**Attachment 28: South Africa carries an Illegal Constitution**

Introduction.

The Constitution of South Africa is built on deceit and lies, and is technically illegal.

The Constitution of South Africa has resulted in the people of South Africa losing their human rights which included becoming participants of enforced warfare, internally and internationally. The Constitution of South Africa has bound the nation to government regulations which impoverished the nation.

**South African citizens cannot use the Constitution of South Africa to defend themselves because they are not a party to it.1**

**The Constitution of South Africa is not suitable to South Africans**

The Constitution of South Africa was based on the principles drawn up by the British Crown. These principles are not suitable to the South African nation for the following reasons:

* The principles were designed to maintain control over South Africa as a colony of the Crown. This control was enforced through a central government with autocratic power which posed as a democracy by allowing a select community who are loyal to the Crown to control the governing of the country. There is too much power in the hands of a single political party.
* South Africans do not recognize the Crown as its government, nor its protectorate.
* The principles are not practical to a country as vast as South Africa which carries a huge array of different cultures, climates, ecological structures, and tribes. In comparing size, the entire Country known as England could fit into the single province called the Orange Free State in South Africa.

The principles created a restriction of trade, both nationally and internationally. The restriction on trade was created to maximize government control on all South African products to ensure maximum tax benefits whereby the state treasury would be enriched. The expenditure of the state treasury is controlled by the ruling government. This process impoverishes the citizens of Southern Africa and enriches the ruling political party of governance. Restriction of trade was also introduced into South Africa to curtail market relations between South Africa and other countries besides the Crown. Such restriction not only stifles the progress and development of South Africa, but also the international market. The Crown hereby has a colonizing effect upon the open world trade.

Although certain regulations in the constitution of South Africa has been amended by ruling political parties since its inauguration at the time the Union was established, it is still not suitable to the diverse nation it serves, continually disregarding the one race or the other. The statement made by the ruling president Mr. Zuma shows clearly how distorted the interpretation of the present system of Democracy, upon which the Constitution is based, has become, when he explained in Parliament to the opposition party that:  
"You have more rights because you're a majority; you have less rights because you're a minority. That's how democracy works." 1

To consider that the State President is the very man who is meant to uphold the Constitution of a country, upon which the rights of the nation is enshrined, it is clear that the system of Democracy, as handed down to him by succession, is not the system he applies. A Democratic system provides shelter for the individual wherein he can expect equal rights, and the rights of the minorities are protected. We discuss the different systems of governance in Attachment 13 - Different systems of governance.

We call for the construction of a new Constitution for the States of South Africa, based on facts included in this document, and summarized in this Attachment in the following parts:

Section A: The Constitution of South Africa is built on deceit, lies and war crimes;

Section B: The Constitution is technically illegal; and

Section C: The effects of the Constitution of South Africa.

**References:**

**1** (Padelford Fay & Co. v. The Mayor and Alderman of The City of Savannah 14 Georgia 438, 520)

**Section A: The Constitution of South Africa is built on deceit, lies and war crimes.**

The Crown annexed the land we now know as South Africa to turn the country into a colony of the Crown. In order to govern the country from a distance, the Crown created rules and regulations by which the country was to be governed by people who were loyal to the Crown. These rules and regulations were vindicated through a Constitution which the Crown enforced on the people of South Africa.

The Crown and her representatives in South Africa created the Constitution of South Africa at a time when the land of southern Africa was under siege by representatives of the Crown, in an effort to remove the existing forms of governments and controls within the various states, republics and kingdoms which existed inside southern Africa at that time. Establishment of the Constitution of South Africa was based on the Peace Treaty signed between the Boer Leaders and representatives of the Crown at Vereeniging in 1902. However, not all the leaders from the various states and kingdoms of southern Africa were present at the signing of the Vereeniging Peace Treaty in 1902. There has been deceit and lies carried out by representatives of the Crown before, and during, the establishment of the Constitution of South Africa, which is discussed in Attachment 8 - Final steps to complete the formation of the Union of South Africa for total annexation by the Crown.

The wars which the Crown waged against people in southern Africa in order to annex their land is discussed in Attachment 6 - War against Southern Africans and mass extermination of indigenous tribes for the creation of the Union of South Africa.

During the wars which the Crown waged against the people in southern Africa to annex their land, the Crown breached the regulations she subscribed to as member of the Geneva Convention of 1864, which spelled out the conditions on how the wounded and sick in armed forces in the field were to be treated.

The Geneva Conventions comprise rules that apply in times of armed conflict and seek to protect people who are not or are no longer taking part in hostilities, for example:

wounded or sick fighters;

prisoners of war;

civilians;

medical and religious personnel.

**The Crown was aware of international developments on the rules of warfare at the time she planned her war on southern Africans**

On the 29th of August 1898, the Russian Tsar Nicholas II, and his foreign minister Count Mikhail Nikolayevich Muravyov proposed a peace conference. The conference opened on May 18, 1899. The convention was signed on July 29 of that year, and entered into force on September 4, 1900. The Hague Convention of 1899 consisted of four main sections and three additional declarations (the final main section is for some reason identical to the first additional declaration):

[I](http://avalon.law.yale.edu/19th_century/hague01.asp): Pacific Settlement of International Disputes. This section included the creation of the Permanent Court of Arbitration.

[II](http://avalon.law.yale.edu/19th_century/hague02.asp): Laws and Customs of War on Land

[III](http://avalon.law.yale.edu/19th_century/hague993.asp): Adaptation to Maritime Warfare of Principles of Geneva Convention of 1864

[IV](http://avalon.law.yale.edu/19th_century/hague994.asp): Prohibiting Launching of Projectiles and Explosives from Balloons

[Declaration I](http://avalon.law.yale.edu/19th_century/dec99-01.asp): On the Launching of Projectiles and Explosives from Balloons

[Declaration II](http://avalon.law.yale.edu/19th_century/dec99-02.asp): On the Use of Projectiles the Object of Which is the Diffusion of Asphyxiating or Deleterious Gases

[Declaration III](http://avalon.law.yale.edu/19th_century/dec99-03.asp): On the Use of Bullets Which Expand or Flatten Easily in the Human Body

Britain was a member of this peace conference, and was totally aware of the international developments concerning the international acceptable terms of warfare which were coming into place when she forced southern Africans into war with her, in particular the war against the Boer Republics which started on the 11th of October 1899, and the war against Zululand during 1906.

The Hague Convention of 1899 was followed up by the Second Hague Conference in 1907.

**Hague Conventions of 1899 and 1907**

The Hague Conventions were two international treaties negotiated at international peace conferences at The Hague in the Netherlands. The First Hague Conference was in 1899; and the Second Hague Conference in 1907.

The First Conference was focused on disarmament efforts.

The Second Conference failed to create a binding international court for compulsory arbitration but did enlarge the machinery for voluntary arbitration, and established conventions regulating the collection of debts, rules of war, and the rights and obligations of neutrals.

Along with disarmament and obligatory arbitration, both conferences included negotiations concerning the laws of war and war crimes.

**The Crown annexed land in southern Africa illegally**

Besides the human atrocities committed by the Crown during its war on southern Africans, it annexed the land of southern Africans illegally as result of the warfare it forced on southern Africans.

Terms agreed to by its various members, which included Britain, during the First Hague Conference in 1899, were very clear on the occupation of land during, and as result of, war.

For reason of discussion, we comment on excerpts taken from Footnote 1 – Laws of War: Laws and Customs of War on Land (Hague II): July 29, 1899.

**1. The Warring Parties subscribed to the Laws of War**

**a. Excerpts:**

**ai) Article 1**

The High Contracting Parties shall issue instructions to their armed land forces, which shall be in conformity with the "Regulations respecting the Laws and Customs of War on Land" annexed to the present Convention.

**aii) Article 2**

The provisions contained in the Regulations mentioned in [Article 1](http://avalon.law.yale.edu/19th_century/hague02.asp#iart1) are only binding on the Contracting Powers, in case of war between two or more of them.

These provisions shall cease to be binding from the time when, in a war between Contracting Powers, a non-Contracting Power joins one of the belligerents.

**b. Comments:**

The Crown had representatives who furthered her goals and carried out her instructions within the Boer Republics and Zululand. These representatives carried leadership positions before, during and after the Anglo wars against the Boer Republics and Zululand. Therefore the provisions laid out in Article 1 and Article 2 was binding on the Crown as it led the war on all sides of the conflicts.

**bi) War by the Crown against the Boer Republics.**

The Crown engaged people from her colonies as well as people from all over southern Africa to assist her in war against the Boer Republics. Not only did the Crown have supporters from without the Boer government, but the Crown had leadership from within the Boer government.

**The Crown led the Boer soldiers into war against the British Military**

Allegiance for unity of purpose had been sworn between all Free Masons in South Africa. See Footnote 2 with regards to the influence of Free Masonry in South African history.

Free Mason members amongst the prominent leaders of the Boer forces included Deputy President to the Zuid Afrikaanse Republiek Jan Smuts, President of the Orange Free State Marthinus Steyn, President F.W. Reitz, Commandant General Piet Joubert, General Louis Botha, General C.R. de Wet, General Piet Cronjé, General Ben Viljoen, Captain Danie Theron, T.F. Burgers, M.W. Pretorius, Sir John Brand, T.F. Burgers and many more were Free Masons long before the declaration of war.

**The Term Republic is associated with Free Masonry**

The term ‘Republic’ was associated with the Free Masonry after the French Revolution and the American Fight for Independence. Many people amongst the Boers who were seeking independence romanticized Free Masonry in the belief that it stood for Independence. Names such as M.W. Pretorius, Sir John Brand, F.W. Reitz, T.F. Burgers, genl. Louis Botha, genl. C.R. de Wet, genl. Piet Joubert, genl. Piet Cronjé, genl. Ben Viljoen en Capt. Danie Theron became connected to Free Masonry.

This also explains why the Boer Republics based the wording of their Constitution upon those of the United States of America and France (1848).

The first time a call was made upon Free Masons throughout South Africa to move closer to each other for the establishment of an independent United Large Lodge in South Africa was in September 1870. This call received intense attention after 1892, and would be the deciding factor in the political arena for the creation of a ‘United South Africa’, in which the Free Masons of South Africa were one of the most incisive driving forces.

The establishment of the independence for the Republics was be undermined by those of the Boer communities who supported Free Masonry. (See Attachment 10 - South Africa is bound as a possession by the Crown Free Masonry used as a tool in South African history by the Crown to bind the land as their possession)

**bii) War by the Crown against Zululand.**

**The Crown led the Zulu nation into war against the British Military**

The Crown engaged people from her colonies as well as people from all over southern Africa to assist her in war against Zululand. Not only did the Crown have supporters from without the traditional Zulu leadership, but the Crown had leadership from within the traditional Zulu order of hierarchy.

The Crown installed colonial governance which encroached on Zululand. The Crown interfered with domestic disputes within Zululand and replaced the power of the traditional Zulu leaders, including the Zulu King DinuZulu, with that of ‘British loyal’ chiefs. This is discussed further in Footnote 3 – The Crown installed her own leadership in Zululand.

In effect, the Crown had taken over governance of the Zulu nation by installing their own leaders within the nation. The Anglo-Zulu War of 1906 was led by people of from mixed nations, including Zulus, living in southern Africa on behalf of the Crown, against people with loyalties divided between the British loyal leaders and the traditional Zulu leaders who were living in Zululand.

**2. The Qualifications of belligerents**

**a. Excerpts:**

**ai) Article 1**

The laws, rights, and duties of war apply not only to armies, but also to militia and volunteer corps, fulfilling the following conditions:

To be commanded by a person responsible for his subordinates;

To have a fixed distinctive emblem recognizable at a distance;

To carry arms openly; and

To conduct their operations in accordance with the laws and customs of war.

In countries where militia or volunteer corps constitute the army, or form part of it, they are included under the denomination "army."

**aii) Article 2**

The population of a territory which has not been occupied who, on the enemy's approach, spontaneously take up arms to resist the invading troops without having time to organize themselves in accordance with Article 1, shall be regarded a belligerent, if they respect the laws and customs of war.

**aiii) Article 3**

The armed forces of the belligerent parties may consist of combatants and non-combatants. In case of capture by the enemy both have a right to be treated as prisoners of war.

**b. Comments:**

Article 1 ai) states thatthe laws, rights, and duties of war apply not only to armies, but also to militia and volunteer corps. Such people are required to have a fixed distinctive emblem recognizable at a distance. Article 3 aiii) includes combatants and non-combatants as part of the armed forces. Although the Crown had planned military action against the Boer Republics and Zululand, they did not ensure that their supporting members in active war activities, both combatant and non-combatant, were easily recognizable as part of the British Military. Many of these actively supporting members of the British Military were seen to be, and believed to be, friends of the Boer Republics and Zululand. Such supporting members include those who carried out assignments on behalf of the British Military within the Boer Concentration Camps who fed the prisoners food which contained lethal substances, including glass pieces. Meat and flour issued to the Boer ‘refugees’ were crawling with maggots. Emily Hobhouse reported on this as follows: "I have in my possession coffee and sugar which were described as follows by a London analyst: In the case of the first, 66% imitation, and in the case of the second, sweepings from a warehouse."

In her book, ‘Met die Boere in die Veld’ (With the Boers in the field), Sara Raal stated the following concerning the food rations given to the Boers inside the British ‘refugee’ camps:

“There were poisonous sulphate of copper, grounded glass, fishhooks, and razor blades in the rations."

(See attachment 6 - War against Southern Africans and mass extermination of indigenous tribes for the creation of the Union of South Africa, Subsection h)The Crown planned the deaths of their prisoners of war.)

**3. On Prisoners of War, treatment and responsibilities**

**a. Excerpts:**

**ai) Article 4**

Prisoners of war are in the power of the hostile Government, but not in that of the individuals or corps who captured them.

They must be humanely treated.

All their personal belongings, except arms, horses, and military papers remain their property.

**aii) Article 7**

The Government into whose hands prisoners of war have fallen is bound to maintain them.

Failing a special agreement between the belligerents, prisoners of war shall be treated as regards food, quarters, and clothing, on the same footing as the troops of the Government which has captured them.

**aiii) Article 8**

Prisoners of war shall be subject to the laws, regulations, and orders in force in the army of the State into whose hands they have fallen.

**b. Comments:**

Both Articles 6 and 7 states that prisoners of war are bound to be maintained by the hostile government. The hostile government in the Anglo-Boer and Anglo-Zulu Wars was the British Crown. The Crown was therefore responsible to treat the prisoners captured during these wars on the same footing as the troops which captured them. However, this did not happen.

**(bi) Conditions of the Anglo-Boer war concentration camps**

The claim of decent actions towards the Boer women and children, and their supporters, are further contradicted by the location of the concentration camps. The military authorities, who often had to plan and erect camps for their soldiers, would certainly have been well aware of the essential requirements for such camps. Yet the concentration camps were established in the most unsuitable locations possible.

At Standerton the camp was erected on both banks of the Vaal River. It was on the Highveld, which ensured that it was extremely cold in winter and infested with mosquitoes in summer. The fact that Standerton had turf soil and a high rainfall, ensured that the camp was one big mud bath in summer, even inside the tents.

The same circumstances were experienced in camps such as Brandfort, Springfontein and Orange River. At Pretoria, the Irene Camp was located at the chilly southern side of the town, while the northern side had a much more favorable climate. Balmoral, Middelburg and other camps were also located on the south-eastern hangs of the hills to ensure that the inhabitants were exposed to the icy south easterly winds.

A British physician, Dr Henry Becker, referred to the situation of the Boers inside the British ‘refugee’ camps as follows:

"First, they chose an ill-suited site for the camp. Then they supplied so little water that the people could neither wash themselves nor their clothes. “Furthermore, they made no provision for sufficient waste removal. And lastly, they did not provide enough toilets for the overpopulation they had crammed into the camps."

There were neither beds nor mattresses and nearly the whole camp population had to sleep on the bare ground, which was damp most of the time.

The amenities in the camps were clearly planned to kill as many of the women and children as possible. They were accommodated in tattered reject tents which offered no protection against the elements.

Emily Hobhouse mentioned the tents of these camps in her book ‘Brunt of War’ on page 169 as follows:

"Throughout the night there was a downpour. Puddles of water were everywhere. They tried to get themselves and their possessions dry on the soaked ground."

According to a British journalist, WT Stead, the concentration camps were nothing more than a cruel torture machine. He writes: "Every one of these children, who died as a result of the halving of their rations, thereby exerting pressure onto their family still on the battle-field, was purposefully murdered. The system of half rations stands exposed and stark and unshamefully as a cold-blooded deed of state policy employed with the purpose of ensuring the surrender of people whom we were not able to defeat on the battlefield."

The Boer detainees received no fruit or vegetables; not even milk for the babies. Mrs. Helen Harris, who paid a visit to the Potchefstroom concentration camp, remarked:

"Imagine a one year old baby who receives no milk; who has to drink water or coffee - there is no doubt that this is the cause of the poor health of the children."

The Welshman, Lloyd George, remarked on the death statistics as follows:

"The fatality rate of our soldiers on the battlefields, who were exposed to all the risks of war, was 52 per thousand per year, while the fatalities of women and children in the camps were 450 per thousand per year. We have no right to put women and children into such a position."

His remark was endorsed by the Irishman called Dillon, who said: "I can produce an endless succession of confirmations that the conditions in most of the camps are appalling and brutal. To my opinion the fatality rate is nothing less than cold-blooded murder."

One European had the following comment on the British Crown's conduct with the concentration camps:

"Great Britain cannot win her battles without resorting to the despicable cowardice of the most loathsome cure on earth - the act of striking at a brave man's heart through his wife's honour and his child's life."

(See attachment 6 - War against Southern Africans and mass extermination of indigenous tribes for the creation of the Union of South Africa, Subsection h)The Crown planned the deaths of their prisoners of war.)

**(bii) Conditions of living prisoners from the war in Zululand experienced**

The war in Zululand broke out after Zulus were unable to pay taxes to the British colonial government installed by the Crown.

King DinuZulu had persuaded his followers to pay tax as early as the 17th of January, whereas the collection was to begin on the 20th January 1906.

On the 9th of February 1906, Governor Sir Henry McCollum proclaimed Martial Law.

Leuchars mobilized a second column of the Field Forces, the ‘Umvoti Rifles’, to the kwaMaphumulo area on 16 February 1906.

Ndlovu was amongst the chiefs that were severely punished in kwaMaphumulo district for showing dissatisfaction with the poll tax in January 1906.

As a resultChief Ndlovu was arrested in February 1906 “and detained in prison without trial for several weeks”by Leuchars on behalf of the colonial Crown government. The punitive measures were carried out “in full accord with the wishes of the Minister for Native Affairs, H. D. Winter”. Chief Ndlovu was tried by court martial and found guilty of High Treason. The death sentence was imposed on him, which was later commuted (by the Governor) to a life sentence with hard labour.

In June 1907, Ndlovu and twenty-five other Zulu Chiefs brand marked ‘ringleaders’ were deported to St. Helena. The Colonial Office through Lord Elgin failed to persuade the Natal colonial government to treat them as political prisoners and not as ordinary criminals.

Towards the end of 1910, the eighteen survivors amongst the twenty-five prisoners who had been sent to St. Helena were granted parole: there were only eighteen of them, as seven had died in prison. Two of the eighteen Zulu prisoners were carried on stretchers because they were seriously ill.

A newspaper reporter remarked that the prisoners looked very wasted although they had only served three years of their prison sentences. Most of them looked very old and could not even be recognized. They no longer looked like chiefs but looked like commoners.

During 1907, King DinuZulu was arrested for instigating unrest and charged with treason, and his trial continued for a long time. However, the state could not prove that he was guilty of treason.

One of the counts on which DinuZulu was found guilty was of not reporting the presence of Bhambada’s wife (Siyekiwe) and children (Kholekile, Ndabayakhe and Nonkoboshe) at the oSuthu. In 1909, DinuZulu was sentenced to four years in prison. After having served one year, DinuZulu was released to exile from the Pretoria prison in 1910. He had become very thin, was suffering from gout, and his mind had become very scattered. His doctor, W. Godfrey recommended that he should go to Carlsbad in Germany to bathe at the spa in the water that might cure him of his disease, but DinuZulu passed away before that could happen.

On the 24th of October 1913, the Ilanga newspaper lamented the death of DinuZulu who had died at the age of forty three, on Saturday the 18th of October 1913,

(see An outline of insumansumane and the Treason Trial of King Dinizulu, with reference to his life after his release in 1910 in Attachment 6 - War against Southern Africans and mass extermination of indigenous tribes for the creation of the Union of South Africa.)

**4. On Prisoners of War, rights of religion**

**a. Excerpts:**

**ai) Article 18**

Prisoners of war shall enjoy every latitude in the exercise of their religion, including attendance at their own church services, provided only they comply with the regulations for order and police issued by the military authorities.

**b. Comments:**

The rights to exercise their religion, including attendance at their own church services, were not afforded the Boer and Black prisoners.

The Boer nation is deeply religious, and matters such as marriages for consummation of the couple in the presence of God in front of witnesses, baptisms into the Church in front of witnesses, and funerals wherein the Spirit of the deceased is committed to God, are conducted through church services. There was no provision made for these practices in the concentration camps enforced on the southern African people during the Anglo-Boer war.

Without any religious or form of ceremony, the corpses of children were thrown in heaps on mule carts to be transported to the cemeteries. The mourning mothers had to follow on foot. Due to illness or fatigue many of them could not follow fast enough and missed the funerals of their children.

(See attachment 6 - War against Southern Africans and mass extermination of indigenous tribes for the creation of the Union of South Africa, Subsection h)The Crown planned the deaths of their prisoners of war.)

**5. On Prisoners of War, rights of wills and burials**

**a. Excerpts:**

**ai) Article 19**

The wills of prisoners of war are received or drawn up on the same conditions as for soldiers of the National Army.

The same rules shall be observed regarding death certificates, as well as for the burial of prisoners of war, due regard being paid to their grade and rank.

**b. Comments:**

The Crown did not have wills drawn up of their prisoners who died while in their care during the Second Anglo-Boer War, nor in the Anglo-Zulu War of 1906.

**6. On Prisoners of War, repatriation of prisoners of war**

**a. Excerpts:**

**ai) Article 20**

After the conclusion of peace, the repatriation of prisoners of war shall take place as speedily as possible.

**b. Comments:**

**bi) Reparations to non-Boer prisoners after the Second Anglo-Boer War**

The Crown did not make any reparations to the prisoners they incarcerated as supporters of the Boer nation after the Second Anglo-Boer War.

**bii) Reparations to Boer prisoners**

The sum of seven hundred thousand British pounds was allocated to restore a means of living for the Boer nation after the Second Anglo-Boer War during negotiations at the Vereeniging Peace Treaty of 1902. Management of this funding was given to British administration by the Crown. Most of this funding went into administration fees. Claims made by Boers for their losses were ignored or substantially reduced by the British administration, who would only recognize losses and expenses such as seeds and farming tools, whereby the land would be improved. Furthermore, funds would only be paid to Boers who would publically admit allegiance to the Queen of England and accept to become subjects of the British Crown.

**biii) Reparations to Zulu prisoners**

There have been no reparations to Zulus imprisoned by the Crown with regard to the Anglo-Zulu war.

**7. On means of injuring the Enemy, Sieges, and Bombardments part 1**

**a. Excerpts:**

**ai) Article 23**

Besides the prohibitions provided by special Conventions, it is especially prohibited:--

To employ poison or poisoned arms;

To kill or wound treacherously individuals belonging to the hostile nation or army;

To kill or wound an enemy who, having laid down arms, or having no longer means of defense, has surrendered at discretion;

To employ arms, projectiles, or material of a nature to cause superfluous injury;

To destroy or seize the enemy's property, unless such destruction or seizure be imperatively demanded by the necessities of war.

**b. Comments:**

**bi) To employ poison or poisoned arms**

During the time served by the Boer nation inside the concentration camps enforced on them by the Crown during the Second Anglo-Boer War, the nation was poisoned without their prior knowledge to the fact, by representatives of the Crown. In her book, ‘Met die Boere in die Veld’ (With the Boers in the field), Sara Raal stated the following concerning the food rations given to the Boers inside the British ‘refugee’ camps:

“There were poisonous sulphate of copper, grounded glass, fishhooks, and razor blades in the rations."

**bii) To kill or wound treacherously individuals belonging to the hostile nation or army**

Boer women, children and the elderly found in their homesteads and fields during the Second Anglo-Boer War were physically attacked, raped and murdered by Griqua and Black southern Africans on instructions of the British Military, who had promised these attackers that they would be able to possess the land of the Boer nation after the end of the war.

**biii) To kill or wound an enemy who, having laid down arms, or having no longer means of defense, has surrendered at discretion**

The throats of Boer soldiers who surrendered in the field or who were injured and could no longer fight, were slit by the British military during the Second Anglo-Boer war. This practice was known as ‘swine throats’.

Boer, Boer supporters and Zulu men who surrendered during wars against the British military were not repatriated to their own states, kingdoms, Republics or countries, but were court marshaled by representatives of the Crown, without representation of their own leaders in a public and impartial Court, and shot to death in public.

3 800 citizens of the Boer Republics, of which there were also British citizens – in particular from the ‘National Scouts’ and the ‘Brabant Horse’ - were murdered by the British military during their war operations against the Boer soldiers in the fields.

**biv) To employ arms, projectiles, or material of a nature to cause superfluous injury**

During the Second Anglo-Boer War, as well as the Anglo-Zulu War, the British military used material to set the homesteads of the Boers, Zulus, and their supporters, alight which burnt babies, children, women, the elderly and they physically handicapped. Injury to these victims was superfluous and cannot be seen as an act justifiable within the confines of military action taken during war.

**bv) To destroy or seize the enemy's property, unless such destruction or seizure be imperatively demanded by the necessities of war.**

During the Second Anglo-Boer War, as well as the Anglo-Zulu War, the British military mutilated, slaughtered and killed the livestock and domestic animals of the Boer nation, their supporters, and the Zulu nation. Livestock and domestic animals cannot be seen as beasts of burden in warfare. Slaughter of these animals created famine within the families of the Boers, their supporters, and the Zulus.

During the Second Anglo-Boer War, as well as the Anglo-Zulu War, the British military burnt the homesteads of the Boer nation, their supporters, and the Zulu nation, down to the ground. Inside these homesteads were their clothes, photograph albums, family heirlooms, memorabilia, cooking utensils, furniture, and all other items found inside a household required for people to look after themselves. Such items cannot be seen as war tools, and destruction thereof cannot be justified as imperative for the British military to engage in war against southern Africans.

**8. On means of injuring the Enemy, Sieges, and Bombardments part 2**

**a. Excerpt:**

**ai) Article 25**

The attack or bombardment of towns, villages, habitations or buildings which are not defended, is prohibited.

**b. Comment:**

**bi) Undefended property was attacked by the British Military**

During the Second Anglo-Boer War and the Anglo-Zulu War, homesteads, buildings, villages and towns of southern Africans which were not defended, were attacked by the British military, burnt down or taken occupation of. Farms of Boers and Boer supporters all over southern Africa, including along the Cape Frontier, were seized by the British colonial government and resold to British loyal subjects, or given to British loyal chiefs to control, develop, claim taxes on, and rent out on behalf of the Crown.

**9. On means of injuring the Enemy, Sieges, and Bombardments part 3**

**a. Excerpt:**

**ai) Article 27**

In sieges and bombardments all necessary steps should be taken to spare as far as possible edifices devoted to religion, art, science, and charity, hospitals, and places where the sick and wounded are collected, provided they are not used at the same time for military purposes.

The besieged should indicate these buildings or places by some particular and visible signs, which should previously be notified to the assailants.

**b. Comment:**

**bi) Edifices within the Boer Republics and Zululand were not protected**

During the Second Anglo-Boer war and the Anglo-Zulu War, edifices devoted to religion, art, science and charity within the Boer and Zulu lands were not spared, but were burnt or confiscated when they were under siege by the British military. The besieged were ignored in their pleas to have their edifices spared and protected.

**10. On means of injuring the Enemy, Sieges, and Bombardments part 4**

**a. Excerpt:**

**ai) Article 28**

The pillage of a town or place, even when taken by assault, is prohibited.

**b. Comment:**

**bi) The British military pillaged the Zuid Afrikaanse Republiek**

The British military besieged the Boer Republic called the Zuid Afrikaanse Republiek on the 5th of June 1900. The British military leader, and representative of the Crown Lord Alfred Milner, entered the state treasury of the Zuid Afrikaanse Republiek and had the vaults broken open, where after he established that gold to the value of approximately 800 000 pounds had been removed from the South African Mint and National Bank between the 29th of May and the 4th of June 1900. The British military went ahead and plundered gold to the value of 2,5 million pounds from gold mines on the reef, and according to documentary proof, l 294 000 pounds was removed from the South African Mint and National Bank by the British military soon as they took occupation of Pretoria.

(See Attachment 6 - War against Southern Africans and mass extermination of indigenous tribes for the creation of the Union of South Africa, Section: The Second Anglo-Boer War /Second South African War (1899–1902), Sub-Section a) Zuid Afrikaanse Treasury before the Second Anglo-Boer War

**bii) The pillage of Zululand under siege**

During the Anglo-Zulu War of 1906, the British military pillaged places which belonged to Zulus.

It is important to note that Zululand belonged to the Zulu nation, and not to the Crown, nor Britain, before the Anglo-Zulu War of 1906.

The Zulus had allowed the British to use land in Natal, on which they established a colonial government. On the pretext of affording the Zulu kingdom protection from other nations, the colonial government imposed taxes on the Zulus. Zulus who were unable to pay these taxes were fined cattle, or shot. After some of the Zulus started to revolt against the treatment they received from the colonial government, Governor Sir Henry McCollum declared Martial Law in Zululand on the 9th of February 1906. British military reinforcements were sent to the area, which were used by the colonial government to war against the Zulu nation, which included the pillaging of their livestock. To point:

On 5 March, British military leader Leuchars pillaged 1,200 head of cattle and 3,500 sheep and goatsfrom the place where Chief Ngobizembe lived;

Towards the end of June, Colonel Mackay pillaged five cattle from every ‘rebel’ in Mantshana’s chiefdom;

In the first week of July, the British infantry ‘Royston’s Horse’ pillaged Matshana’s chiefdom and collected almost all the cattle they could find. Matshana was arrested and appeared before Saunder, the British Commissioner of Native Affairs, but he was acquitted when his case was heard and the Commissioner assured Matshana that his people’s cattle would be restored to them. This was never done;

Although Miskofili had not participated in the fighting and he had complied with the government order of handing over all the men demanded by the British military, his cattle were pillaged by the British military, and his chiefdom seized and divided into three sections. One section was given to the Ixopo magistrate F. E. Foxon’s foreman, Msiwakeni Shezi. Msikofini retained one section, while the third one was given to his brother Pata;

Chief Charlie Fynn succeeded his mother as chief of the iziNkumbi. His people settled in the Alexandra and Lower uMzimkhulu divisions. Charlie has been referred as “a half-caste and Chief of a large tribe” at eMthwalume area.

Chief Charlie was unsuccessful in urging his people to pay the poll tax. The British military pillaged fifteen hundred head of cattle from Fynn on the 15th of March 1906.

(See Attachment 6 – War against Southern Africans and mass extermination of indigenous tribes for the creation of the Union of South Africa, Section: The Bambadha Rebellion 1906–1907

**11. On Spies part 1**

In December 1900, Herbert Kitchener of Khartoum took over command of the British army on behalf of the Crown, and continued with the scorched-earth policy already implemented by his predecessors against the Boers. He argued that women served as a source of intelligence for the Boers, and set up blockhouses and barbed wire fences around the camps in which the Boers were interned in order to restrict the Boers to a certain area.

In January 1901, Kitchener raided the countryside, putting more Africans and Boer civilians into concentration camps.

**a. Excerpts**

**ai) Article 29**

An individual can only be considered a spy if, acting clandestinely, or on false pretences, he obtains, or seeks to obtain information in the zone of operations of a belligerent, with the intention of communicating it to the hostile party.

Thus, soldiers not in disguise who have penetrated into the zone of operations of a hostile army to obtain information are not considered spies. Similarly, the following are not considered spies: soldiers or civilians, carrying out their mission openly, charged with the delivery of dispatches destined either for their own army or for that of the enemy. To this class belong likewise individuals sent in balloons to deliver dispatches, and generally to maintain communication between the various parts of an army or a territory.

**b. Comment:**

**bi) Women did not enter the concentration camps to spy for the Boers**

Women did not enter the British concentration camps, which were zones of operations of their enemies, i.e. the British military, on false pretences in order to seek or obtain information regarding the operations of the British military with the intention of communicating it to the Boer soldiers. Women, their children, and their elderly folk were forced to go to the British concentration camps by the British military.

**bii) Boer supporting women did not wear military uniform**

Women did not wear the military uniform of the British army, nor the uniform of any supporting forces of the British army, when they entered the British concentration camps.

**11. On Spies part 2**

**a. Excerpt:**

**ai) Article 30**

A spy taken in the act cannot be punished without previous trial.

**b. Comment:**

**bi) Women punished as spies had not been on trial previously**

No women punished on suspicion of being a spy for Boer soldiers had ever been put on trial previous to the Second Anglo-Boer War, nor been found guilty on such a trial, for being a spy. Forms of punishment which the British military meted out to women suspected of being spies during the Second Anglo-Boer War included the following:

Their children, elderly, and loved ones were put into concentration camps;

The women were put into concentration camps;

The homesteads, land and property were burnt down;

They were denied access to communicate with their husbands;

They were raped and abused by personnel of the British military;

They were forced to choose between taking part in ‘duties’ such as feeding their fellow inmates foodstuffs that could lead to their deaths, and feeding their own children with food;

They were forced to watch their children die without being able to administer them medicine;

They were forced to live with inadequate water to drink and clean themselves and their families;

They were forced to sleep in cramped and unhygienic tents with sick people;

They were forced to sleep without mattresses and adequate bedding on wet and muddy ground;

They had no access to adequate medical facilities;

They did not have access to sanitary towels;

They were not able to give their children decent burials.

**11. On Military Authority over Hostile Territory part 1**

**a. Excerpt:**

**ai) Article 42**

Territory is considered occupied when it is actually placed under the authority of the hostile army.

The occupation applies only to the territory where such authority is established, and in a position to assert itself.

**b. Comment:**

**bi) The Crown included unoccupied territory under its authority**

The Crown was at war with two Boer Republics. These Republics had borders and did not include all the land in southern Africa. Yet, upon occupation of Pretoria as the capital of the Zuid Afrikaanse Republiek, the Crown assumed all the land of the Boer Republics as well as land outside of the Boer Republics to fall under the jurisdiction of the British military. **After the Peace Treaty of Vereeniging was signed at the end of the second Anglo-Boer War, the Crown installed militant control over all the land in southern Africa. Soldiers used during their war against the two Boer Republics were redistributed to enforce regulations, including that of restricted free passage of people from area to area, as well as enforced taxation on the use of their personal huts, roads, and sales of products, brought out by the Crown without respect to the existing structures of government within the various states that were already existing in southern Africa at that time. See Footnote 4 – Britain besieged occupied and unoccupied land in southern Africa by using her military forces.**

Territory is considered occupied when it is actually placed under the authority of the hostile army.

The occupation applies only to the territory where such authority is established, and in a position to assert itself.

**bii) Britain took authority over land which belonged to Zulu chiefs which Britain had not occupied, and re-allocated it to British loyal subjects to manage on behalf of the Crown.**

There were areas in Zululand in which the Crown had not been able to assert itself before and during the Anglo-Zulu war of 1906. These areas belonged to the Zulu kingdom and were governed by traditional Zulu Chiefs.

During and after the Anglo-Zulu War, British officials shot, jailed and deposed of traditional Zulu Chiefs, to ascribe the governance of the land of the traditional Chiefs to people the British officials deemed to be British loyal and who would carry out the regulations for governance laid down by the Crown for Zululand as a whole.

Britain redefined the areas which were governed by traditional Zulu Chiefs, straddling Natal and Zululand, and placed her own magistrates to control these areas. British officers often placed more than one chiefdom within the same magisterial division, or one British loyal chief in control of more than one magisterial division. The effect of including the area of a chief within two or even more magisterial divisions, created internal upheaval as different clans had their own rules as to governance. These chiefs thus had to adjust to the differing modes of operation of several magistrates, e.g. the amaQwabe people were in Maphumulo, Lower uThukela, Inanda, and Ndwedwe. The effect of placing more than one chiefdom within a magisterial division, gave rise to rivalry between chiefdoms vis-à-vis magistrates, whereby some magistrates purposely exploited divisions amongst various chiefs in order to divide and rule. See Attachment 6 - War against Southern Africans and mass extermination of indigenous tribes for the creation of the Union of South Africa, Sub-Section: The Zulu chiefs and their chiefdoms.

**12. On Military Authority over Hostile Territory part 2**

**a. Excerpt:**

**ai) Article 43**

The authority of the legitimate power having actually passed into the hands of the occupant, the latter shall take all steps in his power to re-establish and insure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country.

**b. Comment:**

**bi) British authorities did not respect the laws in force in Zululand after they besieged territories within Zululand**

After the British authoritiestook over control of the Zulu states within the Zulu Kingdom, they ignored the laws that were in force in the country of Zululand. The British authorities introduced new laws and regulations which aligned to the ideal of the Crown to merge Zululand with the rest of southern Africa into a single state and also introduced taxes on the inhabitants of Zululand, which were channeled to the treasury of the Crown. These taxes are discussed in

Attachment 6 - War against Southern Africans and mass extermination of indigenous tribes for the creation of the Union of South Africa; Section The Bambadha Rebellion 1906–1907.

Furthermore, the Crown showed no respect to the laws and form of governance that existed in Zululand before the British authorities took over control of the area. British officials stripped the Zulu King, DinuZulu, of his rank and power, and also stripped the rank and power of all his traditional Chiefs, which they handed over to men - who had no traditional authority - to use to support the ideals of the Crown to form a Union of all the states in southern Africa, as a colony of the Crown.

Representatives of the Crown did not get to know, nor practice, the spirit of Ubuntu in Zululand, whereby the Zulu nation was governed, which includes the regulation of sharing all products and experiences between the locals.

**bii) The Crown did not respect the laws in force inside the Boer Republics after they besieged the territories of the Boer Republics**

The Boer Republics had been governed on principles as were laid out in the Bible. One of these principles stressed that nothing should be taken out from under the ground, which is why the Boers were not interested in mining minerals themselves from their land. The Crown, which had already been profiteering from the gold mined in the Reef area, set about magnifying all wealth she could channel from the Boer Republics to the City of London, and gave authority to her members who were involved with the mining operations inside the Boer Republics, representation within the government structures of the Boer Republics.

The Crown gave authority to Lord Milner to establish the Kindergarten group, which changed the laws in force inside the Boer Republics to bring them into alignment to the laws for control that they were designing for the rest of the land in southern Africa, which would allow for all the land to be united into a single Union. The change of regulations and laws to form the Union of South Africa are discussed further in Attachment 8 - Final steps to complete the formation of the Union of South Africa for total annexation by the Crown.

**biii) The Crown did not respect the laws of the local population which were in force before the Crown annexed they whole of South Africa**

Final annexation of the whole of southern Africa by the Crown came in force by the establishment of the Union of South Africa in 1910. The Union of South Africa was based on the laws and regulations set out by the Kindergarten group on instructions of the Crown. These laws and regulations did not show respect to the laws of the local population before their land was besieged by the British military and official structures. Free passage of locals throughout the land was taken away from the locals, and the locals were denied the freedom of association they had before the Crown laid down British colonial governments inside the land of southern Africans.

Regulations established by the Crown which alienated South Africans from the right to live on and work on their land, to benefit from work on their land as well as to benefit from the wealth of their land, include the following:

* The South African Native Affairs Commission was established by Lord Milner in 1903, and this served as a judicial base for racial separation in South Africa;
* In 1905, compulsory separate schools was established in the Cape by Cecil John Rhodes; Lord Balfour warned against voting rights for ‘naturel’s’; and Chamberlain, Lord Milner, Trollope, and Lord Bryce were all vehemently opposed against voting rights for black people;
* The South African Law of 1907, accepted by the British government, declared that only people of European descent could be elected to the South African parliament;
* The Native Land Act no 2 of 1913 prohibited property ownership by Blacks;
* The concept of job reservation was introduced in 1925 by minister HW Sampson, and implemented in the mines, and industries;
* Sex and marriages across the colour line was declared unlawful in 1927 by the Natal Immorality Act of 1927;
* During Jan Smut’s last term of office, the Native Urban Act 25 of 1945 was implemented, that stated a Black person could not be present in any White areas for longer than 72 hours without a permit.

To note that there were NO such laws in the Boer Republics.

**12. On Military Authority over Hostile Territory part 2**

**a. Excerpt:**

**ai) Article 45**

Any pressure on the population of occupied territory to take the oath to the hostile Power is prohibited.

**b. Comment:**

**bi) The Boers were pressurized to take an oath of allegiance to the Queen of England**

After the Peace Treaty of Vereeniging in 1902 was signed, the Crown kept possession of the government of the Boer Republics which they had besieged, under pretence that they are providing the Boer nation time to reassemble themselves after the Second Anglo-Boer War. During this time, Boer leaders who refused to take an oath of allegiance to the Queen of England were court marshaled and shot by British authorities, or were imprisoned. Furthermore, Boers who did not accept allegiance to the Crown, were not issued any funding to re-instate employment for themselves from the Zuid Afrikaanse Republiek government, and had been rendered helpless in generating an income for their survival by representatives of the Crown.

**13. On Military Authority over Hostile Territory part 3**

**a. Excerpts:**

**ai) Article 46**

Family honors and rights, individual lives and private property, as well as religious convictions and liberty, must be respected.

Private property cannot be confiscated.

**b. Comment:**

**bi) The Crown has not respected the rights of individual lives, their liberties and their private properties since it besieged the land of southern Africans after signing the peace treaty on the 29th of July 1899 at the Hague Convention, which entered into force on September 4, 1900.**

The Crown laid siege on all the land of southern Africa which consisted of various states, republics, kingdoms and the country named Die Nieuwe Republiek after the Peace Treaty of Vereeniging in 1902 was signed between Boer leaders and representatives of the Crown. Thereafter, the Crown refused to hand back the land to their rightful owners, but kept control thereof until today. The processes they followed is discussed in Attachment 10 - South Africa is bound as a possession by the Crown.

Since the time that the Crown laid siege on the land of southern Africa in 1902 by using their military force and by installing their own rules and regulations for governance of the land, the Crown has done various things which are considered illegal by the standards set out at the Peace Conference of 1899 at the Hague, which include the following:

* Indigenous people have been forcefully removed from their land by representatives of the Crown;
* Property of indigenous people has been destroyed during forceful removal of their persons to land re-allocated to them by the Crown;
* The Crown laid claim to wealth generated from the minerals from the land of indigenous people, which is also discussed in Attachment 26 Economic debts of the Crown to South Africans;
* The Crown has channelled wealth from the land of southern Africa to her own treasury, which is also discussed in Attachment 10 - South Africa is bound as a possession by the Crown;
* The Crown created employment rules and regulations in southern Africa which excluded indigenous people from gainful employment based merely on the colour of their skin, which includes Affirmative Action and Black Empowerment policies, as well as various other regulations and rules, of which some are discussed further in Attachment 27 - Humanitarian atrocities committed by the Crown against Southern Africans;
* The Crown has installed governments by succession which are led by corrupt leaders, as discussed in Attachment 10 - South Africa is bound as a possession by the Crown;
* Members from the Crown have controlled the economy of South Africa, which includes the South African Reserve Bank, as discussed in Attachment 20 - The Crown has kept control of the South African economy by keeping ownership of the South African Reserve Bank and the De Beers consortium;
* The liberty of the indigenous people of South Africa has not been respected in that they have been forced into wars instigated by the Crown, both inside Africa as well as internationally, which is also discussed in Attachment 25 - War debts to South Africans.

**14. On Military Authority over Hostile Territory part 4**

**a. Excerpts:**

**ai) Article 47**

Pillage is formally prohibited.

**Aii) Article 52**

Neither requisitions in kind nor services can be demanded from communes or inhabitants except for the necessities of the army of occupation. They must be in proportion to the resources of the country, and of such a nature as not to involve the population in the obligation of taking part in military operations against their country.

These requisitions and services shall only be demanded on the authority of the Commander in the locality occupied.

The contributions in kind shall, as far as possible, be paid for in ready money; if not, their receipt shall be acknowledged.

**b. Comment:**

**bi) the Crown has pillaged southern Africa**

Members from the Crown, and their representatives in South Africa, have taken wealth and land from southern Africa without permission from the indigenous people, nor by purchase from the indigenous people, as their personal possessions.

This is also evident when we study the lives of key role players in the formation of the Union of South Africa, such as Cecil Rhodes, Lord Milner and Jan Smuts, who were relatively poor before they embarked on missions for the Crown in South Africa, and became extremely rich through and after such missions, as discussed in Attachment 5 - Key Role Players in the wars against South Africans before the Union of South Africa, including Rhodes, Smuts, Milner.

Representatives of the Crown transferred all mining rights of the land in southern Africa to members of the Crown.

Representatives of the Crown have enforced rules and regulations which control the economy of people who live in southern Africa, as well as their rights to deal on the international market, which includes the transfer of their money to, and from, southern Africa.

Representatives of the Crown in southern Africa have also transferred items of great value to the treasury of the Crown, which includes the Cullinan diamond. Annually great wealth from the South African state treasury is donated by representatives of the Crown to the International Monetary Fund, which is controlled by members of the Crown.

Presently, the African National Congress political party represent the Crown in the government of South Africa. How the Crown installed the African National Congress into government on their behalf, is discussed in Attachment 10 - South Africa is bound as a possession by the Crown. The manner in which the African National Congress in government of South Africa are in contravention of Article 47 of the Peace Treaty signed at the Hague in 1899, which includes pillage of the lands of southern Africans, is discussed in Attachment 17 - The African National Congress in government.

**15. On Military Authority over Hostile Territory part 15**

**a. Excerpts:**

**ai) Article 53**

An army of occupation can only take possession of the cash, funds, and property liable to requisition belonging strictly to the State, depots of arms, means of transport, stores and supplies, and, generally, all movable property of the State which may be used for military operations.

Railway plant, land telegraphs, telephones, steamers, and other ships, apart from cases governed by maritime law, as well as depots of arms and, generally, all kinds of war material, even though belonging to Companies or to private persons, are likewise material which may serve for military operations, but they must be restored at the conclusion of peace, and indemnities paid for them.

**b. Comment:**

**bi) The Crown has never restored possessions to southern Africans after taking siege of their land**

The Crown has not restored any wealth, nor possessions, to the indigenous people of southern Africa which she used for purposes of war against South Africans, or for any other purposes whereby she enriched herself.

**16. On Military Authority over Hostile Territory part 16**

**a. Excerpts:**

**ai) Article 55**

The occupying State shall only be regarded as administrator and usufructuary of the public buildings, real property, forests, and agricultural works belonging to the hostile State, and situated in the occupied country. It must protect the capital of these properties, and administer it according to the rules of usufruct.

**b. Comment:**

**bi) The Crown has refused to give back use of southern Africa to the rightful owners of the land, and has installed its own rules of use thereof.**

People from southern Africa have been objecting to the force whereby the Crown has taken siege of their land, as well as the rules and regulations of governance the Crown has imposed on them since 1902, which is discussed further in Attachment 9 - Objections to the formation of the Union of South Africa.

People from southern Africa have been asking for return of control of their land in southern Africa which the Crown has refused to return to them since 1902. Public calls have been made for the restoration of their sovereign right to the Boer Republics by the Boer nation on various occasions, as well as by the San and the Khoi – collectively called the KhoiSan, which is discussed in Attachment 19 - The right to self determination. Furthermore, public calls have also been made by the Colored community and the Indian community in South Africa on their right to self determination and the control of independent states. These calls are within the rights of southern Africans, and should be addressed by all parties concerned, which would include investigation as to which land in southern Africa was not part of a state, republic or kingdom prior to 1910.

**17. On Military Authority over Hostile Territory part 17**

**a. Excerpts:**

**ai) Article 56**

The property of the communes, that of religious, charitable, and educational institutions, and those of arts and science, even when State property, shall be treated as private property.

All seizure of, and destruction, or intentional damage done to such institutions, to historical monuments, works of art or science, is prohibited, and should be made the subject of proceedings.

**b. Comment:**

**bi) The Crown did not treat property of communes as private property.**

Representatives of the Crown have takenpropertywhich belongs to the Boer communes for their personal use, in both political ploys and for personal benefit to their friends and family members. Case in point are hospitals, schools and universities built by the Boers with their own funds for their own nation, have been forced to accept other nations as patients, students, teachers and medical staff, to operate within these communes according to the rules and regulations set out to them by representatives of the Crown. Members from the Boer community are presently denied access to these communes by the representatives of the Crown.

**Footnote 1: Laws of War: Laws and Customs of War on Land (Hague II): July 29, 1899.**

**Laws of War :   
Laws and Customs of War on Land (Hague II); July 29, 1899**

**The Convention**

**Annex to the Convention**

**32 Stat. 1803;  
Treaty Series 403**

**[Translation]**

**CONVENTION WITH RESPECT TO THE LAWS AND CUSTOMS OF WAR ON LAND (HAGUE, II) (29 July 1899)**

Adaptation to Maritime Warfare of Principles of Geneva Convention of 1864 : July   
29, 1899.

Entry into Force: 4 September 1900

His Majesty the Emperor of Germany, King of Prussia; [etc.]:

Considering that, while seeking means to preserve peace and prevent armed conflicts among nations, it is likewise necessary to have regard to cases where an appeal to arms may be caused by events which their solicitude could not avert;

Animated by the desire to serve, even in this extreme hypothesis, the interest of humanity and the ever increasing requirements of civilization;

Thinking it important, with this object, to revise the laws and general customs of war, either with the view of defining them more precisely, or of laying down certain limits for the purpose of modifying their severity as far as possible;

Inspired by these views which are enjoined at the present day, as they were twenty-five years ago at the time of the Brussels Conference in 1874, by a wise and generous foresight;

Have, in this spirit, adopted a great number of provisions, the object of which is to define and govern the usages of war on land.

In view of the High Contracting Parties, these provisions, the wording of which has been inspired by the desire to diminish the evils of war so far as military necessities permit, are destined to serve as general rules of conduct for belligerents in their relations with each other and with populations.

It has not, however, been possible to agree forthwith on provisions embracing all the circumstances which occur in practice.

On the other hand, it could not be intended by the High Contracting Parties that the cases not provided for should, for want of a written provision, be left to the arbitrary judgment of the military Commanders.

Until a more complete code of the laws of war is issued, the High Contracting Parties think it right to declare that in cases not included in the Regulations adopted by them, populations and belligerents remain under the protection and empire of the principles of international law, as they result from the usages established between civilized nations, from the laws of humanity, and the requirements of the public conscience;

They declare that it is in this sense especially that Articles 1 and 2 of the Regulations adopted must be understood;

The High Contracting Parties, desiring to conclude a Convention to this effect, have appointed as their Plenipotentiaries, to wit:

[List of plenipotentiaries.]

Who, after communication of their full powers, found in good and due form, have agreed on the following:

**Article 1**

The High Contracting Parties shall issue instructions to their armed land forces, which shall be in conformity with the "Regulations respecting the Laws and Customs of War on Land" annexed to the present Convention.

**Article 2**

The provisions contained in the Regulations mentioned in [Article 1](http://avalon.law.yale.edu/19th_century/hague02.asp#iart1) are only binding on the Contracting Powers, in case of war between two or more of them.

These provisions shall cease to be binding from the time when, in a war between Contracting Powers, a non-Contracting Power joins one of the belligerents.

**Article 3**

The present Convention shall be ratified as speedily as possible. The ratifications shall be deposited at the Hague.

A procÃ¨s-verbal shall be drawn up recording the receipt of each ratification, and a copy, duly certified, shall be sent through the diplomatic channel, to all the Contracting Powers.

**Article 4**

Non-Signatory Powers are allowed to adhere to the present Convention.

For this purpose they must make their adhesion known to the Contracting Powers by means of a written notification, addressed to the Netherland Government, and by it communicated to all the other Contracting Powers.

**Article 5**

In the event of one of the High Contracting Parties denouncing the present Convention, such denunciation would not take effect until a year after the written notification made to the Netherland Government, and by it at once communicated to all the other Contracting Powers.

This denunciation shall affect only the notifying Power.

In faith of which the Plenipotentiaries have signed the present Convention and affixed their seals thereto.

Done at the Hague the 29th July 1899, in a single copy, which shall be kept in the archives of the Netherland Government, and copies of which, duly certified, shall be delivered to the Contracting Powers through the diplomatic channel.

**[List of signatures.]**

**Annex to the Convention   
  
REGULATIONS RESPECTING THE LAWS AND CUSTOMS OF WAR ON LAND   
  
SECTION I.--ON BELLIGERENTS**

**CHAPTER I.--On the Qualifications of Belligerents**

**Article 1**

The laws, rights, and duties of war apply not only to armies, but also to militia and volunteer corps, fulfilling the following conditions:

To be commanded by a person responsible for his subordinates;

To have a fixed distinctive emblem recognizable at a distance;

To carry arms openly; and

To conduct their operations in accordance with the laws and customs of war.

In countries where militia or volunteer corps constitute the army, or form part of it, they are included under the denomination "army."

**Article 2**

The population of a territory which has not been occupied who, on the enemy's approach, spontaneously take up arms to resist the invading troops without having time to organize themselves in accordance with Article 1, shall be regarded a belligerent, if they respect the laws and customs of war.

**Article 3**

The armed forces of the belligerent parties may consist of combatants and non-combatants. In case of capture by the enemy both have a right to be treated as prisoners of war.

**CHAPTER II.--On Prisoners of War**

**Article 4**

Prisoners of war are in the power of the hostile Government, but not in that of the individuals or corps who captured them.

They must be humanely treated.

All their personal belongings, except arms, horses, and military papers remain their property.

**Article 5**

Prisoners of war may be interned in a town, fortress, camp, or any other locality, and bound not to go beyond certain fixed limits; but they can only be confined as an indispensable measure of safety.

**Article 6**

The State may utilize the labor of prisoners of war according to their rank and aptitude. Their tasks shall not be excessive, and shall have nothing to do with the military operations.

Prisoners may be authorized to work for the Public Service, for private persons, or on their own account.

Work done for the State shall be paid for according to the tariffs in force for soldiers of the national army employed on similar tasks.

When the work is for other branches of the Public Service or for private persons, the conditions shall be settled in agreement with the military authorities.

The wages of the prisoners shall go towards improving their position, and the balance shall be paid them at the time of their release, after deducting the cost of their maintenance.

**Article 7**

The Government into whose hands prisoners of war have fallen is bound to maintain them.

Failing a special agreement between the belligerents, prisoners of war shall be treated as regards food, quarters, and clothing, on the same footing as the troops of the Government which has captured them.

**Article 8**

Prisoners of war shall be subject to the laws, regulations, and orders in force in the army of the State into whose hands they have fallen.

Any act of insubordination warrants the adoption, as regards them, of such measures of severity as may be necessary.

Escaped prisoners, recaptured before they have succeeded in rejoining their army, or before quitting the territory occupied by the army that captured them, are liable to disciplinary punishment.

Prisoners who, after succeeding in escaping are again taken prisoners, are not liable to any punishment for the previous flight.

**Article 9**

Every prisoner of war, if questioned, is bound to declare his true name and rank, and if he disregards this rule, he is liable to a curtailment of the advantages accorded to the prisoners of war of his class.

**Article 10**

Prisoners of war may be set at liberty on parole if the laws of their country authorize it, and, in such a case, they are bound, on their personal honor, scrupulously to fulfill, both as regards their own Government and the Government by whom they were made prisoners, the engagements they have contracted.

In such cases, their own Government shall not require of nor accept from them any service incompatible with the parole given.

**Article 11**

A prisoner of war cannot be forced to accept his liberty on parole; similarly the hostile Government is not obliged to assent to the prisoner's request to be set at liberty on parole.

**Article 12**

Any prisoner of war, who is liberated on parole and recaptured, bearing arms against the Government to whom he had pledged his honor, or against the allies of that Government, forfeits his right to be treated as a prisoner of war, and can be brought before the Courts.

**Article 13**

Individuals who follow an army without directly belonging to it, such as newspaper correspondents and reporters, sutlers, contractors, who fall into the enemy's hands, and whom the latter think fit to detain, have a right to be treated as prisoners of war, provided they can produce a certificate from the military authorities of the army they were accompanying.

**Article 14**

A Bureau for information relative to prisoners of war is instituted, on the commencement of hostilities, in each of the belligerent States, and, when necessary, in the neutral countries on whose territory belligerents have been received. This Bureau is intended to answer all inquiries about prisoners of war, and is furnished by the various services concerned with all the necessary information to enable it to keep an individual return for each prisoner of war. It is kept informed of interments and changes, as well as of admissions into hospital and deaths.

It is also the duty of the Information Bureau to receive and collect all objects of personal use, valuables, letters, etc., found on the battlefields or left by prisoners who have died in hospital or ambulance, and to transmit them to those interested.

**Article 15**

Relief Societies for prisoners of war, which are regularly constituted in accordance with the law of the country with the object of serving as the intermediary for charity, shall receive from the belligerents for themselves and their duly accredited agents every facility, within the bounds of military requirements and Administrative Regulations, for the effective accomplishment of their humane task. Delegates of these Societies may be admitted to the places of interment for the distribution of relief, as also to the halting places of repatriated prisoners, if furnished with a personal permit by the military authorities, and on giving an engagement in writing to comply with all their Regulations for order and police.

**Article 16**

The Information Bureau shall have the privilege of free postage. Letters, money orders, and valuables, as well as postal parcels destined for the prisoners of war or dispatched by them, shall be free of all postal duties both in the countries of origin and destination, as well as in those they pass through.

Gifts and relief in kind for prisoners of war shall be admitted free of all duties of entry and others, as well as of payments for carriage by the Government railways.

**Article 17**

Officers taken prisoners may receive, if necessary, the full pay allowed them in this position by their country's regulations, the amount to be repaid by their Government.

**Article 18**

Prisoners of war shall enjoy every latitude in the exercise of their religion, including attendance at their own church services, provided only they comply with the regulations for order and police issued by the military authorities.

**Article 19**

The wills of prisoners of war are received or drawn up on the same conditions as for soldiers of the National Army.

The same rules shall be observed regarding death certificates, as well as for the burial of prisoners of war, due regard being paid to their grade and rank.

**Article 20**

After the conclusion of peace, the repatriation of prisoners of war shall take place as speedily as possible.

**CHAPTER III. -- On the Sick and Wounded**

**Article 21**

The obligations of belligerents with regard to the sick and wounded are governed by the [Geneva Convention of the 22nd August, 1864](http://avalon.law.yale.edu/19th_century/geneva04.asp), subject to any modifications which may be introduced into it.

**SECTION II. -- ON HOSTILITIES**

**CHAPTER I. -- On means of injuring the Enemy, Sieges, and Bombardments**

**Article 22**

The right of belligerents to adopt means of injuring the enemy is not unlimited.

**Article 23**

Besides the prohibitions provided by special Conventions, it is especially prohibited:--

To employ poison or poisoned arms;

To kill or wound treacherously individuals belonging to the hostile nation or army;

To kill or wound an enemy who, having laid down arms, or having no longer means of defense, has surrendered at discretion;

To declare that no quarter will be given;

To employ arms, projectiles, or material of a nature to cause superfluous injury;

To make improper use of a flag of truce, the national flag, or military ensigns and the enemy's uniform, as well as the distinctive badges of the Geneva Convention;

To destroy or seize the enemy's property, unless such destruction or seizure be imperatively demanded by the necessities of war.

**Article 24**

Ruses of war and the employment of methods necessary to obtain information about the enemy and the country, are considered allowable.

**Article 25**

The attack or bombardment of towns, villages, habitations or buildings which are not defended, is prohibited.

**Article 26**

The Commander of an attacking force, before commencing a bombardment, except in the case of an assault, should do all he can to warn the authorities.

**Article 27**

In sieges and bombardments all necessary steps should be taken to spare as far as possible edifices devoted to religion, art, science, and charity, hospitals, and places where the sick and wounded are collected, provided they are not used at the same time for military purposes.

The besieged should indicate these buildings or places by some particular and visible signs, which should previously be notified to the assailants.

**Article 28**

The pillage of a town or place, even when taken by assault, is prohibited.

**CHAPTER II. -- On Spies**

**Article 29**

An individual can only be considered a spy if, acting clandestinely, or on false pretences, he obtains, or seeks to obtain information in the zone of operations of a belligerent, with the intention of communicating it to the hostile party.

Thus, soldiers not in disguise who have penetrated into the zone of operations of a hostile army to obtain information are not considered spies. Similarly, the following are not considered spies: soldiers or civilians, carrying out their mission openly, charged with the delivery of dispatches destined either for their own army or for that of the enemy. To this class belong likewise individuals sent in balloons to deliver dispatches, and generally to maintain communication between the various parts of an army or a territory.

**Article 30**

A spy taken in the act cannot be punished without previous trial.

**Article 31**

A spy who, after rejoining the army to which he belongs, is subsequently captured by the enemy, is treated as a prisoner of war, and incurs no responsibility for his previous acts of espionage.

**CHAPTER III -- On Flags of Truce**

**Article 32**

An individual is considered a parlementaire who is authorized by one of the belligerents to enter into communication with the other, and who carries a white flag. He has a right to inviolability, as well as the trumpeter, bugler, or drummer, the flag-bearer, and the interpreter who may accompany him.

**Article 33**

The Chief to whom a flag of truce is sent is not obliged to receive it in all circumstances.

He can take all steps necessary to prevent the envoy taking advantage of his mission to obtain information.

In case of abuse, he has the right to detain the envoy temporarily.

**Article 34**

The envoy loses his rights of inviolability if it is proved beyond doubt that he has taken advantage of his privileged position to provoke or commit an act of treachery.

**CHAPTER IV. -- On Capitulations**

**Article 35**

Capitulations agreed on between the Contracting Parties must be in accordance with the rules of military honor.

When once settled, they must be scrupulously observed by both the parties.

**CHAPTER V. -- On Armistices**

**Article 36**

An armistice suspends military operations by mutual agreement between the belligerent parties. If its duration is not fixed, the belligerent parties can resume operations at any time, provided always the enemy is warned within the time agreed upon, in accordance with the terms of the armistice.

**Article 37**

An armistice may be general or local. The first suspends all military operations of the belligerent States; the second, only those between certain fractions of the belligerent armies and in a fixed radius.

**Article 38**

An armistice must be notified officially, and in good time, to the competent authorities and the troops. Hostilities are suspended immediately after the notification, or at a fixed date.

**Article 39**

It is for the Contracting Parties to settle, in the terms of the armistice, what communications may be held, on the theatre of war, with the population and with each other.

**Article 40**

Any serious violation of the armistice by one of the parties gives the other party the right to denounce it, and even, in case of urgency, to recommence hostilities at once.

**Article 41**

A violation of the terms of the armistice by private individuals acting on their own initiative, only confers the right of demanding the punishment of the offenders, and, if necessary, indemnity for the losses sustained.

**SECTION III. -- ON MILITARY AUTHORITY OVER HOSTILE TERRITORY**

**Article 42**

Territory is considered occupied when it is actually placed under the authority of the hostile army.

The occupation applies only to the territory where such authority is established, and in a position to assert itself.

**Article 43**

The authority of the legitimate power having actually passed into the hands of the occupant, the latter shall take all steps in his power to re-establish and insure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country.

**Article 44**

Any compulsion of the population of occupied territory to take part in military operations against its own country is prohibited.

**Article 45**

Any pressure on the population of occupied territory to take the oath to the hostile Power is prohibited.

**Article 46**

Family honors and rights, individual lives and private property, as well as religious convictions and liberty, must be respected.

Private property cannot be confiscated.

**Article 47**

Pillage is formally prohibited.

**Article 48**

If, in the territory occupied, the occupant collects the taxes, dues, and tolls imposed for the benefit of the State, he shall do it, as far as possible, in accordance with the rules in existence and the assessment in force, and will in consequence be bound to defray the expenses of the administration of the occupied territory on the same scale as that by which the legitimate Government was bound.

**Article 49**

If, besides the taxes mentioned in the preceding Article, the occupant levies other money taxes in the occupied territory, this can only be for military necessities or the administration of such territory.

**Article 50**

No general penalty, pecuniary or otherwise, can be inflicted on the population on account of the acts of individuals for which it cannot be regarded as collectively responsible.

**Article 51**

No tax shall be collected except under a written order and on the responsibility of a Commander-in-Chief.

This collection shall only take place, as far as possible, in accordance with the rules in existence and the assessment of taxes in force.

For every payment a receipt shall be given to the taxpayer.

**Article 52**

Neither requisitions in kind nor services can be demanded from communes or inhabitants except for the necessities of the army of occupation. They must be in proportion to the resources of the country, and of such a nature as not to involve the population in the obligation of taking part in military operations against their country.

These requisitions and services shall only be demanded on the authority of the Commander in the locality occupied.

The contributions in kind shall, as far as possible, be paid for in ready money; if not, their receipt shall be acknowledged.

**Article 53**

An army of occupation can only take possession of the cash, funds, and property liable to requisition belonging strictly to the State, depots of arms, means of transport, stores and supplies, and, generally, all movable property of the State which may be used for military operations.

Railway plant, land telegraphs, telephones, steamers, and other ships, apart from cases governed by maritime law, as well as depots of arms and, generally, all kinds of war material, even though belonging to Companies or to private persons, are likewise material which may serve for military operations, but they must be restored at the conclusion of peace, and indemnities paid for them.

**Article 54**

The plant of railways coming from neutral States, whether the property of those States, or of Companies, or of private persons, shall be sent back to them as soon as possible.

**Article 55**

The occupying State shall only be regarded as administrator and usufructuary of the public buildings, real property, forests, and agricultural works belonging to the hostile State, and situated in the occupied country. It must protect the capital of these properties, and administer it according to the rules of usufruct.

**Article 56**

The property of the communes, that of religious, charitable, and educational institutions, and those of arts and science, even when State property, shall be treated as private property.

All seizure of, and destruction, or intentional damage done to such institutions, to historical monuments, works of art or science, is prohibited, and should be made the subject of proceedings.

**SECTION IV. -- ON THE INTERNMENT OF BELLIGERENTS   
AND THE CARE OF THE WOUNDED IN NEUTRAL COUNTRIES**

**Article 57**

A neutral State which receives in its territory troops belonging to the belligerent armies shall intern them, as far as possible, at a distance from the theatre of war.

It can keep them in camps, and even confine them in fortresses or locations assigned for this purpose.

It shall decide whether officers may be left at liberty on giving their parole that they will not leave the neutral territory without authorization.

**Article 58**

Failing a special Convention, the neutral State shall supply the interned with the food, clothing, and relief required by humanity.

At the conclusion of peace, the expenses caused by the internment shall be made good.

**Article 59**

A neutral State may authorize the passage through its territory of wounded or sick belonging to the belligerent armies, on condition that the trains bringing them shall carry neither combatants nor war material. In such a case, the neutral State is bound to adopt such measures of safety and control as may be necessary for the purpose.

Wounded and sick brought under these conditions into neutral territory by one of the belligerents, and belonging to the hostile party, must be guarded by the neutral State, so as to insure their not taking part again in the military operations. The same duty shall devolve on the neutral State with regard to wounded or sick of the other army who may be committed to its care.

**Article 60**

The Geneva Convention applies to sick and wounded interned in neutral territory.

<http://avalon.law.yale.edu/19th_century/hague02.asp>

**Footnote 2: The influence of Free Masonry in South African history.**

**History**

Free Masonry had spread from Britain into Holland, and through the officials of the ‘Hollandse Oos Indiese Kompanjie’ (Dutch East Indian Company) to other regions where the Kompanjie had influence. It found footing in the Cape in 1772, when the Dutch established ‘De Goede Hoop’ as a communication channel between certain staff of the Kompanjie who met in secret. A.A.Cooper referred to this in his book ‘The Freemasons of South Africa’ dated 1986, published in Cape Town by Human & Rousseau as follows on pages 16-17:

“Nederlandic Freemasonry in South Africa was first mooted about 1764....One of these, a sea captain Abraham van der Weijde, arrived at the Cape on 24 April 1772 and invoked a meeting on 2 May 1772 when ten Masons assembled under his presidency and the master and officers were elected.

“Two days later he issued a provisional warrant of authority subject to Holland’s approval and the Lodge De Goede Hoop, the first in South Africa, came into being.....In Lodge De Goede Hoop, Company officials of different rank and free burghers were meeting in secrecy to practice those ‘Enlightened’ principles which could then be seen as a danger to the stratified society at the Cape.”

The international network of Free Masonry proved to be a useful tool for the Crown in which they found footing to communicate with each other on all levels of their operations.

Reference: Attachment 10 - South Africa is bound as a possession by the Crown,

Part 1: The Free Burgher Resistance to the Crown resulted in the creation of the Boer

identity, Section a) The Burghers in South Africa had unwittingly come into opposition with

the international bankers of the Crown.

**Members**

**Martinus Steyn**, of the Free State, was a high order Free Mason. This is where the Orange in the republic's name comes from - it refers to the house of Orange - the Dutch royal family, and highest order initiates of the Free Masons and global Brotherhood elite, members of the Crown.

(See Attachment 7 - Land annexed and the colonies established by the Crown to form the Union of South Africa, Section Deceit by British leaders to annex the diamond mines in South Africa).

**Jan Smuts, Piet Joubert and Louis Botha**

When President Kruger of the Zuid Afrikaanse Republiek refused to accept Jan Smuts into his government, the position was secured for Smuts as State Attorney by Piet Joubert, who was also a Free Mason.

Note that Piet Joubert and the Illuminati Louis Botha both served the ‘Enlightened’ principles of Free Masonry. Joubert had the support of the ‘Uitlanders’, greatly due to his connection to the Free Masonry, and was the left faction to the governance of the Zuid Afrikaanse Republiek

Free Mason Louis Botha in his position of Boer General let several opportunities to win the war, such as defeating Generals White and Buller, "slip" through his fingers in Natal while holding on to the ‘British idea’ of a war to end all wars, whereby should Britain be the victor, it would bring worldwide peace. Worldwide peace is the ideal the Crown have blinded many sincere leaders with worldwide, before, and after, the Anglo-Boer Wars.

Just like Smuts, Louis Botha, President F.W. Reitz, T.F. Burgers, Commander General Piet Joubert and many more were Free Masons long before the declaration of war.

According to Johannes Meintjies, Joubert had expressed his feelings as follows: “neither religion, nor prayer, nor victories would put the Boers in the position to win the war.” Meintjies also added that “the one who had the least heart in the struggle was General Piet Joubert, and the one who kept him going was his wife...” She did not only encourage and give him advice; she even gave instructions to the soldiers on the battlefields.

General Joubert had come out the hero after the Battle of Amajuba ended the first Anglo-Boer war. However, it is noteworthy that the British military knew exactly where those under Joubert command would be stationed, and were so self assured of their victory, that their leader, Chamberlain, went to sleep during the battle. Furthermore, Joubert did not lead his men into that battle, but remained at the base. It was his wife who had noticed the British advance early that fateful morning, to which he replied that she is seeing ‘monkeys’, not soldiers.

During the second Anglo-Boer war in October 1899, Joubert turned the battle into the favour of the British.

The Boer war committee had decided to execute a united onslaught on the British army in Dundee on 20 October 1899. General Joubert was leading the main contingency, which had arrived in Newcastle on 15 October 1899. He stalled their progress to Dundee, with the effect that General Lukas Meyer and his small contingency fought on their own. Although valiant, they were forced to retreat by 14:00. Had the full Boer force participated in this battle, they could have easily won20 and taken the British General Penn Symons and his entire contingency as prisoners, as they were demoralized, tired and weak.

D.Phil at the University of Stellenbosch, 1949, wrote in his graduation paper on Dr. J.A. Mouton that although the deputy officers should be held responsible for the losses suffered by Lukas Meyer, Commander General Piet Joubert could not be relieved of the responsibility for the escape of British troops from Dundee two days later.

Dr. J.A.Mouten had written that Joubert issued no commands, not to execute a shattering attack against Yule, neither to prevent that this nearly surrounded officer escape along the Helpmekaar Road to Ladysmith.

British historian Davitt wrote:” “It was the first great opportunity which the war had offered to Joubert for the exercise of his generalship in the field, and he was found woefully wanting in the qualities which the occasion demanded.”

Joubert sent a telegram of sympathy to the widow of General Penn Symons, a Free Mason, after he died from his wounds.

Piet Joubert was unmasked as a traitor on 20 March 1900 in front of a war committee in Kroonstad. In attendance were also Gens. Louis Botha, De la Rey and de Wet. It was General Botha (Free Mason) who placed a Mauser bullet and a glass of green liquid on a table and ordered Joubert to make his choice. Gen Joubert asked that his family not be told about his conspiracy. He stood up, walked to the table, and drank the poison. He walked back to his chair, but collapsed before he could sit down, and died. Along with him, the full plot of his conspiracy died as well.

12 years later during the Rebellion of 1914, General Botha ordered the slaughter of hundreds of Boers. At the end of this war, he slit his wrists on his own accord, after he had suffered from the “Big Flu”.

(See Attachment 10 - South Africa is bound as a possession by the Crown, Section: Deceit by the Crown to gain control of the gold fields in the Boer Republics, e) The Crown used Smuts as a double agent to steal the Boer Republics; and k) The Crown created deceit amongst the Boers to win the Anglo-Boer Wars).

**Christoffel Brand and Jan Hofmeyr**

In 1860, Christoffel Brand, who had become the Assistant Great Master of the Dutch/Afrikaanse Free Mason of South Africa (he held that position from 1847-1874) opened Free Mason lodges in the Orange Free State and Zuid Afrikaanse Republiek, which opened an infrastructure for the Crown and the Illuminati inside the Boer republics for the first time.

Brand was succeeded by Jan Hofmeyr in 1874as the new Assistant Great Master of the Dutch/Afrikaans Free Masonry in South Africa, during who’s leadership the movement decreased in membership. Membership improved again after the 1890’s and the arrival of gold and diamond seekers.

(See Attachment 10 - South Africa is bound as a possession by the Crown Free Masonry used as a tool in South African history by the Crown to bind the land as their possession)

**Footnote 3 – The Crown installed her own leadership in Zululand.**

From the mid-nineteenth century the traditional boundaries of the chiefdoms had been radically disrupted, some more than others, and similarly the choice of incumbents of the position of chief had been tampered with in pursuance of the policies of the colonial government.

The effect of this engineering, among others, was to impose magisterial authority over the chiefdoms, which in itself was an assault on the traditional role of the chief, who had to adjust his rule to fit in with the magistrate’s overarching authority.

More serious still was the effect of including the area of a chief within two or even more magisterial divisions, possibly straddling Natal and Zululand, as the chief had thus to adjust to the differing modes of operation of several magistrates, e.g. the amaQwabe people were in Maphumulo, Lower uThukela, Inanda, and Ndwedwe.

Even more complex was the effect of placing more than one chiefdom within a magisterial division, which gave rise to rivalry between chiefdoms vis-à-vis magistrates, whereby some magistrates purposely exploited divisions amongst various chiefs in order to divide and rule.

Rivalry for scarce land and resources was no doubt a gradually unfolding long-term result of Shepstone’s land policy, and this was further complicated by the creation over the years of acting chiefs by the colonial authorities. By 1906 some of the acting chiefs were still not secure in their positions, and some believed that loyalty to the colonial cause was an opportunity to entrench themselves in a permanent chiefdom.

The sometimes conflict-ridden relationships amongst the chiefs must be seen in the context of longstanding rivalry for land, land being the crux of the conflict particularly due to the expansionist policy of the British colonial state. This situation was aggravated by factors such as natural disasters (rinderpest, drought) and the impact of political interaction within white settlements (both Boer and British colonist), especially in more fertile areas such as Nqutu and Nkandla. There had been an escalation of economic pressures such as hut tax, dog tax, farm tax, and now there was poll tax.

These economic pressures which had gradually forced more and more of the younger men in the chiefdom to seek work in the urban areas of Natal and elsewhere also led to the social imbalance inevitably associated with migrant labour. The absence of many young men, even though they maintained close links with their rural roots, disrupted the power base of the chiefs, who no longer had a full generation of young men readily at their disposal.

(See Attachment 6 - War against Southern Africans and mass extermination of indigenous tribes for the creation of the Union of South Africa, Section: The Zulu chiefs and their chiefdoms.)

**Footnote 4: Britain besieged occupied and unoccupied land in southern Africa by using her military forces.**

**After the Peace Treaty of Vereeniging was signed at the end of the second Anglo-Boer War, the Crown ordered the death of many Boer leaders, where after she installed military rule all over the land of southern Africa.**

**The Commando systems that had been protecting the Boer Republics were disbanded, and imperial garrisons were spread throughout the country. They were complimented with the ‘South African Constabulary’ which had already established a network of policing and control points during the Anglo-Boer War.** Both Milner and Lord Kitchener demanded that their presence was required to maintain British power in Southern Africa.

It appears from the correspondence of Milner to General N.G. Lyttleton, that it was crucial for this garrison, which stood at 30 000 men in March 1903, that this annexation power remained in place to prevent any uprising or rebellion against the annexation of the Boer Republics, or other. Information on additional British garrisons is given in Attachment 10 - South Africa is bound as a possession by the Crown, Footnote 1: British Garrisons after the Second Anglo-Boer War in the four colonies in South Africa.

**Decisions made by the conferences on defence in South Africa after the second Anglo-Boer War were greatly influenced by the decisions made during the London Colonial Conference in 1907. Here it was decided that military co-operation should be established between Britain and South Africa to show Imperial military uniformity. It was also decided that military units from the different colonies should develop the same structures and have the same names. Departments and facilities for training of personnel, telegraphing, medical and veterinary services, as well as reservist personnel were to be established.**

**Furthermore the decision was made that the colonies were responsible to maintain and provide all provisions and funding for the infantry and artillery divisions of defence.**

**The uniformity of systems was considered conducive to greater political unification.**

**During the Imperial Defence Conference in London 1909, defence of British Imperialism in South Africa was discussed in relation to the desired final ‘unification’ of South Africa.**

**In May 1909, during the Pretoria convention, a law was instituted which made active military service compulsory for members of the white communities between the ages of 18 – 48 in the case of emergencies.**

**Hereby, military and cadet training of white people became compulsory in South Africa.**

**The scene had been set for a complete annexation of South Africa, at the expense of South Africans.**

(See Attachment 10 - South Africa is bound as a possession by the Crown, Part 2. The Crown laid the foundations of an Imperialist autocratic system of governance in South Africa; Section (i) The Crown enforced their ownership of South Africa by using a military government before finalizing their Union of South Africa.)

**Section B. The Constitution is technically illegal**

**(i) The Constitution of South Africa was never a Constitution**.

The land of southern Africa was under siege by the Crown at the time the Constitution of South Africa was formulated by the Milner Kindergarten on behalf of the Crown.

The Crown denied the existing laws, rights and systems of government of the various states, kingdoms and republics of which the land in southern Africa comprised of, and instigated her own system of government in southern Africa without the permission of the leaders - and the people they were responsible for - of the various states, kingdoms and republics which of which the land in southern Africa.

The Crown formulated a Constitution which served as the basis to cover all the land of southern Africa, wherein they laid down the rules and regulations whereby the land would be governed. However, it was incorrect to call this basis a Constitution, because the South African government did not derive its whole authority from the written instrument agreed upon by the governed, which is discussed in Attachment 8 - Final steps to complete the formation of the Union of South Africa for total annexation by the Crown.

Furthermore, this Constitution has been handed over by succession from political party to political party in governance until today – under control of the Crown - with minor alterations made to it, which is discussed in Attachment 10 - South Africa is bound as a possession by the Crown.

**The Union of South Africa**

South Africa was governed by the laws imposed on her by the sovereign British Crown in what could be more correctly called a Charter, and not a Constitution, until 1961, at which time the Union of South Africa officially gained her independence from the Crown and became a Republic.

**The Republic of South Africa**

As a Republic, South Africa was governed by the laws imposed on her by a white minority political party which could more correctly be called a Compact, which creates obligations and rights capable of being enforced and contemplated as such between the parties, in their distinct and independent characters, as was done under the system of Apartheid.

There is a distinct difference between a constitution, contract, charter and a compact, which is as follows:

**Constitution:** “ . . . A charter of government deriving its whole authority from the governed.  The written instrument agreed upon by the people of the Union, or a particular states, . .. In a more general sense, any fundamental or important law or edict; as the Novel Constitutions of Justinian; the Constitutions of Clarendon.”  [Black’s Law Dictionary, 6th Edition]

**Charter:** “An instrument emanating from the sovereign power, in the nature of a grant, either to the whole nation, or to a class or portion of the people, to a corporation, or to a colony or dependency, assuring to them certain rights, liberties, or powers . .. A charter differs from a constitution, in that the former is granted by the sovereign, while the later is established by the people themselves. [Black’s Law Dictionary, 6th Edition]

**Contract:** “An agreement between two or more persons which creates an obligation to do or not to do a particular thing. . . A legal relationship consisting of the rights and duties of the contracting parties; a promise or set of promises constituting an agreement between the parties that gives each a legal duty to the other and also the right to seek a remedy for the breach of those duties. [Black’s Law Dictionary, 6th Edition]

**Compact:** “. . .A contract between parties, which creates obligations and rights capable of being enforced and contemplated as such between the parties, in their distinct and independent characters. . .” [Black’s Law Dictionary, 6th Edition]

At no stage has the Constitution of South Africa composed of the written instrument agreed upon by the people of the Union, nor of the Republic, nor of the leadership from the various states and kingdoms which existed in southern Africa at the time the Crown presented the Constitution to the select group she held discretion to present the Constitution to; but has been the written instrument agreed upon by governments and their representative political parties.

**(ii) The Constitution of South Africa was never accepted by the nation of South Africa**

The nation of South Africa were never able to accept the Constitution of South Africa as a written instrument agreed upon by the people of the Union, nor the people of the Republic, as it was never addressed to them in such a manner that it could have been signed as accepted nor witnessed by anybody, nor delivered by anybody to anybody’s agent or attorney.

The Constitution of South Africa was not addressed to the nation of South Africa in such a manner that it could be accepted and signed by the nation.

In law, it is an impossibility to witness a document no one signed. It can therefore be of no more validity as a contract, than can any other instrument that was never signed or delivered. On general principles of law and reason, the oaths which these pretended agents of the people take ‘to support the Constitution,’ are of no validity or obligation, as these Oaths have not been given to anybody. There is no ‘privity’, in other words, no mutual recognition, consent, and agreement—between those who take these oaths, and any other persons.

[SOURCE:  The Myth and The Reality, by The Informer, pages 10-13]

The Constitution of South Africa was signed by one party only, which consisted of members in government as placed by political party leaders, and was not signed by the other party, which is the people of the nation. The Constitution of South Africa can therefore not be seen as a legal binding contract, as it does not contain the three main parts needed to create a binding contract, namely Offer, Acceptance, and Consideration. Further discussion on these principles are continued in Footnote 1 - The Three main Parts of a Binding Contractual Agreement

The constitution was created for, and witnessed by, a specific body of men, and it did not apply to the more general population, which is clearly noted in the way it uses capital letters.

The people of the nation have not been able to choose the leader of a political party, as these leaders are chosen by the political party itself and not the nation as a whole.

**(iii) The Constitution of South Africa is vague**

There is no clear meaning set out in the Constitution of who it refers to where it states WE the people, and the responsibilities of the people, signatories and witnesses mentioned in the Constitution.

**The Difference between “WE the people” and “WE, the People”.**

In legal terminology, is there a difference between “WE, the People” and “WE, the people”.

In the phrase, “WE, the People” the capitalized word makes it a proper noun, which means that “the People” was a specific group (i.e., those offering the Contract).  In the phrase, “WE, the people” the common noun indicates that the phrase refers to people in a general sense.

[The Myth and The Reality, by The Informer, Pages 25-26]

To note, the legal difference between Signing and Witnessing is discussed in Footnote 2 - The difference between the signatories and the witnesses

**(iv) The men who “witnessed” The Constitution of South Africa were participating in the beginning of a “con job” for the colonists which continues today.**

The ‘Speech on Conciliation with America’ given byEdmond Burke on the 22nd of March 1775 with reference to America as a colony of the Crown, applies equally well to South Africa as a colony of the Crown during that era, which clearly shows the deception by which the Crown maintained control over her colonies, which endured even after their independence was given, when he advised as follows:

“. . . Let the colonies always keep the idea of their civil rights associated with your government - they will cling and grapple to you, and no force under heaven will be of power to tear them from their allegiance.  But let it be once understood that your government may be one thing and their privileges another that these two things may exist without any mutual relation - the cement is gone, the cohesion is loosened and everything hastens to decay and dissolution.  As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces toward you.  The more they multiply, the more friends you will have, the more ardently they love liberty, the more perfect will be their obedience.  Slavery they can have; they can have it from Spain; they may have it from Prussia.  But until you become lost to all feeling of your true interest and your natural dignity, freedom they can have from none but you. This commodity of price, of which you have the monopoly.  This is the true Act of Navigation, which binds to you the commerce of the colonies, and through them secures to you the wealth of the world.  Deny them this participation of freedom, and you break that sole bond which originally made, and must still preserve, the unity of the empire. . . Let us get American revenue as we have got an American empire.  English privileges have made it all that it is; English privileges alone will make it all it can be.”

**Footnote 1: The Three main Parts of a Binding Contractual Agreement**

The three parts of a binding contract are: Offer, Acceptance, and Consideration.

(1) An Offer must be made to someone else;

(2) The Offer must be voluntarily Accepted, and

(3) if both parties “voluntarily give, exchange, perform, or promise one another something of value, then you’ve got Consideration.

[SOURCE:  Law for Dummies, by John Ventura, JD, Page 16]

In Section 013 of ‘Invisible Contracts’, by George Mercier it is noted that:

“ …A perfect, well-rounded contract requires not only a promise and a Consideration, but a participation by each party in both of these elements . . .”  – Edward Bennett in Considerations Moving From Third Persons in 9 Harvard law Review 233, at 233 (1895).

In Section 001 of ‘Invisible Contracts’ by George Mercier it is noted that:

“Whenever there is an exchange of benefits and there remains some lingering expectations of some duty between two parties, then an actual INVISIBLE CONTRACT is in effect . . . as it is said that the duty owed back to the party initially transferring the benefits is RECIPROCAL in nature.”

**Footnote 2: The difference between the signatories and the witnesses**

There is a legal difference between “signing” and “witnessing” a document.

We quote the following two explanations from Black’s Law Dictionary, 6th Edition:

1) “Sign –To affix one’s name to a writing or instrument, for the purpose of authenticating or executing it, or to give it effect as one’s act.   . . To make any mark, as upon a document, in token of knowledge, approval acceptance, or obligation.”

2)“Witness – In general, one who, being present, personally sees or perceives a thing; a beholder, spectator, or eyewitness.   . . One who testifies to what he has seen, heard, or otherwise observed. . . A person attesting genuiness of signature to document by adding his signature. .. One who is called upon to be present at a transaction, or the making of a will. . .”

**Section C**

The inhumane regulations installed in South Africa through the illegal Constitution of South Africa have led to bloodshed and poverty of the nation.

The international community was made aware of some of the atrocities which resulted from the illegal Constitution of South Africa which was formulated by the Kindergarten group on behalf of the Crown, and their objections, as well as those of southern Africans, is discussed in Attachment 9 - Objections to the formation of the Union of South Africa.

Instead of rewarding southern Africans with an apology and reparations to the effects of the inhumane system they created through the Constitution for the Union of South Africa – formulated to establish southern Africa as a colony of the Crown - the Crown merely replaced the government of South Africa after making minor alterations to this Constitution, which is still in force, and continues to allow alterations to be made in this Constitution to ensure her interests in southern Africa are protected by all the powers to the disposal of the ruling government to the Union.

The inhumane regulations installed in South Africa through the illegal Constitution of South Africa has created a select elite government which still serves the Crown, which is discussed in Attachment 10 - South Africa is bound as a possession by the Crown, and in Attachment 18 - Impact of the Union of South Africa on the nation created a select elitist ruling society.

The select elite governments of the Union of South Africa have served to protect the Crown to the detriment of the indigenous people of southern Africa. Not only has the wealth of the indigenous people been removed without their permission and without them benefitting from this wealth economically and financially, but their means to protect themselves physically has also been removed. The people of southern Africa are presently under attack from criminal syndicates both within and outside the South African government, and have no authority, means or recourse, to have these criminals investigated, penalized, and removed from their society. By its silence, the South African government itself has become a partner of crime, if not directly involved, which is also discussed in Attachment 15 - The silent genocide of the Boer Nation in South Africa.

ATTACHMENTS AVAILABLE IN BOOK FORM:

BUNDLE 1: Attachments 1 - 3 <https://www.createspace.com/4392573>

BUNDLE 2: Attachments 4 - 8 <https://www.createspace.com/4398589>

BUNDLE 3: Attachments 9 - 10 <https://www.createspace.com/4416061>

BUNDLE 4: Attachments 11 - 14 <https://www.createspace.com/4400727>

BUNDLE 5: Attachments 15 <https://www.createspace.com/4415962>

BUNDLE 6: Attachments 15a <https://www.createspace.com/4497969>

BUNDLE 7: Attachments 16 - 18 <https://www.createspace.com/4415984>

BUNDLE 8: Attachments 19 - 26 <https://www.createspace.com/4416010>

BUNDLE 9: Attachments 27 - 30 <https://www.createspace.com/4416021>

BUNDLE 10: Brief <https://www.createspace.com/4437109>

BUNDLE 11: Brief Concordance <https://www.createspace.com/4497991>

BUNDLE 12: Attachment 15b, update of genocide records, 2013 will be available

during April 2014 on <https://www.createspace.com/4498007>