lynn Maart. The two were accused of corruption and mismanagement of the museum's resources, following a forensic audit initiated by Denmark Tungwana.¹³⁹ According to Odendaal, although the audit had found some irregularities, and had warranted dismissal of the former financial manager Nico van Niekerk, it did not warrant dismissal of any of the executive officers. Nonetheless, Odendaal eventually felt the pressure and resigned his post. It was apparent in his resignation remarks that he had been faced with a struggle to balance technical requirements, rules and regulations, with a contradictory and complex concept of democratic participation, informed by private interests related to party prominence, and personal prominence:

How do we strike the balance between building effective new institutions that deliver for democratic South Africa (where differences are dealt with in procedural ways and those appointed to lead are enabled to do so) and being 'democratic', but often sitting in unproductive and unprogressive contesting about rules and authority?¹⁴⁰

RIM was in a messy state requiring major interventions and new strategies, and that affected its world heritage project as shown earlier, and counted negatively towards becoming a national heritage site too.

¹³⁹ Former political prisoners laid allegations of corruption, fraud and mismanagement of the museum's resources. See, 'Council to run Robben Island', *NEWS24* (13 July 2002), <http://www.news24.com/xArchive/Archive/Council-to-run-Robben-Island-20020713>. Accessed on 23 July 2015.

¹⁴⁰ 'My Conscience is Clear', *NEWS24* (11 July 2002). <http://www.news24.com/xArchive/Archive/My-conscience-is-clear-20020711>. Accessed on 23 April 2015.

Upon Odendaal's resignation, the council devised a contingency action, and seconded two of its members, Ben Martins and Paul Langa, to become Acting Directors. Martins was a member of parliament, a former Robben Island political prisoner and former member of Umkhonto Wesizwe.¹⁴¹ Langa too was a former member of Umkhonto Wesizwe and former Head of ANC's Security Coordination. While the two had credentials qualifying them for addressing issues pertaining to predominantly ANC EPPs and former activists in the political liberation struggle, they were immediately faced with other issues particular to world heritage management. MANCO's immediate task involved forensic audits, investigations and re-strategising, which saw dismissal of Lynette Maart in January 2003.

Indeed, Odendaal and Maart's exit had appeased the disgruntled parties and calmed the storms for a while. But as shown earlier, issues of compliance with world heritage conservation protocols were fast reaching concerning levels. The museum seemed calm enough to redirect its focus to the capital projects. Also, the 'renewable' grant of R6.4 million committed by DACST for capital works on the island began coming in. As it transpired, the grant prompted RIM to enter into a new phase of numerous business transactions. There were contracts for works such as repairs, renovation and conservation of vast areas of the island, each with a budget of not less than R1 million.¹⁴²

It was also during that phase that major construction work of a new Robben Island building at the V&A Waterfront commenced, for which amounts of about R14 705 037,00 were paid to architectural companies like Lucien Le Grange architects, which finalised design for RIM building. RIM was also generating enough revenue to extend its contracts to vehicle

¹⁴¹ Umkhonto Wesizwe was the Military Wing of the African National Congress from 1961 until it was disbanded in 1990.

¹⁴² These were MSP precinct, Multi-purpose Learning Centre; churches; graveyards and graves; Sobukhwe House Complex; walkways to the Blue and Lime Stone quarries; Ou Tronk (Old Prison); the harbour; historical vessels' conference facilities including RIM Guest House, Craig Hall and Mess Eating Facility; offices; rehabilitation of graves; the island's roads; waste management; and sewage system.

hire, vehicle service and vehicle tyre companies, which cost RIM more than R230 000,00.¹⁴³

Regarding RIM's bid for declaration as a national heritage site, it was also during that phase that RIM as a government-funded institution had its messy state revealed, and that SAHRA played careful and granted RIM a provisional protection.

During 2003, the museum experienced a loss of 8 million rands in revenue and received a qualified report from the auditor-general. In the 2004/2004 financial year, the museum generated revenue of R24.4 million from tours.¹⁴⁴ But it also recorded a loss of R4.9 million in the same period, and again received a qualified report.¹⁴⁵ In 2005/2006 RIM's *Annual Report* to South Africa's departments of Finance and Arts and Culture was unqualified. But in the 2006/2007 financial year, the museum reported that its deficit had reached R25 million, which resulted in serious cash flow problems and cancellation of many projects¹⁴⁶ Between 2003 and 2007, the museum received qualified audit reports from the auditor-general due to failure on a large scale to account for expenditure, lack of proper record keeping and inventory of assets, including the Mayibuye Archives. For 2006/2007, the auditor-general reported that,

In accordance with South African Statements of Generally Accepted Accounting Practice, IAS 20 (AC 134) accounting for government grants and disclosure of government assistance, income received for special projects should be released through the income statement in line with the depreciation charged on the assets purchased with the funds. The approximate depreciation charge of R117 000 for 2005-06 and R208 000 for 2006-07 years were not matched by a corresponding release from the deferred revenue account to the income statement.¹⁴⁷

¹⁴³ Melanie Gosling, 'Ex-Robben Island inmates go back to jail', *IOL News* (10 July 2002), <http://www.iol.co.za/news/south-africa/ex-robben-island-inmates-go-back-to-jail-89522> Accessed on 23 July 2016.

¹⁴⁴ Staff Reporter, 'Robben Island Museum starts to turn a profit', *Mail&Guardian* (18 October 2005).

¹⁴⁵ Parliamentary Portfolio Committee on Arts and Culture, *Minutes of meeting: Robben Island Museum* (18 October 2005), <https://pmg.org.za/committee-meeting/5743/> Accessed on 16 July 2015.

¹⁴⁶ Parliamentary Portfolio Committee on Arts and Culture, *Minutes of meeting: Robben Island Museum* (13 November 2005), <https://pmg.org.za/committee-meeting/28465/> Accessed on 16 July 2015; Babalo Ndenze, 'Money woes trouble Robben Island Museum', *Leisure* (14 November 2007).

¹⁴⁷ Robben Island Museum, *Report of the Audit Committee to the Council* (31 March 2007).

But, the administration under Langa unconcernedly brushed aside the allegations of mismanagement, and referred to them as ‘ferry-related expenditure that was unbudgeted for’.¹⁴⁸

With such deepening state of mess, concerns about RIM’s compliance with requirements for public entities were inevitable, especially concerns about RIM’s implementation of the *Public Finance Management Act* as amended by Act No.29 of 1999. But the Robben Island heritage project was complicated. The mess indeed seemed to unmake its world heritage status, and RIM’s desired national heritage status, especially since both seemed to depend on compliance, effective conservation management and professionalism. But the museum still got certain things right.

From the signing of the memorandum onwards, RIM was obligated to submit an annual report to SAHRA, and consult SAHRA for any decision regarding the heritage resources in its ambit. Indeed, on 13 February 2006 RIM submitted the *Robben Island Museum Integrated Conservation Management Plan 2007-2012* to Beverley Crouts, the Provincial Manager of SAHRA Western Cape.¹⁴⁹ In that way, RIM met the 2006 deadline that the last meeting of Robben Island Steering Committee had set. On submitting the plan, Langa said

I trust that the Conservation Management Plan will satisfy the final requirements of SAHRA in terms on the declaration of Robben Island as a national heritage site, and both I and my Council look forward to hearing from SAHRA in this regard as soon as possible’.

Apparently, SAHRA was appeased, as it finally graded Robben Island as a Grade I site and declared it a National Heritage Site under NHRA in 2006. Robben Island Museum (RIM) became the ‘official’ management authority over the inscribed site. At that moment, it seemed that the RIM project was finally within an official discourse that SAHRA seemed to

¹⁴⁸ Paul Langa, ‘Executive Overview’, *Robben Island Annual Report* (2006-2007).

¹⁴⁹ The document acknowledged as key contributors, RIM’s Paul Langa, Shoni Kangala, Shaun Davis, Laura Robinson, Tshimangadzo Nemaheni, as well as DAC, DPW, City of Cape Town, Beverley Crouts of SAHRA, consultants Edward Matenga and Harriet Deacon, and ICOMOS and IUCN.

produce and disseminate. But as the above discussion has demonstrated, ways in which RIM's making, un-making and re-making of national and world heritage cannot be reduced to particularised discourse. Next I return to world heritage project, and examine how RIM negotiated its way through the ambivalent world of world heritage-making by learning the rules.

Phase III – Leaning the rules

Saving the ship

In 2007 RIM was faced with huge operational and management problems, a new deadline with the World Heritage Committee, and a threat of being listed on the 'World Heritage in Danger', and de-listing. A news reporter Helen Bamford thought the erratic ferry service characterised by mechanical problems and cancellation of trips during peak seasons had declined into a fiasco.¹⁵⁰ The museum had interestingly become popular for poor performance in the areas where most activity was concentrated, including conservation, finance, human resources and visitor management. While Langa's administration had with the highest number of consultants engaged in most restoration, renovation, rehabilitation and conservation related activity, the island's environment was at its most threatened state by world heritage standards. And while the highest revenue was generated through soaring tourists' numbers, the highest instances of financial irregularities were identified.

Langa had for two years led the organisation under a cloud of irregularities. Firstly, he was appointed without the position being publicly advertised as required by law for such

¹⁵⁰ Helen Bamford, 'State steps in after Cape ferry fiasco', *IOL News* (6 January 2007), <http://www.iol.co.za/news/south-africa/state-steps-in-after-cape-ferry-fiasco-309819> Accessed on 23 July 2015.

positions.¹⁵¹ And so were the other two executive positions, into which Tungwana and Masekwameng were reinstated and promoted respectively. Secondly, between 30 September 2006 and 1 October 2007, RIM was without a council. The council that Minister Mtshali had instituted in 1998 served two three-year terms that expired in 2004. From then, the council continued on an extended term, which expired on 30 September 2006. Thus, Langa led RIM for a year without a council, which was in contravention of the *Cultural Institutions Act*. Yet in that period, Langa oversaw implementation of decisions that had a huge impact on the museum's operations and perceptions of its world heritage status.

Some of the crucial decisions that threatened the site's international reputation and world heritage status involved ferries. For example, the non-renewal of the contract with Autshumato Ferries upon its expiry in August 2006, 'after nine years of uninterrupted service', had long lasting repercussions.¹⁵² As a new 'strategy', the museum reverted to the old boats called 'historic vessels' that the Department of Correctional Services used when Robben Island was still a prison. It also commissioned construction of a new 300-seater vessel by an Australian Farocean Marine company, at a cost of about R26 million. But the ferry service became the most challenging in the 2006/2007. The 'historic vessels' were slow and presented with a number of mechanical failures. Meanwhile, the completion of the new vessel projected for August 2006 delayed for more than year. The new vessel named Sikhululekile (meaning we are free) by means of a staff 'boat-naming competition', only came into operation in February 2008. As a result, RIM incurred expenses unbudgeted for, on hiring and repairing ferries.

Although Langa attributed the decision to the previous council, and commended it for 'successfully' scaling down visitor numbers according to plan, he also acknowledged the

¹⁵¹ Nosipho Blacky, 'Organization management challenges' 95. For example, *Labour Relations Act*; *Employment Equity Act*.

¹⁵² Helen Bamford, 'Blast from apartheid past for island tourists', *IOL News* (2 September 2006) <http://www.iol.co.za/news/south-africa/blast-from-apartheid-past-for-island-tourists-292051> Accessed on 29 May 2016.

expensive and poorly managed damage control led to the qualification of the museum's 2006/2007 annual report.¹⁵³ The plan was to keep the visitor numbers down until the new boat was in place'.¹⁵⁴ MANCO also defended the decision as an attempt to broaden and diversify visitors' experience.¹⁵⁵ But to the Autshumato Ferries and many EPPs supporting them, the decision amounted to 'travesty', as they felt rejected by their own 'comrades', and booted out of a project meant to benefit them.¹⁵⁶ They hailed accusations of corruption at RIM's executive officer. They called for the government's intervention to save the museum from self-destruction. The RIM 'ship' was indeed sinking, with the world heritage 'precious cargo' in it. The department of Arts and Culture considered the situation as an embarrassment.¹⁵⁷

Interestingly though, 2007 happened to be the year of completion of the protracted conservation management planning. The document opened with a message from Langa, in which he linked the document with the 10th anniversary celebrations of the opening of Robben Island Museum, as a culmination of a dedication to excellence in heritage management. Again, the messy state had created interesting twists to further complicate the world heritage project.

Nonetheless, on 1 October 2007, the Minister of Arts and Culture Pallo Jordan responded to calls for his intervention by appointing a new RIM council, particularly to ensure that 'the museum, which comprises both the Island and the Mayibuye archives housed at the University of the Western Cape in Bellville in Cape Town – is accessible to increasing numbers of people and remains iconic for future generations'.¹⁵⁸ In January 2008, the new

¹⁵³ Paul Langa, 'Executive Overview', *Robben Island Annual Report* (2006-2007).

¹⁵⁴ *Robben Island Annual Report* (2006-2007), 'Performance Information', 13.

¹⁵⁵ Shoni Khangala, cited in Helen Bamford, 'Blast from apartheid past for island tourists' (2 September 2006); *Robben Island Museum Business Strategy* (2006-2007).

¹⁵⁶ Helen Bamford, 'Blast from apartheid past for island tourists' (2 September 2006).

¹⁵⁷ Sandile Memela, spokesperson of the Arts and Culture, cited in Helen Bamford, 'State steps in after Cape ferry fiasco', *Mail&Guardian* (6 January 2007).

¹⁵⁸ *Robben Island Museum Annual Report* (2008).

council placed on special leave all three executive managers of RIM: the CEO Paul Langa, CFO Nash Masekwaneng, and COO Denmark Tungwane. In February 2008, the three were suspended on full pay, pending a forensic audit report. In April 2009, Tungwana was cleared by the Commission for Conciliation, Mediation and Arbitration (CCMA), and therefore returned to work. But Langa and Masekwaneng were found guilty of misconduct. Masekwaneng was dismissed, while Langa opted to resign. With another adjustment in the administration, the RIM ship and its world heritage cargo seemed to be sailing again.

Restructuring

RIM had entered into a phase of striving to correct wrongs and play by the rules. The World Heritage Committee had given RIM another 2011 deadline to submit a report on how it had dealt with the instability in the institution. As it would be imagined with the idea of authorised heritage discourse, stability, sustainable conservation and professionalism became the new target. It became apparent to Minister Pallo Jordan and the RIM council that the institution required restructuring, which is what the Minister announced in June 2008. A strategist for that task was sought. And on 25 July 2008, the council appointed Seelan Naidoo as interim CEO. Naidoo was personally introduced to a general staff meeting by the council chairperson Naledi Tsiki. Tsiki hailed Naidoo as a turn-around strategist with vast experience gathered from previous managerial positions at the Market Theatre and the National Arts Council.

Again, a carefully constituted executive and managerial team was considered vital for a world heritage system of compliance and professionalism. The 'new' strategy was to retain certain individuals from the previous MANCO, such as the Senior Marketing Manager Shoni Khangala, while gradually reorganising the CFO and COO positions. Ziyaad Adam remained

acting CFO until September 2008, and was replaced by Jason O'Hara in November 2008, who worked closely with Financial Manager René van Schalkwyk. O'Hara, who later went on to establish a financial services business names Infinity Turnaround Solutions,

was tasked with turning the institution around and taking full responsibility for all financial aspects of RIM. The financial planning and restructuring that Jason implemented enabled RIM to advance from a R16 million loss in 2008 to a profit of R11 million in 2009, a R27 million turnaround in a period of one year. The net asset value of RIM increased from R19 million to R30 million during this period. Additionally, the disclaimer of opinion in the prior year financial statements was successfully removed and the large quantity of audit qualifications were significantly reduced.¹⁵⁹

The organisational structural adjustments also involved coordination of departments and units that Naidoo thought unnecessarily operated in silos.

The Ticket sales unit was incorporated into the Marketing department. The Transport unit was incorporated into the Tours department. The Facilities unit was incorporated into the Heritage department to improve the organization processes and improve on service delivery to internal stakeholders.¹⁶⁰

With such 'expertise' as identified in Naidoo and O'Hara, and such efficacy oriented structural adjustments, RIM seemed a perfect administrative institution for the world heritage in its care. It seemed that RIM would finally be decluttered by operating through an authorised heritage discourse of structure, rules and expertise. Emphasis was on expertise and professionalism. But that too could not hold as this section demonstrates. But, attempts to implement the plans once again plunged RIM into a deep mess.

Naidoo's team was immediately faced with in a number of issues requiring urgent attention. Not only was the ferry service dysfunctional, there were outstanding contracts and salary reviews, and vacancies in positions regarded as crucial, such as Company Secretary and Mayibuye Archives Manager.¹⁶¹ RIM staff members were apprehensive, and were

¹⁵⁹ See Infinity Turnaround Solutions website, <http://www.infinityts.co.za/Infinity/about/> Accessed on 20 May 2017.

¹⁶⁰ *Robben Island Museum Annual Report* (2009).

¹⁶¹ The position of Company Secretary at RIM was responsible for assisting council and the executive office with managing the museum in a highly regulated environment. The Company Secretary explored the legal

expressing their anxieties through corridor talks. There were talks about the council's plans for further audits in different operational areas, and looming dismissals.

The air was rife for a new strategy to revive operations, allay the fears of staff, improve the museum's relations with the EPPs, appease their fears of loss of beneficiation, and above all, do things the right way as far as making world heritage was concerned. But the world heritage conservation issues were mounting too, including an oversized, out of hand rabbit population that posed a threat to the vegetation and museum property. At the same time, the fallow deer and feral cats posed a threat especially to breeding seabirds, and needed an urgent culling strategy. The conservation issues in particular caused a huge national and international panic about the world heritage status.

Naidoo immediately set out to implement a restructuring plan, with the aim of addressing appointments and salary discrepancies, redundancies, and huge financial liabilities.¹⁶² He made detailed and illustrated PowerPoint presentations of his plans to a number of gatherings, including 'general' staff meetings. The essence of Naidoo's 'beginning of a new trajectory'¹⁶³ was outcomes-based kind of approach. With regards to the notion of EPP beneficiation, Naidoo's views were follows:

The museum is on the cusp of a shift from a stakeholder milieu characterised by contested and putative prior ownership claims to one in which collective and thus equal 'ownership' is decisively transferred to the South African citizenry and perhaps even to humanity as a whole. Who 'owns' Robben Island and its ideas and stories is a complex question that needs to be resolved since in many senses it goes to the broader question of who 'owns' the South African Liberation Struggle and what such ownership might mean. These are complex matters but it seems clear to me that we need to move beyond prior claims especially if such claims entail pecuniary expectations.¹⁶⁴

implications and advise accordingly with regard to an array of matters that could include contractual, commercial, corporate, administrative law. See, Nosipho Blacky, 'Organization management challenges of national heritage institutions in South Africa' (2012).

¹⁶² Seelan Naidoo, 'Report of the Chief Executive Officer', *Robben Island Museum Annual Report* (2009).

¹⁶³ A phrase used in Seelan Naidoo's 'Report of the Chief Executive Officer', *Robben Island Museum Annual Report* (2009).

¹⁶⁴ *Robben Island Museum Annual Report* (2008-2009) http://www.robben-island.org.za/files/publications/Annual%20Report%202009/AR_2009_2.pdf, Accessed on 23 June 2016.

Indeed, his administration made no attempts to afford the EPPs any special standing other than that of RIM employees or stakeholders.

With regards to finances, Naidoo recorded a ‘shift from an operating deficit to a surplus of R11million’, which was ‘achieved’ through

an increase of R13m in the parliamentary appropriation,...increased tourism sales, lease income and interest income, the containment of operating costs, improved efficiency in ferry operations, new public transport infrastructure on the Island, a ticket price increase and favourable diesel prices.¹⁶⁵

But what Naidoo proudly reflected was the making of the financial management aspect of heritage world heritage management, and the unmaking of its conservation aspect, especially with the increased traffic on the island and its impact of the environment. Nonetheless, ICOMOS reported positively on this period. The Advisory Body commended RIM on its implementation of the ICMP, ‘in relation to physical conservation and preventative conservation work’.¹⁶⁶ By ‘preventative conservation’ the report referred to, for example the culling of rabbits in 2008. From 1 to 16 November 2008, the island was closed off from the public to allow the culling of rabbits by RIM staff in partnership with veterinary experts from the SPCA, ‘the State Vet’, and volunteers.

As it seemed, RIM had somehow leant the world heritage rules, although without ambiguities. For example, Naidoo’s administration reflected on the culling as another costly project that the previous administration had launched and then suspended due to its high costs.¹⁶⁷ In the *Robben Island Annual Report* of 2009, a ‘positive situation’ such as depicted by Naidoo in the ‘Report of the Chief Executive Officer’ cited above, was presented as the core of the restructuring strategy. It was presented as a simple financial management formula that had made possible ‘necessary expenditure’ such as repairing ferries.

¹⁶⁵ Seelan Naidoo, ‘Report of the Chief Executive Officer’, *Robben Island Museum Annual Report* (2009).

¹⁶⁶ Lazare Eloundou Assomo and Sheridan Burke, *Report on Robben Island*, ICOMOS (March 2011), 8.

¹⁶⁷ John Yeld, ‘Robben Island in crisis’, *Daily News* (30 April 2008),

<http://www.animaladvocates.com/watchdog.pl?md=read:id=11558> Accessed on 18 August 2016.

The restructuring also entailed a new wave of planning and implementing, with a new feature of monthly and quarterly appraisals rather than just reports. While the administration recorded great ‘successes’ and improved service delivery compared to the previous one, it mainly credited itself for completing projects launched in 2005 and 2006. It linked completion of these projects with successful implementation of the ICMP, and therefore credited itself for finally upholding the world heritage standards. Capital works at the MSP, Sobukwe House Complex, the harbour and Jetty One were concluded with grand exhibition launches, and earned RIM positive publicity as an institution entrusted with world heritage. It was a new business strategy of marking progress by the number of finished products, and a complicated strategy of abiding by the rules, albeit temporarily.

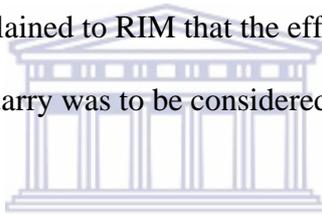
In the same vein, Naidoo’s administration resurrected the project of rehabilitating the Bluestone Quarry, which had been in abeyance for years. In 2001, the museum had conducted interviews with a Reference Group of EPPs, who had worked on the bluestone quarry during their incarceration on Robben Island. The interviews were to solicit their views on how the Stone Wall of the Bluestone Quarry that had been damaged by sea storms could be restored. The EPPs constructed their recommendations along collective memories and experiences made, verified and ‘authenticated’ by collectivised narratives, demonstrations and physical relics of the ‘past’.¹⁶⁸

In 2002, DPW proposed that concrete cubes be placed between the sea and the wall to protect it from a further breach. But in 2004, SAHRA’s ad hoc permit committee rejected DPW’s application, on the basis that it failed to consider issues of authenticity and the significance of the site. Edward Matenga, RIM’s consultant also rejected the proposal by DPW, raising concerns about the durability of the proposed materials, and failure to consider UNESCO’s restoration guidelines. In 2005, SAHRA rejected DPW’s revised plans on the

¹⁶⁸ Mwayi Lusaka, ‘Conserving Spaces of Memory and Heritage: The Complexities, Challenges and Politics of the Stone Wall Project on Bluestone Quarry at Robben Island’, Master’s Thesis, University of the Western Cape (November 2015).

grounds that no permanent stabilisation techniques were included in the plans. And in 2006, SAHRA recommended that the collapsed wall be rebuilt by means of a symbolic repacking of stones by EPPs. This was not carried out, instead the project was abandoned.

Naidoo's administration resurrected the project by developing and submitting to SAHRA a permit application to rebuild the wall according to SAHRA's recommendations. This was submitted together with Conservation Management Plans, engineers' proposals, and heritage impact assessments specific to the Bluestone Quarry. The Built Environment and Landscape Committee of SAHRA evaluated the application on 14 April 2009. It 'questioned the engineering proposals, and recommended 'that a series of underwater wave energy breakers should be considered in contrast to the more visual and intrusive elements proposed'.¹⁶⁹ It was also later explained to RIM that the effect of the rehabilitation work on the surrounds of the Bluestone Quarry was to be considered in accordance with the principles outlined in the RIM ICMP.¹⁷⁰



With the resurrected project, RIM was certainly correcting the wrongs by playing by the rules. But with the intricacies of heritage-making, that too was one of many continuities and discontinuities. Naidoo lasted less than a year in office. During the transition to a new administration, the project, and all the attempts to follow protocols were once again abandoned. The project only regained momentum under a new administration in 2013, through a decision to assign the implementation of SAHRA's recommendations to Ad Astra Festina and Ron Viney construction group. Thus, the project was another example of RIM's messy making and unmaking of world heritage in the sense that the 'learning the rules' was soon revised through a new administrative style. The interruption was another indicator of a complicated heritage practice characterised by rules, plans and implementations, coalesced

¹⁶⁹ Ad Astra Festina and Ron Viney, 'RIM BSQ SAHRA Assessment' (8 January 2013) <http://www.sahra.org.za/sahris/sites/default/files/additionaldocs/2013-01-01%20ASSESSMENT%20OF%20PREVIOUS%20SAHRA%20DECISIONS.pdf> Accessed on 12 August 2016.

¹⁷⁰ Letter: Ad Astra Festina and Ron Viney to Robben Island Museum (20 April 2009), cited in Ad Astra Festina and Ron Viney, 'RIM BSQ SAHRA Assessment' (8 January 2013).

with interceptions and discontinuities. And, the Bluestone Quarry project was another indicator that, even with the experts being called in to save the ship, the Robben Island project was certainly not part of an authorised heritage discourse, as this thesis has argued with regards to other post-apartheid heritage projects. Their strategies and operations developed and metamorphosed in very complicated ways.

But what complicated the Robben Island project most between 2008 and 2009, and saw the end of Naidoo's administration, was a programme that became commonly known to staff as restructuring. As part of the turnaround strategy, Naidoo's administration put on hold all permanent employments, except for positions considered crucial, such as the Company Secretary and Mayibuye Archives Manager. Expired staff contracts were not renewed. But one interesting new position created was of Chief Heritage Manager, to which Sibongile Van Damme was appointed.¹⁷¹

Van Damme managed a project aimed at 'refocusing' RIM to heritage as the core business. The project soon adopted an approach of restructuring the composition and core functions of departments and units. Van Damme conducted a skills audit and verification of staff competence, which involved one-on-one interviews with staff. As a RIM staff member I also was interviewed by Van Damme in her office on the island. In her, RIM had since shifted from its core business, and needed to be trimmed of superfluous occupation such as offering training programmes, as if it was an academic institution.¹⁷² At some point, staff members were asked to present their qualifications to a skills audit team overseen by Van Damme. The exercise agitated staff, leading to revival of corridor talks about looming retrenchments.

In general, Naidoo's restructuring strategy, especially the skills audit coupled with budget cuts, the 'freezing' of posts, and the holdup on new recruitments, were not well received by staff. A group of staff mobilised under the banner of National Education, Health

¹⁷¹ Sibongile Van Damme was the former People and Conservation Manager with SANParks and Director of Heritage with the National Department of Arts and Culture.

¹⁷² Personal communication with Sibongile Van Damme, November 2008.

and Allied Workers Union (NEHAWU) began calling for suspension of the restructuring programme, and Naidoo.¹⁷³ In May 2009 the expression of dissatisfaction by staff intensified into a protest action. For a week, staff operations at the world heritage site were on hold, as the protesting staff would not call the protest off until the ‘restructuring’ was called off. But in Naidoo’s opinion, without restructuring RIM would plunge back into the situation he ‘rescued’ or even worse.¹⁷⁴ RIM once again caught the attention of government, the World Heritage Committee, and local and international media, as scores of tourists vocalised their frustration with the dysfunctional world heritage site.¹⁷⁵ In such internal and external pressure, Naidoo and the entire council resigned their positions on 26 May 2009.¹⁷⁶

The Minister of Arts and Culture Lulu Xingwana urgently intervened and delegated DAC Deputy Director General Vusi Ndima to step in as caretaker CEO on 9 June 2009. On the same day, Minister Xingwana visited Robben Island and ‘interacted with staff, informing them of these developments and gave her assurances that she would fast track the appointment of the new council and the new CEO’.¹⁷⁷ Meanwhile, Henry Jatti Bredekamp, the Director of the Southern Museum Flagship named Iziko Museums, had agreed to replace Ndima as caretaker CEO, and take over Ndima’s specific task to ‘bring greater stability to the day to day running of the Robben Island Museum and work closely with senior management and the rest of the staff.’¹⁷⁸ The process of appointing a CEO took longer than the minister had anticipated, such that Bredekamp’s initial three months’ contract was later extended to six months, and extended again to March 2010.

¹⁷³ Bronwynne Jooste ‘Island workers call for boss's head’, *IOL News* (19 May 2009); Bronwynne Jooste, ‘Robben Island needs your help’ *IOL News* (22 May 2009); Natasha Joseph, Robben Island talks with union still under way’, *Cape Times*, 21 May 2009.

¹⁷⁴ Bronwynne Jooste ‘Island workers call for boss's head’ (19 May 2009).

¹⁷⁵ See, Glynnis Underhill, ‘Robben Island's turmoil’, *Mail&Guardian* (4 October 2009).

¹⁷⁶ Naidoo continued to receive his full salary package until his contract came to an end in January 2010. See, Robben Island Museum, *Human Resources Management Report* (2009).

¹⁷⁷ Department of Arts and Culture, Media Statement, ‘Minister of Arts and Culture announces the interim CEO of the Robben Island Museum’ (10 June 2009), <http://www.gov.za/minister-arts-and-culture-announces-interim-ceo-robben-island-museum> Accessed on 23 July 2016.

¹⁷⁸ Department of Arts and Culture, Media Statement, ‘Minister of Arts and Culture announces’ (2009).

In his term Bredekamp was tabled with a number of pressing personnel issues. From July 2009, he entered a protracted wage increase bargaining with staff, most of who were represented by NEHAWU. A settlement reached in October 2009, saw implementation of a salary increase of R1 500 across the board, a R200 increase in medical allowance, and a R200 increase in housing subsidy, all of which were backdated to July 2009.¹⁷⁹ But Bredekamp's brief administration also had conservation issues to solve. Concerned that 'the island, a world heritage site, was heading for "environmental disaster"', Bredekamp authorised another culling of thousands of rabbits and 175 fallow deer, between October and November 2009.¹⁸⁰ But by the time Bredekamp's contract ended in March 2010, just a fraction of the administrative instability and conservation issues threatening Robben Island's world heritage status had been hastily assuaged.

The institution was still without a council and CEO to replace Bredekamp. In March 2010, Minister Xingwana appointed a new council chaired by Thandi Modise, a former member of the very first council of RIM. But between March and October 2010, RIM was without a CEO, and was run by 'Working Committees' formed to oversee the operations. It was only in November 2010 that Sibongiseni Mkhize, a historian and former CEO of the Market Theatre, was appointed to the position of RIM CEO. The delay again counted against RIM's world heritage making, and was noted by the 2011 ICOMOS mission to Robben Island as another 'significant period of instability'.¹⁸¹ Again, stability, conservation and professionalism became RIM's task at hand.

Like the previous administrations, Mkhize's administration too had to deal with issues related to ferry services, maintaining the balance of the natural environment, and keeping up

¹⁷⁹ Robben Island Museum, *Human Resources Management Report* (2009).

¹⁸⁰ Ben Macleannan, 'Clean kills in rabbit cull on Robben Island', *Mail&Guardian* (05 February 2010) <http://mg.co.za/article/2010-02-05-clean-kills-in-rabbit-cull-on-robben-island> Accessed on 18 August 2016.

¹⁸¹ Lazare Eloundou Assomo and Sheridan Burke, *Report on Robben Island*, (2011), 15.

with growing numbers of visitors and demands placed on facilities.¹⁸² Mkhize was said to have encountered ‘an institution that was suffering from all kinds of challenges’.¹⁸³ The immediate task was to devise strategies to undo bad publicity, address financial issues and refocus the institution on heritage as the core function. It was reported in the press that Mkhize brought to RIM a new determination aimed at,

Recruiting, retaining and developing the best talent; acquiring and utilizing the best operational resources; responsible conservation and maintenance of the World Heritage Property; healthy stakeholder relations; enhanced marketing and public relations; delivering transformational experiences to all visitors; and high quality intellectual input in research, interpretation and representation to enhance the narrative.¹⁸⁴

Again, there was an organisational restructuring that saw for example, replacement of the COO position with a new executive position of Chief Heritage Officer (CHO), as well as strict financial controls that undid some of the bad publicity incurred in the previous years.

RIM was last on the agenda of the World Heritage Committee sessions in 2011, with the adoption of its Retrospective Statement of Outstanding Universal Value, which was adopted without query. Locally, RIM had since 2005 kept its MoU with SAHRA in place. In 2015, ‘independent adjudicators of a nomination process’ found Robben Island Museum, of all eight world heritage sites in South Africa, suitable of receiving two National Heritage Council Golden Shield Awards. One was for World Heritage Site of the Year, and another for Favourite World Heritage Site. While the awards seemed a bit absurd at a yet uncertain stage of RIM’s efforts to disentangle itself, the NHC saw the institution as finally doing certain things right with regards to making world heritage. The awards manifested a common assessment of heritage practice on the grounds of compliance, which as this thesis has

¹⁸² Parliamentary Portfolio Committee on Arts and Culture, *Meeting Summary: Robben Island 2009/10 Annual Report* (9 August 2011), <https://pmg.org.za/committee-meeting/13191/> Accessed on 18 August 2016.

¹⁸³ Jan Cronje, ‘Reimagining Robben Island’, *Weekend Argus* (25 April 2015).

¹⁸⁴ ‘Mkhize has finger on Robben Island’s pulse’ (1 October 2011) https://www.google.co.za/?gfe_rd=cr&ei=YUpAVvLqL4ip8weMhbu4Aw&gws_rd=ssl#q=Sibongiseni+Mkhize+appointed+as Accessed on 23 April 2015.

demonstrated, informed assumptions that post-apartheid heritage projects were simple part of AHD.

But RIM had been and was a complex institution. Amid all the making of heritage there was an unmaking of, if not the same heritage, something else tied to it. Firstly, Odendaal's making of improvised facilities, collections, exhibitions, staff component, tours, museum communities, and stakeholders, unmade conservation, and national and world heritage standing, as well as other museum communities and other stakeholders. Secondly, Langa's expert-driven conservation and beneficiary/stakeholder empire making, still unmade certain aspects of conservation, and national and world heritage standing. Thirdly, Naidoo's restructuring and service delivery, unmade beneficitation, staffing and certain museum communities. All these counted for and against the world heritage making intermittently.

From 1999 to 2009, Robben Island Museum had six appointments for the CEO, caretaker CEO or interim CEO positions (Odendaal, Langa and Martins, Langa, Naidoo, Ndima, Bredenkamp); four appointments for CFO or interim CFO positions (Maart, Masekwaneng, Adam, O'Hara); and three museum councils (1997, 1998-2006, 2007-2009). Each of the appointments introduced its own changes and trajectories into the broader scheme of making Robben Island a world heritage site. Although I trace this world heritage-making through administrations, directors and their strategies, it is imperative to note that positions, expertise or power were not all that determined RIM's presents and temporal trajectories, but intersections of a number of factors. In fact, even those intricate networks of knowledge, expertise, meanings, memories, approaches and concepts of heritage, conservation, tourism, ownership and beneficitation, did not map out any singular trajectories. Instead, there were back and forth moments of constructing and undoing. Many of these mutated between counting as drawbacks, with regards to world heritage, and as perks.

The multiplicity and overlap of pieces of legislation, competing authorities, and protocols and reporting mechanisms that RIM had to comply with seemed like an authorised heritage discourse. And certainly, these brought together various ‘expertise’ into the development of the *Robben Island Nomination File*.¹⁸⁵ But their traversing was intricate and sometimes worked counter-productively of world heritage when all ‘parties’ had to be appeased with regards to conservation planning and implementation, which happened to be so intertwined with world heritage declaration or listing.

It is also important to note that the seemingly authoritative government departments, heritage authorities and monitoring bodies were not solid structures from which power and authorised and authorising knowledge was deployed. They too were fluid and had their knowledge forms, concepts and approaches intercepted at different moments in the broader local and global arenas of public knowledge-making. For instance, drawing and keeping SAHRA and DPW into the world heritage project surrounding Robben Island through memoranda, enmeshed them in a wider web of complex knowledge and conservation domains. DPW’s scope at RIM involved effecting upgrades to the previous deteriorating infrastructures left behind by the Department of Correctional Services, providing structural and landscape maintenance for residents, staff and an increasing number of tourists, and generating power to supply the Island. Pressure was high, as infrastructural upgrades were due by the very first year of the launch of the site, power supply was at a generator-fuel cost

¹⁸⁵ The overlapping legislations included: World Heritage Convention of 1972; World Heritage Operation Guidelines revised in 2002; South African Constitution 108 of 1996; Cultural Institutions Act (Act No. 119 of 1998); Cultural Promotion Act (Act No. 35 of 1983); National Heritage Resources Act (Act No. 25 of 1999); World Heritage Convention Act of South Africa (Act No. 49 of 1999); Public Finance Management Act (Act No. 1 of 1999); Environmental Conservation Act (Act No. 73 of 1989); National Environmental Management Act (Act No. 107 of 1998); National Environmental Management Act: Protected Areas (Act No. 57 of 2003); National Environmental Management: Biodiversity Act (Act No. 10 of 2004); National Archives of South Africa Act (Act No. 43 of 1996); Marine Living Resources Act (Act No. 18 of 1998); Maritime Zones Act (Act No. 15 of 1994); Conservation of Agricultural Resources Act (Act No. 43 of 1983); Sea Shore Act (Act No. 21 of 1935); National Veld and Forest Fire Act (Act No. 101 of 1998); National Water Act (Act No. 36 of 1998); Wreck and Salvage Act (Act No. 94 of 1996); Sea Birds and Seals Protection Act (Act No. 46 of 1973); Western Cape Planning and Development Act (1999); Western Cape Culture Promotion Act of 1983; Municipal By-Laws and Provincial legislation; and Nature and Environmental Ordinance 19 of 1974; Disaster Management Act (Act No. 57 of 2002); Dumping at Sea Control Act (Act No. 73 of 1980). See also, http://www.robben-island.org.za/files/publications/.../icmp_chapt6.pdf Accessed on 23 November 2016.

of more than R8 million per annum; and that the island's bore hole water was brackish, causing a number of geyser bursts.¹⁸⁶

Interpreting the RIM project

With the multi-departmental and multi-institutional work as the background of Robben Island's nomination and inscription, making Robben Island a world heritage site seemingly typified a concept of heritage as construed more around performers and their 'experiences' and knowledge, and less around the physical 'relics' and the many layers of meanings and possibilities that the space could offer.

For example, Carolyn Strange et al. situate the Robben Island project within government-sanctioned 'nation-building' schemes appended to the work of the TRC.

Since Robben Island had played a central role in the legacy and ultimate collapse of apartheid, there was little question in government circles that Robben Island was an apt symbol of hope and reconciliation.¹⁸⁷

Indeed, the TRC was concluded with recommendations for a 're-framing and further development of our history' to achieve unity and reconciliation'.¹⁸⁸ The 're-framing of history' potentially enabled a master narrative, since for example 'departing from 'the triumph narrative would have felt like betraying South Africa', as Harriet Deacon recalls concerning RIM.¹⁸⁹ And indeed, RIM reproduced and promoted a great deal of the master narratives of the struggle, triumph of human spirit against evil forces, liberation at last, and unity in diversity, which might be simplistically read as dominant ideologies.

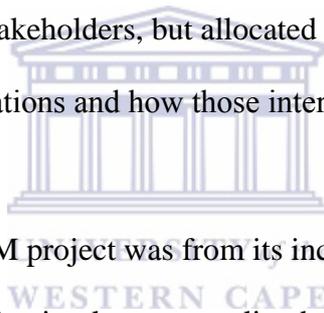
¹⁸⁶ Parliamentary Portfolio Committee on Arts and Culture, *Meeting Report: Robben Island*

¹⁸⁷ Carolyn Strange and Michael Kempa, 'Shades of Dark Tourism' (2003), 394; Patricia Davison, 'Museums and the re-shaping of memory', 191.

¹⁸⁸ *Truth and Reconciliation Commission of South Africa Report*, Volume 5 (29 October 1998), 443.

¹⁸⁹ Harriet Deacon, 'Memory and History at Robben Island', paper presented at Memory and History Conference, University of Cape Town (2000), cited in Carolyn Strange and Michael Kempa, 'Shades of Dark Tourism', 400.

But this chapter has demonstrated the improbability of pin-pointing palpable and sustained hegemonic manifestations in the ‘project’ of making Robben Island a world heritage site. The Robben Island world heritage ‘project’ perfectly fits the central argument of this work, that post-apartheid public history and heritage-making was more complex to simple hinge on an idea of a simple discourse. The rapidity of the ‘transition from apartheid to democracy’ on its own ruled out neat configurations of knowledges and memories. Instead, it presented opportunities for intersections of diverse interests and meanings over interpretive projects like RIM. Many stakeholders and interest groups went beyond making submissions to the Future of Robben Island Committee, and operated as private appendages of the RIM project for commercial and social gains.¹⁹⁰ Therefore, RIM’s annual reports not only acknowledged contributions by stakeholders, but allocated portions of the reports to brief discussions of stakeholders’ operations and how those intersected or merged with RIM’s mission and vision.¹⁹¹



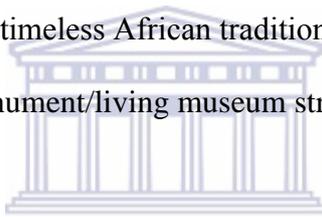
Furthermore, since the RIM project was from its inception about making world heritage, it could be productive of a simple or streamlined discourse authorised by those who supposedly produced or ‘experienced’ the value on promotion, but I have argued that it was not. I have shown that on the contrary, making Robben Island a world heritage site extended the bureaucratic entanglements with knowledge production even further. The project was on its inscription already a nexus of multiple ministries or agencies, disciplines, practices, approaches, knowledges and meanings. As mentioned earlier, what seemed to be a streamlined ‘outstanding universal significance’ accorded to the site was a work-in-progress of a number of departments, agents and bodies. In fact, when the work-in-progress seemed to

¹⁹⁰ Besides numerous private commercial tour operators who transferred scores of tourists between Robben Island and the mainland regularly, there were environmentalists, nature conservation, and animal welfare bodies like Cape Nature and Cape Town SPCA and Earth Watch, who monitored aviation and fauna on the island. RIM also had a number of contractors and consultants for services including ferrying, cleaning, restoration and renovation, and security, who also brought diverse interests and approaches into the project.

¹⁹¹ For example, *Robben Island Annual Report* (2006-2007).

have come to a completion through the first ICMP, it too proved to be ‘un-implementable’, partly due to the lack of MoUs and conflicting roles and interests between RIM and SAHRA, and RIM and government departments like DPW.

It is also worth highlighting that, the ‘living tradition of triumph of the human spirit over adversity’ that Robben island was inscribed for under criterion vi, was not recognised independently of the space in which ‘hardship’ was supposedly endured. Based on criterion iii, the site was also inscribed for its buildings considered as bearing ‘eloquent witness to its sombre history’.¹⁹² Therefore, the project could not neatly fit into the categories imagined by the split of the ‘national heritage bill’ to allocate SAHRA the banal materials largely ‘inherited from the previous colonial regimes’, and allocate NHC the ‘living’ practices, values and symbolisms based on ‘timeless African traditions’. As a result, it took a while for SAHRA to figure its role in a monument/living museum struggling to balance practice and preservation.¹⁹³



Besides, inscription did not turn making Robben Island a world heritage site into a performers-oriented practice. Making world heritage was a more complex metacultural discursive practice. It involved merging people and their knowledge, ideas and values with physical environment, events with things, tangibility with intangibility, historicity with culturality, and pasts with presents. On Robben Island, the works of academics, archivist, heritage practitioners, artists, environmentalists and conservationists such as Andre Odendaal, Gerald Corsane, Harriet Deacon, Noel Solani and such as Jaunita Pastor-Makhurane and their concepts and practices, intersected with the beliefs, ideas, practices and performances of politicians such as EPPs and those in the cabinet, and the heritage conservation standards, expectations, monitoring and periodic reporting demands of SAHRA, DAC, DEAT, the

¹⁹² *World Heritage Committee Report of the 23rd Session, Marrakesh Morocco* (29 November – 4 December 1999), <http://whc.unesco.org/archive/repcom99.htm#916> Accessed on 12 April 2016.

¹⁹³ A *Memorandum of Understanding* between RIM and SAHRA for collaboration in the site’s conservation management was only concluded in 2005. I discuss this in detail in the next sections, under ‘Phase II’.

Advisory bodies and the World Heritage Committee.¹⁹⁴ Among those, no agency, group of experts or EPPs could simply assume custodianship or control over Robben Island's materials and symbolism, or simply disseminate a value taken as a finished product, without participating as agents of a vigorous production of the site and its meanings. While the 'triumph tradition' for which Robben Island was inscribed appeared packaged and dispensable, it was yet subject to further production and reproduction under metacultural circumstances.

As Kirshenblatt-Gimblett explains, by getting on the List (World Heritage List), a habitus or items are drawn into cultural phenomena where they are bequeathed to humanity, which is a new context of right to an assert. In this case, Robben Island was being produced not as an asset of a few but for ownership and enjoyment by a global citizenry. Kirshenblatt-Gimblett explains humanity and the process of asserting rights to world heritage as follows:

Once cultural assets become world heritage, a shift occurs in the relation of heritage to its new beneficiary, that is, to humanity. First, humanity is not a collective in the way that heritage-producing communities are. Second, neither humanity as a whole, nor the individuals who constitute humanity, carry, bear, or transmit the heritage of humanity, let alone create and/or reproduce it. If and when they do, issues of appropriation and exploitation arise. Third, any rights one might assert to the heritage of humanity are first and foremost rights of access, consumption, and, in a general but not legal sense, inheritance.¹⁹⁵

Actually, on becoming world heritage (even before it was national heritage) RIM's concepts of communities and beneficiaries were ambiguous. The concept of local communities as it appeared in RIM's first management plans, alongside plans to promote participation by communities, was without qualification. In the *Robben Island Nomination File* prepared in

¹⁹⁴ Many brought into the project ideas and approaches from their previous associations. For example, Andre Odendaal, the former Director of the Mayibuye Centre, who was RIM Director until 2002; Gerald Corsane, the former member of the Education Executive Committee of the South African Museums Association (SAMA), who coordinated Robben Island Training Programmes until 1999; and Lionel Davis the former member of Cape Arts Project and co-founder of Community Arts Project, who coordinated RIM's Education Programmes until 2006. Juanita Pastor-Makhurane was RIM's Heritage Resources and Environmental Manager from 1997 to 2002. Noel Solani, a former UWC History, Museum and Heritage Studies student, was RIM's researcher from 1997 to 2003.

¹⁹⁵ Barbara Kirshenblatt-Gimblett, 'World Heritage and Cultural Economics' (2008).

1997, the concept was not used to refer to any identifiable, existing or envisaged specific group of people but loosely applied to general beneficiaries of heritage projects.¹⁹⁶

Furthermore, in the first *Integrated Conservation Management Plan* completed in 2007, no palpable differentiation was made between a ‘local community’, whose economic well-being Robben Island sought to improve, and an ‘international’ or ‘global community’ that Robben Island sought to inspire.¹⁹⁷ Thus, although RIM entered into a production of opening the site and its collections to collective creation and beneficiation, the way each of the participating ‘communities’ held Robben ‘in common’ remained open-ended.

Indeed, there were obvious performances of power that made Brett Seymour to allude that imprisonment on Robben Island, as an exercise of disciplinary power, produced ‘carefully structured and controlled’ experiences, which caused the prisoners to develop means of coping such as knowledge acquisition, resistance and a sense of pride. Seymour intimated that such ‘experiences’ were translated into a single emotion-packed rhetoric of triumph over evil. He also considers tensions caused by differences in meanings generated internally by staff especially former political prisoners, messages generated externally at the level of UNESCO, and those generated politically and commercially. According to Seymour, there seems to be a ‘real meaning of Robben Island’, an intangible value that got lost with the branding of Robben Island and with the encapsulation of what could have been a complex set of meanings.¹⁹⁸

A similar observation was earlier made by Harry Garuba, that is was unlikely that Robben Island’s tour guiding EPPs, with their dispersed individual memories, experiences and stories, could escape producing a hegemonic, homogenised post-apartheid discourse.

¹⁹⁶In the *Robben Island Nomination File* prepared in 1997, the phrase was not used to refer to any existing or envisaged group of people either.

¹⁹⁷ See, Robben Island Integrated Conservation Management Plan (ICMP) 2007-1015.

¹⁹⁸ Brett Seymour, ‘Robben Island Histories, identities and futures: The past, present and Future meaning of place’, Honours Thesis, University of Sidney (2012).

According to Garuba, the tour narratives, together with the questions asked by tourists, were all drawn from a prevailing dominant nationalist discourses.¹⁹⁹

But how the above became manifested in RIM was far more complex. Robben Island as a world heritage site underwent a series of making and remaking. During each phase, prison experiences and memories were negotiated into tour narratives, which although scripted, remained open to variations along with changing contexts. While narratives might have appeared fixed to some homogenised discourse at some stage as Garuba reckoned, role players in the making of RIM changed over time, and operated within different contexts. So too were the EPPs and visitors, whose interests at given times had an impact on specific RIM trajectories and vice versa. Besides, Robben Island was a highly contested site for the many layers of historical meanings and a variety of potential futures it represented.

For example, Corsane reflects on careful consultations and negotiations that the interim authority had to undertake, as the power equilibrium was constantly threatened.²⁰⁰ Yet that did not deter divergence and the pushing of individual or groups' agendas. Solani also sketches the entire Memories Project as one that had a format, a questionnaire and something called 'a standard interview', but significant challenges such as limited time for researchers.²⁰¹ All that RIM researchers hoped to achieve was 'give voice, recover and create an archive'.²⁰²

However, with the dynamics of memory, some memories and narratives were either 'unreached' or subjugated. Nolubabalo Tongo corroborates that through the Reference Groups component of the Memories Project RIM sought 'to develop an integrated visitor experience in the prison precinct using the personal/collective memories of prisoners and

¹⁹⁹ Harry Garuba, 'A Second Life: Museums, Mimesis, and the Narratives of the Tour Guides of Robben Island', Noëleen Murray, Nick Shepherd and Martin Hall (eds), *Desire Lines: Space, memory and identity in the post-apartheid city* (London: Routledge, 2007).

²⁰⁰ Gerald Corsane, p 406.

²⁰¹ Noel Solani, 'Memory and Representation', 31-32.

²⁰² Noel Solani, 'Memory and Representation', 34.

their spiritual resilience.’²⁰³ The groups became forms of ‘communities’ trusted for valuable inputs in memory-making and conservation management processes. But RIM had unanticipated challenges related to communication, group dynamics and management, depth of interviews, tour durations, counselling, and intellectual property and use agreements.²⁰⁴ Some invited EPPs refused to participate, while some participated with reservations for reasons ranging from past trauma, and mistrust of other participants and the whole project and its goals. Thus, the process and results of what would have been a simple recovery and redress project was riddled with glitches, contestations and counter-narratives.

Some scholars later interpreted the Memories Project as seeking to show contradictions to the master narrative generated by the main exhibition, which thus far told ‘Robben Island’s history’ in a time-line, as well as the tour narratives.²⁰⁵ According to Rassool ‘it was significant that this critical engagement emanated from within an institution which itself constructed the hegemonic discourse of heroic leadership.’²⁰⁶ Solani further explicates this critical engagement as he follows it through its different stages, from ‘collection’ to translating, transcribing, editing, interpretation and exhibition. Solani and Rassool’s observations not only highlight politics of collecting voices, but they highlight nuances in the ‘sets of relations through which power was exercised and related to – and, in part, through and by’, RIM researchers and EPPs, the EPPs and the curators, and the curators and the ‘universal public’.²⁰⁷

It is also worth noting that the ex-political prisoners involved in RIM projects not only differed in occupations, but had diverse political views and therefore diverse articulations of South Africa’s political way-forward. For example, those associated with the ANC perceived

²⁰³ Nolubabalo Tongo, ‘The use of ex-political prisoners’ reference groups as a research method for conserving the intangible/tangible significance of Robben Island Maximum Security Prison (a case study), *Historic Environment*, 19:2 (2006).

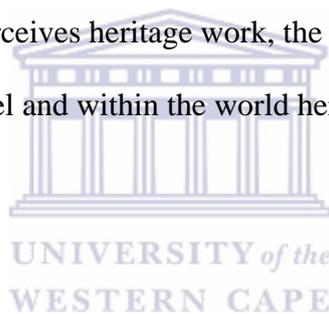
²⁰⁴ Nolubabalo Tongo, ‘The use of ex-political prisoners’ reference groups’.

²⁰⁵ Carolyn Strange and Kempa Michael, ‘Shades of Dark Tourism’ (2003), 396.

²⁰⁶ Ciraj Rassool, ‘The Individual, Auto/biography and History in South Africa’, 270.

²⁰⁷ Tony Bennet, ‘The Exhibitionary Complex’ (1988).

‘the struggle’ as over and celebrated freedom, whereas those with the BCM and AZAPO thought freedom was not won.²⁰⁸ And such perceptions were not constant but were influenced by changing socio-political currents. Besides, prison experiences and memories were constantly in the making and commuted between being collectivised and kept individual. And, so were the visitors’ interests, as well as interests of other stakeholders and interest groups, which also kept open avenues to explore the space beyond or away from scripted narratives. Such were the open-ended outcomes of the ‘project’ of making Robben Island a world heritage site. Even at the stage of ‘learning the rules’ Robben Island remained a work-in-progress and an embodiment of disjointedness. Instead of working a linearity and connectedness in authorising and fixing identities, intangibilities, memories, and performances as Smith argues perceives heritage work, the project presented a constant destabilisation of these at site level and within the world heritage sphere.



²⁰⁸ See, Fran Lisa Buntman, *Robben Island and Prisoner Resistance to Apartheid* (New York: Cambridge University Press, 2003)

CONCLUSION

This thesis arose out of my first close reading of Laurajane Smith's *Uses of Heritage* in 2011. I was bothered by the notion that a dominant Western heritage discourse was endemic in heritage practices around the world, which worked to privilege, naturalise and legitimise dominant experiences, narratives and values of the elite.¹ Smith defined heritage-making as a cultural process through which meanings were negotiated, and that heritage was framed by many competing discourses, yet this particular dominant discourse, the authorised heritage discourse, gave meanings to narratives that made specific cultures, classes, ethnicities, and nations and made heritage (all of which is intangible) tangible. She defined this as a discourse of expertise, and that an un-authorised heritage discourse could arise from 'below' and exist outside the discourse of expertise. I came across Smith's work just as I was stumbling into critical heritage scholarship, with mindset completely distant from Smith's assertions. I had worked for Robben Island Museum, a national and world heritage institution, and had been curious about the work of other national heritage institutions in South Africa. I could not imagine the complicated practice I had been part of, collapsing into an authorised heritage discourse.

Indeed, the government legislated heritage and set up institutions to regulate it, which then employed professionals and hired consultants to produce heritage, with, on behalf of, and through the publics. And indeed, some of the work undermined or constrained alternative views as Smith would concur, such that there were a number of initiatives emerging outside of the 'official' heritage practice. But the processes in which knowledge, meanings, and representations were produced, reproduced and negotiated were far more complex, than

¹ Laurajane Smith, *Uses of Heritage* (2006).

simple and neat dichotomies of authorised versus unauthorised heritage, or official versus unofficial heritage.

I was also bothered by how scholars like Chris J. Van Vuuren, Tony King and Kate M. Flynn had begun applying the concept of AHD in their analyses of post-apartheid heritage, without much critical engagement with the concept.² Their use of the term AHD in analysing the constructions of post-apartheid heritage projects, drew a great deal from Smith's discourse analysis. But Smith's methodology was a linguistics kind of discourse analysis. It distanced itself from the Foucauldian discourse analysis that I was becoming accustomed with through critical heritage studies at the University of the Western Cape. While critical heritage scholars like Sabine Marschall avoided the concept of AHD, they still made inklings to a hegemonic, authorised, officialised discourse producing post-apartheid public monumentalisation.³ With discussions centred on the idea of dominant ideology, Marschall insinuated a clear-cut distinction between the 'official' and the 'vernacular', which then cast doubt in any constructive engagement with the heritage practice of contrasts and contradictions.

But I thought the heritage domain could be taken seriously and engaged with, first of all as complex, complicated or intricate in its transactions. Secondly, it could be taken seriously as a network or 'an assemblage of arenas and activities' of public history and heritage-making'.⁴ The heritage-making processes I had been part of, were regulated. Yet they were not constrained in single, streamlined discourses. Instead, they involved complicated criss-crossing deployments and negotiations of knowledge and power between 'officials' and/or 'experts' and 'other' individuals and 'interest groups'. In fact, there was no distinct heritage approach and language that could be identified as the discourse of the

² Chris J. Van Vuuren, 'The intricacy of intangible cultural heritage' (2008); Tony King and Kate M. Flynn, 'Heritage and the post-apartheid city' (2012).

³ Sabine Marschall, *Landscape of Memory* (2010).

⁴ Ciraj Rassool, 'The Rise of Heritage' (2000).

experts. My experiences in the heritage sector resonated with the insights that public historians and heritage practitioners like Leslie Witz, Ciraj Rassool, Henry Bredekamp and Patricia Davison had shared.⁵ Since these looked beyond the contestations epitomising the heritage practice, into the intricacies of the fluctuating making and unmaking of powers and knowledges, their work unsettled the ideas of a neatly dichotomised heritage practice. Such scholarship resonated with my experiences and growing interest in these complexities.

I therefore set out to investigate how post-apartheid heritage was made, from plans to products. The central question of this study was whether or not the flourishing heritage activity in South Africa could be seen as merely producing an authorised heritage discourse. I focused on the processes through which different heritage disciplines, practices, and approaches generated heritage knowledges, meanings, narratives and representations. I analysed post-apartheid heritage legislation, structures of heritage governance and the operations of heritage institutions. The research involved an ethnographic study of agencies, national museums, national heritage sites and world heritage sites established after 1994.

My analysis of post-apartheid heritage legislation focused beyond the scopes, frameworks and roles designed to enable different institutions to make heritage. Two pieces of legislation gave birth to what seems like distinct pillars of heritage governance. The *National Heritage Resources Act*, Act No. 25 of 1999 (NHRA) established the South African Heritage Resources Agency (SAHRA), to make heritage by identifying, declaring and managing conservation of ‘something’ called the national estate. The *National Heritage Council Act*, Act No. 11 of 1999 established the National Heritage Council (NHC) to ‘develop, promote and protect the national heritage for present and future generations’.⁶

Through the new legislation, heritage became this broad category that incorporated a

⁵ Patricia Davison, ‘Museums and the Reshaping of Memory’ (1998); Patricia Davison, ‘Typecast: Representations of the Bushmen’ (2001); Leslie Witz, ‘Transforming Museums of Postapartheid Tourist Routes’ (2006); Ciraj Rassool, ‘Community museums, Memory Politics and Social Transformation in South Africa’ (2006).

⁶ *National Heritage Council Act*, No. 11 (1999).

range of tangible and intangible, and movable and immovable ‘things’ called heritage resources, cultural heritage or national estate interchangeably. NHRA was elaborate in defining concepts like national estate, and detailing in separate sections what each item of the national estate entailed. Indeed, post-apartheid heritage practice seemed prescriptive to even outline what constituted non-compliance or offence, and liability to penalties, fines or imprisonment in relation to national heritage. It determined the running of heritage institutions under the guidance of councils and direction of Chief Executive Officers (CEOs), each with set functions, roles and responsibilities.

Yet even with such seemingly careful designation of frameworks and roles between the agency and council, and their designated role players, heritage-making was not a simple matter of roles and authority. ‘Experts’ and ‘non-experts’ operating within, with, through and outside the two institutions generated and communicated knowledges and meanings in complicated ways. While there seemed to be a co-existence of an ‘official’ discourse parallel to ‘alternative’ discourses, knowledges and meanings intersected such that there was no ‘official’ without the ‘vernacular’ and vice versa.

In fact, it was a conjoining or co-presence with no lines of distinction of one from the other. Besides, roles were duplicated, ambiguous, contradictory, and significantly overlapped. Thus, as far as operations were concerned, this work found no single core of deployment of authority, but intermittent moments of assertiveness and ‘progress’, confusion and stagnation, and making and unmaking of heritage. With the SAHRA complexities are even more pronounced, especially with the numerous lawsuits resulting in not only *mis*-implementation of policy, but intersecting interests, knowledges, meanings, practices and approaches between the so called experts, practitioners and ‘other interest’ individuals and groups.

This study argues that, while the SAHRA and the NHC can be imagined to have different scopes and mandates, and distinct lines of authority and operations, their works

intricately overlapped and are intertwined with heritage productions occurring in other arenas of public culture making. This study therefore locates the two institutions within and around a large assemblage of things, places, disciplines, approaches and practices, within which multiple meanings of heritage, living heritage, culture, national estate, were generated and negotiated. This study also argues that, while the law seems to empower SAHRA and the NHC to authoritatively engage in heritage governance, the two are part of a messy organization of multiple structures of heritage-making. With all the resulting complications, inconsistencies, disruptions and tensions within the multiple arenas of heritage-making, the positions at which the law places SAHRA and the NHC can be seen as empowering and at the same time disempowering, such that they make and unmake ‘official’ heritage, as they comply and sometimes un-fulfil their very laws.

Another piece of legislation, the *Cultural Institutions Act*, Act No. 119 of 1998 provided for the establishment of national museums, and their declarations as cultural institutions subsidised by the government. Through the *Cultural Institutions Act*, the museum was another institution drawn into the heritage category, which by admission into heritage became incorporated into a regimented system of governance. A transformation discourse which resounded in the general public history-making posited museums as agents of change towards redressing biases and imbalances in history identified in heritage representations across the country.⁷ Placed in the category of cultural institutions⁸, and accredited as ‘safe-keepers’ of the cultural economy of the ‘new South African nation’, museums were not only expected to change their ways, but were mandated to do so.⁹ As a means to transform, government-funded museums underwent was ‘a systematic process of restructuring and

⁷ The ideas of redress were expressed in the *Report of the Arts and Culture Task Group*, presented to the Minister of Arts, Culture, Science and Technology (June 1995), and the *White Paper on Arts and Culture* (1996).

⁸ In accordance with the *Cultural Institutions Act* No. 119 of 1998.

⁹ The mandates were clearly expressed in speeches by, for example President Nelson Mandela, during the official opening of Robben Island Museum on 24 September 1997.

rationalisation' according to the agreed criteria of what constituted 'national'.¹⁰

To begin with, a number of museums were amalgamated into two flagship national institutions, while the rest were declared provincial and local institutions depending on their status in relation to the new national museums category.¹¹ In addition, the Ministry of Arts and Culture, established other 'national museums and sites' outside the flagships through the Legacy Projects it launched in 1996. As in accordance with the *Cultural Institutions Act* and the NHRA, government-funded museums were recognised as cultural heritage institutions collecting and housing cultural heritage objects and archaeological, paleontological and meteorological materials forming part of the national estate, all of which were to be inventoried and entered into a register managed by SAHRA. Museums' old practices like inventorying cultural materials, were in the new dispensation chiefly run through programs administered by DAC, and in which the NHC was also involved.¹² Accordingly, the museum was integrated into a corporately run heritage practice of protocols, routine documenting and reporting to the government through DAC and the Department of Finance.

This study sketches the post-apartheid heritage complex through an anatomy of intersections between the work of these various departments and public institutions that make heritage. In this study, the Legacy Projects are a classic embodiment of heritage made through multiple and complex 'officialising' networks. They are formulated from within the ranks of DAC, developed through the inputs of the NHC, declared and monitored by SAHRA, and subsidised as national monuments and cultural institutions by the government through DAC. With SAHRA's involvement, some 'grand' ideas developed through the ranks of DAC and the NHC meet up with requirements for technical procedures involving heritage impact assessments, and extensive consultative processes. At any of these stages, opposition parties and concerned groups often find opportunities to stall, divert or completely forestall

¹⁰ Henry C Bredekamp, 'The Cultural Heritage of Democratic South Africa' (2001).

¹¹ The Northern Flagship called Ditsong Museums and the Southern Flagship called Iziko Museums.

¹² Lynn Meskell, *The Nature of Heritage* (2012), 39.

projects, such that they produce malleable work-in-progress rather than established authorised products.

To address the question of what it meant for museums to become heritage, this study argues that post-apartheid museums emerged as projects of promoting unbounded creativity and ongoing critical deliberations and interrogation of heritage work. But upon becoming state-subsidised cultural institutions, they collapsed into institutions concerned with rules and compliance. To achieve compliance, they adopted a ‘consultancy culture’, which seemingly simplified museum operations, while it necessitated more attention to policies regulating use of public assets. It is this culture that turned institutions promising to be vibrant centres of public culture, into what I call institutions of banality. I argue that at such state of banality, museums still attempt to provide engagement of its spaces by different publics, and production and reproduction of diverse meanings and knowledges through diverse practices and approaches. Yet, such engagement may not transcend the original scope of the project, such as to be a museum celebrating the life of Nelson Mandela. In that way, national museums might also seem to generate authorised heritage discourses, and to suppress alternative discourses, such that those ‘suppressing’ and those ‘suppressed’ form part of this particular discourse. But it is also at such state of banality that the museums are unproductive of any perceptible discourse other than rhetoric around missions and visions.

Through a close study of the development and operations of the Nelson Mandela Museum and Ncome Monument and Museum Complex, this study reveals the complexities of emerging as a national project established to be the official centre of production of a particular ‘national cultural value’, but then become messy and complicated, and at the same time dull and almost lifeless in its mess. Both projects emerged as Legacy Projects of the Department of Arts and Culture (DAC). Like perfect examples of AHD, both projects were initiatives of the governments entrusted upon ‘experts’, professionals and practitioners of

public culture. Furthermore, like perfect manifestations of hegemony, and generators and transmitters of dominant ideologies, both were anti-apartheid projects designed to confront apartheid landscapes and representations, both materially and symbolically. They were established to develop, disseminate and promote particular cultural values and nationalising narratives.

Moreover, the decision-making processes in the two projects were mostly characterised by multiplicity of contributions, disciplines, practices and approaches. But as declared cultural institutions, their day-to-day activities turned out to lack creative activity other than routine fulfilment of requirements by the government. Staff members were engrossed in the planning and implementation that revolved around compliance with the legislation. There was much anxiety around reporting deadlines, and less around creativity, flexibility and stimulating critical engagement. As it seemed, heritage produced by these institutions was a cultural process that could not escape confinement by an authorised discourse, just like Smith argues.

But as this thesis highlights, these institutions had a complicated relationship with the government. Government's control systems such as funding models, and accounting systems, as well as shifting expectations and emphasis associated with changes in government administrations might have come down as obliging and restrictive. But the interpretations and incorporation of these into institutional strategies and plans was also variable, depending on the institutions interpretation of their core business, and relations with their 'communities' or different publics. Compliance too was a negotiated affair. While DAC seemed too involved in regulating, monitoring and evaluating national museums, the ministry was also out of touch with the operational needs of the museums, including funding. It was a contradictory and complicated sometimes short and sometimes long arms-length approach that could not neatly fit into the notion of AHD. Also, compliance in relation to DAC was embraced,

negotiated, manoeuvred and defied in various complicated ways.

For Nelson Mandela Museum, the subsidy from DAC brought about strict financial controls, attention to accounting principles and procedures, and new procurement methods involving bids, tenders and sourcing quotations. But this study also demonstrates that while this could have simply meant a new discourse of elitist heritage, the case was more complex than that. Firstly, as the costs of services soared due to high consultancy fees, the museum revised its spending on public programmes and events. ‘Informal’ and ‘unregistered’ local service providers could no longer benefit from museum operations. Yet the museum considered it its core business to attract youth to its public programmes, upon whom the museum sought to impart ‘Mandela’s values’. At the same time, local youth groups sought to have their recreation, educational and employment needs met by the museum.

The manner in which these exchanges occurred was complicated in that the museum was never satisfied with the extent to which local youth appreciated its programmes. At the same time, youth at times demonstrated their dissatisfaction with its relationship with the museum through protest actions. It was a complicated give and take relationship that kept the museum’s public programming teams and management constantly uncertain of the future of its public programmes, just like the local youth groups remained uncertain of their beneficitation through the programmes of the museum. Interests on both sides necessitated a constant negotiation of meanings of the concepts of local, community, and national.

At the Ncome Monument and Museum Complex, the ongoing contestations of the interpretations and narratives of the Battle of Ncome/Blood River embody a more complicated heritage-making than the notion of a simple Zulu-ethnic authorised heritage discourse.¹³ These, as represented at the monument and museum continue to appear as Afrikaner versus Zulu versions of public histories and heritages. But this study illuminates a

¹³ Nsizwa Dlamini, ‘The Battle of Ncome Project’ (2001).

network of meanings and knowledges behind the current representations, as layers of inputs into the Ncome Legacy Project, by the ‘panel of academics’, the ‘officials’ from DAC, ‘Afrikaners groups’, ‘Zulu groups’, practitioners and various publics. At Ncome, the complexity of different interests in such networks became even more pronounced as the museum sought to streamline, officialise narratives, and find a common ground between the different versions of events. The Ncome heritage project has developed into that which encompasses both frustrations with a discourse of heritage as multiple, as well as a discourse of heritage as singular. At the annual ‘Courageous Conversation Conferences’ held at Ncome Memorial and Museum Complex since 2013, attendees repeatedly express divergent views on whether or not the museum should work to develop an ‘all-encompassing’ interpretation of the battle, or represent the contestations as they are.

Concerning heritage site with a monumental inclination, this work performs a close study of the development of Freedom Park, focusing on its shifting preoccupations at various stages, and its configurations of production, deployment and negotiation of knowledge and meanings at various moments. Before 2009, the Freedom Park Trust managed what I consider the most vibrant, yet unstructured phases of the development of the Freedom Park Legacy Project. These were characterised by vast, but not exhaustive public consultative processes, multiple ideas and concepts, and designing, planning and implementation at multiple levels and stages, and through multifarious disciplines, practices and approaches. While the project stage certainly involved fixing particular knowledges and notions of humanity, *African-ness*, traditions, indigeneity and resistance, this work explores the constitution of these into a memorial complex, as well as contestations and negotiations of such knowledges. Beyond this, this work also looks at the deviations in trajectories during the project stage and after the disbanding of the Freedom Park Trust.

After 2009, Freedom Park changed into not just a site, but a heritage resource declared as cultural institution. In accordance to policy, this implied transitioning from operating on grants, to a government-subsidised institution. Freedom Park was therefore stringently accountable on its management of the ‘public assets’ at its care, in the form of symbols, financial and materials. While Freedom Park still strove to be inviting and ‘resourceful’ as a public site and institution, its ‘creative’ engagement seemed constrained by technicalities, and its major operations reflected anxiety about its performance against set rules and standards. While this assertion might imply that the latter stage was simply methodical and banal, it rejects perceptions of shifting centres of power, and the binaries of good and bad, or productive and unproductive.

In essence, this study argues that Freedom Park’s entire development embodies not just multifariousness, but complexity regarding the making, deployment and negotiation of heritage knowledges and meanings. Complexity in this case refers to the transitory, rather than fixed concepts, frameworks, designs, aesthetics, representations, symbolism, contestations, uses, and natures, which were negotiated into concept documents, plans, designs, symbolisms and structures throughout. These manifested in fleeting and transitory moments of ‘progress’ and ‘bottlenecks’ at different stages. Thus, there was complexity in the intricacies in the negotiation

Regarding world heritage site, this study examines the structures through and within which sites become world heritage, and what happens to them on becoming world heritage site in relation to the idea of authorised heritage discourse. It investigates how the world heritage system seemingly constitutes itself as a centre of authorising disciplinary knowledge and procedural regulation, while it is actually fraught with non-compliance and subversion of the set rules and structures. Through a close study of Robben Island and its making of world heritage, this work investigates processes through which South Africa as State Party to the

World Heritage Convention, its different government departments, Robben Island Museum management, its professional staff, consultants, and various ‘interest groups’, negotiated their knowledges and meanings of world heritage within the bureaucratic entanglements of the world heritage system. Utilising the concepts of metacultural and exhibitionary complex, which enable an understanding of world heritage as a meeting point of historicity and culturality, tangibility and intangibility, progressive and retrogressive change, people as both objects and subjects of cultural preservation, things as events and events as things, and ‘experts’ and performers.¹⁴ This work argues that operations related to making Robben Island a world heritage site do not reflect tenacity of a single ‘official’ heritage discourse. Instead, they reflect a complicated criss-crossing of constructions and disruptions, with the background of changing local and global circumstances.

Regarding the heritage agency and council, museums and sites studies here, this work concludes that the making of heritage in post-apartheid South Africa is more complex than often perceived. The legislation-guided heritage sector making is on its own not simply reflective of clean departures from orientations and practices of the past to the new, through some twenty democratic principles. The new concepts like heritage resources assembled under single terms assemblages of many ‘things’, each of which tapped on different disciplines and approaches largely informed by the ‘old’ ways of knowing, and knowledge heirarchisations and dichotomisations. Yet, the actual operations in museums and sites present complex negotiations that transcend these simple readings.

Making heritage in post-apartheid South Africa is not just about simple productions and deployments of some coercive power by ‘the state’ and/or experts, such that contestations, counter-narratives and alternative representations were exposés of one-way domination. Instead, each stage or moment of active governmentality through heritage-

¹⁴ Barbara Kirshenblatt-Gimblett, ‘World Heritage and Cultural Economics’ (2006); Tony Bennet, ‘The Exhibitionary Complex’ (1988).

making enables a straddling of different imagined zones of knowledge, such as precolonial (presumably pre-discursive, intrinsic, non-negotiable even though they are not), colonial and post-apartheid (deliberately discursive to enable redress and selective empowerment).¹⁵ At each stage or moment, practitioners, and individuals and groups outside formalised practices, contribute into heritage-making their different approaches and interests, and nurture and appropriate different meanings of, for example, tradition, culture and resistance. Thus, it is improbable to pinpoint a classifiable, *simplifiable* discourse, and designate it to a particular ‘centre of power’ within the very multifarious and complicated post-apartheid heritage practice.



¹⁵ About the precolonial, which is presumably pre-discursive, intrinsic and non-negotiable, see Premesh Lalu, *The deaths of Hintsa: postapartheid South Africa and the shape of recurring pasts*, Cape Town: HSRC Press, (2009).

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