

# RESETTLEMENT

1988

The resettlement of the population of the Republic of the Congo in 1988 was a complex process involving the relocation of a large number of people from their original homes to new locations. This was primarily due to the need to address the environmental and social challenges posed by the country's rapid population growth and the degradation of its natural resources. The government, in collaboration with international organizations, implemented a series of programs aimed at providing the resettled population with the necessary infrastructure, services, and support to ensure their successful integration into the new communities. These programs included the construction of housing, the provision of basic necessities such as food and clothing, and the establishment of educational and healthcare facilities. The resettlement process was also accompanied by efforts to improve the living conditions and livelihoods of the affected population, such as the development of agricultural and fishing activities. The overall goal of the resettlement program was to create a more sustainable and equitable society for the Republic of the Congo.

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AKG 2/18/81 371

## 'Change of heart' for threatened township?

### Staff Reporter

THE Town Clerk of George, Mr Carel du Plessis, is to address a mass meeting of Lawaai-kamp residents tonight to make arrangements for their removal to the new township of Thembaletu.

This follows the expiry of his May 31 deadline for them to move — or be evicted by court order.

About 200 families are believed to be still living in the township.

### PREPARED

Mr du Plessis said today he had been approached by members of the George Civic Association to address the community.

He said there appeared to have been a change of spirit and that the community was now prepared to move.

The meeting was to make arrangements for transport, assistance and to discuss any problems the residents might have.

There was no question of discussing a possible reprieve for the township as that was "non-negotiable".

### COMPLETE

The first 100 houses for Lawaai-kamp residents were already complete. Some were pre-fabricated, others were of brick.

Mr du Plessis said he did not expect that the municipality would have to apply for a court order to evict anyone from Lawaai-kamp.

Thirty people had already applied for houses since last Friday.



George 271

## George residents defy order

ABOUT 1800 residents of Lawaai-kamp in George defied an government ultimatum to move to Sandkraal yesterday or face eviction.

The deadline passed without anyone leaving the shanty town, said Mrs Jill Dugmore of the Black Sash, who works closely with the squatters.

Police had kept a low profile and there had been no attempt to evict people from their houses.

Government officials said yesterday that the municipality had not yet applied for court orders. It was considering delaying court action because 30 squatter families had applied to move to Sandkraal.

A squatter spokesman, Mr Melford Notshokovu, said he did not believe 30 families had applied to move.

Leaflets were distributed in Lawaai-kamp yesterday asking residents to attend a meeting with municipal officials tonight, Mrs Dugmore said.

— Sapa-Reuter





Every building in Oukase is numbered — but residents insist that their township's days are not numbered. Picture by Herbert Mabuza.

# Non-residents banned from Oukase

By Jo-Anne Collinge

From yesterday it became an offence for any non-resident of the Brits township of Oukase to enter the area — but nobody seemed to be interested in enforcing the law.

And Oukase residents, who have resisted removal for nearly three years, went about their tasks apparently unconcerned that the area had been placed in a state of semi-quarantine.

The closure of the area to outsiders is just one of the conditions that was imposed when Oukase was declared an emergency camp in terms of the Squatter Act more than a month ago.

Apart from certain officials, po-

lice and health personnel, outsiders now require permits to enter the area.

A Transvaal Rural Action Committee worker said: "One can't be complacent just because yesterday was quiet."

## 'EVERYBODY MUST MOVE'

"The Government has made it perfectly clear that nobody will be allowed to move into the area and that ultimately everybody must move to Letlhabile."

"Of course it would be a great relief if there was some indication that this quiet did indicate a re-think on the part of the authorities."

The most pressing concern of residents yesterday was the fact

that rent had been increased by more than 50 percent — from R22 to R37,50 — from this month.

People said they were not going to pay more than R22 when they paid their rent this week.

The Brits Action Committee said about 8 000 people were still living in Oukase. A large number had moved by the end of 1986 to Letlhabile, the relocation area designated by the Government. But almost nobody has moved in the last year.

All Oukase homes have been numbered since its declaration as an emergency camp. A census of all occupants was also taken. No additional structures may be built and no newcomers may move into the area.

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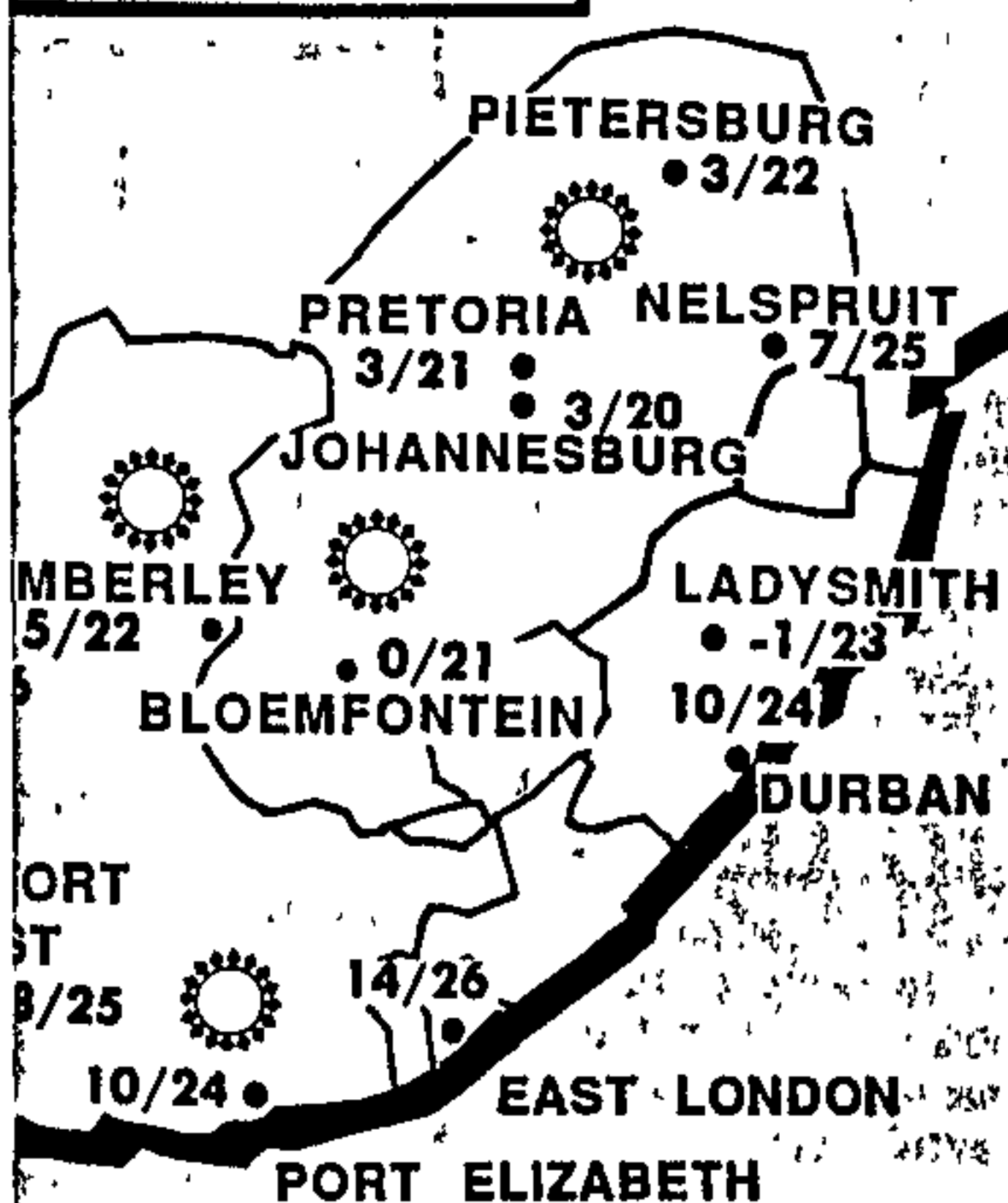
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bosch petition protest



# Lawaai kamp residents' six-year fight Cape squatters defy ultimatum to leave their homes

## WEATHER



Warm in the north and the lowveld.  
Today: 8 am 11 deg C; yesterday: max 18 deg  
so far this month: mm; so far this year  
for June: over 92 years 7 mm; average

sunset tomorrow, 5 23.

Max	Min		Max	Min
23	13	Rio de Janeiro	23	15
19	9	Rome	27	15
25	13	Seoul	17	15
27	24	Singapore	31	25
28	16	Sydney	19	13
22	12	Taipei	30	24
27	20	Tel Aviv	—	—
43	33	Tokyo	24	17
33	23	Toronto	30	16
21	12	Vancouver	17	10
15	10	Vienna	22	12
17	17	Warsaw	22	15

## Amnesty a success

The Home Affairs Ministry said yesterday: "We are just waiting to hear from police if they have any more who might still be in the bush and who were unable to make it in time last night" when the amnesty deadline passed.  
The Star's Africa News Service.

CAPE TOWN — About 1 800 Lawaai kamp squatters have defied an ultimatum to move out of their homes by May 31 or face eviction.

Ms Jill Dugmore, a member of the Black Sash which works closely with the squatters, says the deadline passed without anybody leaving the poverty-stricken shantytown near George.

"Nobody has moved out. Everybody has held firm on both sides," Ms Dugmore says.

She says police have kept a low profile and there has been no attempt to evict squatters from their wood and corrugated-iron shacks.

The squatters are in good spirits and determined to stay in Lawaai kamp, even though they fear that bulldozers could be sent in to raze their homes, Ms Dugmore adds.

"We are all desperately hoping for a miracle."

## Forced removal

The people of Lawaai kamp have fought for six years against plans to move them to the new township of Sandkraal, 3 km away, and redevelop Lawaai kamp for coloureds.

Anti-apartheid groups say the plan shows the authorities are resuming forced removal of blacks.

The local authority denies it intends moving the squatters by force. The mayor of George, Mr John Rogers, said last week that the municipality would seek court orders to evict squatters who did not leave by May 31.

Government officials said yesterday that the municipality had not yet applied for court orders. It was considering delaying court action because 30 squatter families had applied to move to Sandkraal.

Squatter spokesman Mr Melford Nogokovu said he did not believe 30 families had applied to move.

Ms Dugmore says leaflets were distributed in Lawaai kamp yesterday asking residents to attend a meeting with municipal officials this evening.

The municipality says Lawaai kamp, which has dirt roads, no electricity and only four taps, is an eyesore and a health risk. It says the squatters will be better housed at Sandkraal, which has more facilities.

The squatters say Sandkraal is too far from town and are demanding that Lawaai kamp, which has existed for more than 40 years, be upgraded instead of demolished. — Sapa-Reuter.



## Stellenbosch

Own Correspondent  
21/6/88

CAPE TOWN — More than 100 people are signing or working in Stellenbosch a petition calling on Home Affairs Minister Mr Stoffel Botha to revoke the government's "undemocratic and repressive" measures against the Press.

A statement by the petitioners is to be published tomorrow in the Weekly Mail.

Among the signatories are the president of the National Democratic Party, Professor Herman (C)

   
Cape Times, Friday, June 3, 1988 3

# Lawaaikamp: Hendrickse 'no' to removals

## Political Staff

THE leader of the Labour Party, the Reverend Allan Hendrickse, speaking on the Lawaaikamp issue yesterday, said he was "opposed to all forced removals in all circumstances".

In a statement, Mr Hendrickse said he wished to endorse the statement made by the Minister of Health Services and Welfare, Mr Chris April, with regard to Lawaaikamp.

The George municipality had enjoyed the benefits of the labours of the people of the township and had benefitted from tax paid.

It therefore had a moral responsibility to plough money back into the community by means of upgrading.

The Labour Party's national public relations officer and MP for Addo, Mr Peter Hendrickse, said it appeared that the "sudden hurry" to remove people resulted from the opening of the George by-pass.

Lawaaikamp was an "unsightly blot" and the government wanted it removed rather than upgraded, he said.

The approach was similar to that adopted in respect of the controversial Raglan Road in Grahams-town which had now been "by-passed" at a cost of R38,9 million — money which could have been spent on improvements to the townships.

The MP for Claremont, Mr Jan van Eck, also attacked the removal in the Constitutional Development and Planning Vote in the House of Assembly yesterday.

Every black family forcibly removed from the area was a nail in the coffin of negotiation, he said.

The deputy-minister, Mr Roelf Meyer, said people like Mr Van Eck — outsiders — were stirring up the people of Lawaaikamp.

He said a "so-called religious" service last Sunday had been addressed by Dr Allan Boesak, the Reverend Frank Chikane and Mr Van Eck and that eight buses and 200 cars and combis had been used to bring people from outside to the area.

# Moutse inquiry move welcomed by MPs

27/11/88  
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By BARRY STREEK  
Political Staff

THE government decision to appoint a one-man commission of inquiry into the future of the Moutse district was welcomed yesterday by opposition parties.

Mr Peter Soal, PFP MP for Johannesburg North, who has strongly opposed the government's decision to unilaterally transfer the Moutse area from Lebowa to KwaNdebele without consulting the residents, said: "I welcome the appointment of the commission.

"It is a pity they did not seek the views of the residents before they attempted to steamroll the incorporation of Moutse into KwaNdebele."

The government's actions in Moutse had resulted in loss of life and considerable upheaval.

CMF 3/11/88  
"Until now, this has in effect been a forced removal. It should not be forgotten that the government refused to hold a referendum among the residents of Moutse," Mr Soal said.

Mr Wynand Malan, leader of the National Democratic Movement, said the decision to appoint the commission looked like an attempt by the government to buy time. He said the commission needed a policy framework from the government to be able to investigate the district's future properly.

As far as he knew, the government had never consulted the people of Moutse.

The possible amalgamation of Lebowa and KwaNdebele, as had been suggested by Mr Noko Ramodike, Chief Minister of Lebowa, could be the forerunner of the development of regional government and there was apparently support for this idea, Mr Malan said.

Mrs Helen Suzman, PFP MP for Houghton, warned that if the government went ahead with the transfer of Moutse into KwaNdebele it would deliver a death blow to any true negotiation. She advised the Minister of Constitutional Development and Planning, Mr Chris Heunis, not to go ahead with the move.

Mr Heunis announced the appointment of the commission, to be headed by the former Chief Justice, Mr Justice F L H Rumpff, at the start of debate on his Vote in the House of Assembly.

The government had considered the constitutional position of Moutse after the Appellate Division of the Supreme Court had ruled in the case of G Mathibe and others versus the State President and others.

Mr Heunis said: "It soon became clear that Moutse is a many-faceted problem, having so many men, so many minds."



(271) 3/6/88

## PARLIAMENT

# Govt sets up one-man commission on Moutse

A ONE-MAN commission of inquiry had been appointed to investigate and make recommendations on the constitutional future of the Moutse area in the Transvaal, Constitutional Development and Planning Minister Chris Heunis said in the House of Assembly yesterday.



● HEUNIS

Opening debate on his budget vote, he said former Chief Justice F L H Rumpff had been appointed to lead the inquiry.

The former judge would make recommendations on the constitutional future of the district and the question concerning the politically correct procedure, in general, to determine and alter the boundaries of self-governing territories.

The Moutse district was incorporated into the homeland of KwaNdebele by the President at the start of 1986 after its excision from Lebowa.

This proclamation was, however, overturned by the Appellate Division of the Supreme Court on March 28 this year.

Heunis said government had thoroughly considered the constitutional position of Moutse after the judgment against the President and "it soon became clear Moutse is a many faceted problem having so many men, so many minds".

Heunis said: "There are, of course, various aspects which cannot be ignored in the consolidation of self-governing territories, such as ethnic (which was highlighted by the Appeal Court), geographic and economic considerations.

"In order to have the matter investigated in depth, government, after consultation with the chief ministers of Lebowa and KwaNdebele, has decided to appoint a one-man commission of inquiry to investigate and make recommendations."

Outlining the commission's brief, he said government trusted all concerned would avail themselves of this opportunity to submit written and oral evidence and representations to it.

"This will assist the commission in for-

mulating well-founded and thoroughly considered recommendations regarding the issue."

When it received the recommendations, government would be in a position to decide on the correct legal procedure which should be submitted in respect of Moutse.

Heunis said: "Legislation is in any event needed to ratify certain actions in Moutse between January 1, 1986 — the date of the original incorporation — and the date of the judgment."

Helen Suzman (PFP Houghton) said Heunis would deal a death blow to any hope of true negotiation on the National Council if he pushed through legislation to overturn the Supreme Court decision invalidating the incorporation of Moutse in KwaNdebele.

She said the credibility of government was at stake. It had said people who did not agree with its policies had recourse to courts of law and the people of Moutse had taken it at its word.

Heunis should, therefore, leave Moutse alone and not upset the decision of the courts. — Sapa.

# 'Change in spirit of Lawaai-kamp residents'

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Staff Reporter

THE first eviction orders would be served on Lawaai-kamp residents early next week, the Town Clerk of George, Mr Carel du Plessis, said today.

This follows the deadlocking of a meeting called by Mr du Plessis last night to discuss transport arrangements and assistance for the move to the new township of Sandkraal.

Residents said they had no intention of moving to Sandkraal and demanded that Lawaai-kamp be upgraded.

They have ignored the May 31 deadline set by the George Municipality.

Yesterday Mr du Plessis said he believed there had been a change in spirit and residents were willing to move.

Last night's meeting was addressed by a Department of Information official, Mr Obie Oberholzer, and was attended by the Mayor of George, Mr John Rodgers, and Mr du Plessis.

Mr Oberholzer outlined removal procedures and warned that if residents did not move they would be evicted. When he asked if anyone was interested in a house in Sandkraal the residents shouted "No!" and walked out of the meeting.

Mr du Plessis said the council's legal team had been busy for the past week and would apply to the court for eviction orders on Monday or Tuesday.

The houses earmarked for Lawaai-kamp residents would still be available whether they were evicted or moved "voluntarily", he said.

● The chairman of the George Management Committee, Mr Jan Christians, told a Lawaai-kamp delegation that neither the committee nor the coloured community had been consulted about plans to develop Lawaai-kamp as a coloured residential area. He was opposed to the removal and believed the area should be upgraded.

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## BLOEMFONTEIN

### Fighting back

Bloemfontein, which in recent years has felt the pinch of the recession and the backlash of competing industrial development in nearby Botshabelo, is beginning to pick up the pieces.

The municipality has decided to revive the long-neglected Bloemindustria industrial township. It has employed the Botshabelo sales and marketing team, with a brief to transfer its attentions to Bloemindustria. The team's services have become available since Botshabelo — 60 km away — became part of QwaQwa.

One of the reasons for Botshabelo's success in attracting both local and foreign investment, was government's extremely attractive incentive package offered to industrialists.

As things stand, Botshabelo offers a 95% salary and wage incentive up to a maximum of R100 a worker a month, compared with Bloemfontein's 80% incentive or R70 a month per worker. Moreover, while the Free State capital offers a 40% interest

and/or rental concession for 10 years, the rebate in Botshabelo is 70%. In addition, Bloemfontein's 5% price preference on State tenders is half that of Botshabelo's.

Nevertheless, the city hopes good marketing may persuade wavering investors to choose Bloemindustria's better living environment, service back-up and proximity to transport facilities, over homeland Botshabelo.

As part of its campaign, Bloemfontein municipality is building its own factory buildings and letting them to industrialists. Tenders for six factory buildings have been awarded at a cost of R2,4m. The factories have already been allocated to industrialists and three of them — all from the Far East — have committed themselves to contracts. Tenants have the option of buying their buildings after 10 years.

However, critics charge that Bloemfontein's industrial development is being handled piecemeal. What the city really needs, says local councillor Colin Hickling, is an "anchor industry." Without being specific, he suggests government should take the lead.

Free State University economics professor Flip Fourie supports the idea of "bundled economic development." He argues that Bloemfontein, Botshabelo and nearby Selo-sesha should be treated as one in terms of the incentives scheme.

"With Botshabelo's population of 300 000 and with Bloemfontein's own Mangaung township contributing a further 120 000, it is clear we should plan together to create maximum job opportunities."

The present anomalies extend to labour as well. In Bloemfontein, industrialists are compelled by the Wages Act to pay specified minimum wages, while those in Botshabelo face no such limitation.

"The Wages Act, therefore, forces industrialists either to mechanise, become capital-intensive or relocate their factories. This is not a happy state of affairs," says Fourie.

Last year, approved building plans in Bloemfontein rocketed to a record R138m — from R90m in 1986. Recently, commercial property projects worth R100m were announced. These include two new hotels, a private hospital and a R30m shopping centre. ■



# Ex-Chief Justice will decide Moutse's future

By David Braun,  
Political Correspondent

CAPE TOWN.— The constitutional future of Moutse is to be determined by a one-man commission of inquiry, the Government announced yesterday.

The Minister of Constitutional Development, Mr Chris Heunis, said at the start of the debate on his vote in the House of Assembly that a former Chief Justice, Mr Justice F L H Rumpff, had been appointed to head the inquiry.

This followed the Government's consideration of the position of Moutse after the case of G Mathibe and others versus the State President and others in the Appellate Division of the Supreme Court on March 29.

The judgment invalidated Moutse's incorporation into kwaNdebele.

Mr Heunis said there were aspects which could

not be ignored in the consolidation of self-governing territories, such as ethnic, geographic and economic considerations.

Mr Heunis said: "The Government, following consultation with the Chief Ministers of Lebowa and kwaNdebele, has decided to appoint a one-man commission of inquiry to investigate and make recommendations regarding:

- "Constitutional and related matters, as well as the constitutional future of the Moutse district;

- "The politically correct procedure to determine the boundaries of self-governing territories.

"All concerned should submit their representations to the commission."

Legislation is in any event needed to rectify certain actions in Moutse between January 1 1986 (the date of incorporation) and March 29 1988 (the date of the judgment), Mr Heunis said.

Main Keer Road west on-ramp

Motorists using the M2 West heading north must use either the Harrow Road off-ramp, and continue to the M1 North

missioner Street  
Goch Street  
Streets will also

## Lawaaikamp removal row still on the boil

Star 3/6/88

Own Correspondent

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The town clerk of George, Mr Carel du Plessis, said yesterday that there appeared to be a change of spirit among Lawaaikamp residents and that they were prepared to move to the new township of Sandkraal.

He was due to address a mass meeting of Lawaaikamp residents last night to make arrangements for their removal.

This follows the defiance by 200 families of the May 31 ultimatum to move or be evicted.

A spokesman for the George Civic Association (Geoca) denied yesterday that residents had accepted any compromise.

Geoca secretary Mr Melford Notshokovu said they had tried for two years to arrange a meeting with Mr du Plessis to discuss the upgrading of the township and were hoping it could signal a last-minute reprieve.

Mr du Plessis, however, had ruled out the upgrading of Lawaaikamp.

Sapa reports that Mr Jan van Eck (Independent, Claremont) said in the House of Assembly yesterday that every family forcibly removed from Lawaaikamp was "a nail in the coffin of negotiation".

The Deputy Minister of Constitutional Development, Mr Roelf Meyer, said outsiders were stirring up the people against resettlement.

He said that the "so-called" religious meeting at Lawaaikamp last Sunday had been addressed by, among others, Dr Allan Boesak, the Rev Frank Chikane, British MP Mr Paul Boateng and Mr van Eck.

## Rotation system

## Not a single move from Lawaai-kamp

NONE of Lawaai-kamp's 1 800 residents has heeded a government ultimatum to move to Sandkraal — but the George municipality appears to have decided not to apply for a court order to enforce their removal.

Residents were given a May 31 deadline to move voluntarily and it was expected the municipality would apply this week for the necessary court order.

However, this action would provoke publicity, and observers believe the municipality has decided against court action in the hope residents' resistance will be whittled down.

George town clerk, Carel du Plessis, was reported this week as saying there had been "a change of spirit" among Lawaai-kamp residents.

But the George Civic Association has denied any shift in the community's attitude towards moving.

A meeting was scheduled for last night between the town clerk and Lawaai-kamp residents.

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# Lawaaikamp evict order application

Own Correspondent

PORT ELIZABETH. — The George municipality will apply to the courts for eviction orders next week, after a meeting with about 600 Lawaaikamp residents on Thursday ended in a deadlock.

The town clerk, Mr Carel du Plessis, said yesterday he had called the meeting to inform Lawaaikamp residents of the facilities at nearby Sandkraal, or Thembaletu, as it is also called.

The municipality had given the residents until May 31 to move to Sandkraal, a legal African residential area. The residents had not met the deadline and it was hoped finality could be reached at the meeting, he said.

Mr Du Plessis said a few residents had indicated at the meeting they did not wish to move to Sandkraal and instead wanted Lawaaikamp to be upgraded.

It was impossible to upgrade Lawaaikamp, which was why the municipality could not even discuss it, Mr Du Plessis said.

He added houses for coloureds would be established at Lawaaikamp after it had been cleared.

A Civic Association spokesman said residents had been told they would not be forcibly removed. "But what is the difference between a forced removal and an eviction? The court order shows it will be a forced move," she said.



# LAWAALKAMP: THERE ARE THOSE WHO SHOW THEY CARE

by ROBERT HOUWING  
Weekend Argus  
Reporter

MANY white inhabitants of George do not share the concern about the threatened removal of 2 000 residents of the Lawaalkamp shack settlement on the outskirts of the Southern Cape town.

Like the people who inflicted three deep scratches along the side of N... ..

until about 10 years ago.

It was then, persuaded by a friend and fellow-Christian, that he visited the community for the first time.

The visit was such an enlightening experience that he has been back many times, often taking groups of Rotarians, church members or individuals in his minibus.

"I will never forget how astounded I was to see the great ..."

Mr van Niekerk believes a "freeze" could be placed on the shantytown, merely enabling existing residents to stay.

"The present people fall largely into the '60-and-over' category. Let them stay in Lawaalkamp, in peace, until death."

A reprieve for Lawaalkamp, he believes, would relieve the immediate pressure of sanctions. "It would

we are tired. All we want to do is settle down quietly.

"We will not be able to live in the little rooms (*klein vertrek-kes*) they have provided at Sandkraal. You cannot fit a double bed into them.

"When you move so often, you cannot make your place look really decent. I want to be able to grow some beans and nice flowers,

but there is no point if we are going to be told to move again."

After her first meeting with Mrs Schaap, Mrs van Niekerk said she understood her reluctance to move.

"I am not against the notion of a move: conditions outside some of the homes in Lawaalkamp are very bad.

"But, if you are put into a place an eighth of the size of your pre-

vious home, without a guarantee that you can expand it, I am against the idea. It is enough to make you want to break down and cry.

"How can you live in circumstances where a wife sleeps on one side of a room, her husband on the other and the children between them?"

"I am talking as a woman, not a politician," said Mrs van Niekerk.



Pictures WILLIE de KLERK, Weekend Argus  
Woman to woman ... Mrs van Niekerk and Mrs Schaap in conversation.



car, simply because the back window had a poster attached to it highlighting the issue.

Or those who rudely confronted Mrs Eve Jenkin while she collected signatures for a petition opposing the removal and the chemist who tore up statements prepared by the George Civic Association (Geoca) when representatives visited his premises to make photocopies.

However, quite a few have expressed anger or reservations — if not for outright political reasons, then certainly from a humanitarian and religious point of view.

A person who fits into this category is vegetable farmer Mr Jac van Niekerk.

### Concerned

His farm is not in George itself; it is located in the shadow of the breathtaking Outeniqua mountains on the Wilderness side. But, Mr van Niekerk reckons he lives close enough to Lawaai-kamp to be concerned about the state of affairs there.

And he is one of scores of farmers in the region who are worried — some openly, others secretly — about the effect the likely removal might have in fueling the argument of people who favour sanctions. The Lawaai-kamp controversy has already received plenty of publicity overseas.

However, this does not have anything to do with his genuine anxiety about residents' well-being.

Circumstances in Lawaai-kamp meant very little to Mr van Niekerk, the product of a generally-conservative Afrikaans family,

people had in their homes. It convinced me that more whites in George needed to see things for themselves.

"I have always tried to conduct the visits sensitively; you don't want residents to be put on show, but I feel such trips are very valuable in changing white perceptions of Lawaai-kamp.

"And I have never felt threatened for a minute in all the times I have gone. Residents say it is nice to see that some local whites care about them."

Mr van Niekerk, who is a member of the Wilderness Anglican Church, has also been to newly-developed Sandkraal township (renamed Thembaletu), where Lawaai-kamp's residents have been told to transfer their belongings.

Mr van Niekerk said he was shocked by the size of some of the houses in Thembaletu.

"You could put a whole house in my lounge," he said.

"A lot of the houses at Lawaai-kamp are very spacious, allowing separate rooms for children and married children — obviously a much more desirable situation.

### Upgrading study

"I saw one house at Sandkraal where 13 people were crammed into a single room. And, parts of Sandkraal have become a 'second slum'.

"My opinion is that Lawaai-kamp should be upgraded. The University of Cape Town did a big study and found that it could be done.

"It would be cheaper and more humane to let the people stay. Perhaps Lawaai-kamp could become a model, a new beginning for South Africa."

dent Botha intervened himself.

"If you force every one out, you have 2 000 new enemies.

### Appeal to PW

"I would like powerful business personalities like Gavin Relly, Clem Sunter and Jan Steyn to see Lawaai-kamp for themselves and then, hopefully, to appeal to President Botha for a humanitarian solution.

"They could say to him, from a business point of view: 'This is hurting us'.

"Perhaps I'm dreaming, but I still believe in miracles."

Do people resent Mr van Niekerk's sympathetic attitude to Lawaai-kamp?

"No," he says, "probably because I'm taking a totally non-political stand. I find the situation abhorrent on a Christian, moral basis.

"I know I would get very angry if someone came to my farm and told me I had to break down the premises and move down the road."

### Took mother

Last week, the farmer took his elderly mother, Mrs Muriel van Niekerk, to Lawaai-kamp for the first time in what turned out to be an enriching experience.

Mrs van Niekerk met Mrs Lenie Schaap, whose husband, Willie, 85, is thought to be Lawaai-kamp's oldest resident.

The couple, their children and their families live in relative comfort in a tastefully-furnished, 11-roomed wooden house which cannot be labelled a shack.

Mr Schaap built the house, with limited assistance, more than 10 years ago.

He points proudly to the large peppercorn tree near the front door, which he planted when the family moved in. "Me and the tree are growing old together," he said.

In the course of a mother-to-mother conversation in the kitchen, Mrs Schaap told Mrs van Niekerk why the family was reluctant to move to Thembaletu.

"I love this house a lot; me and the old man (her husband) struggled to build it ourselves.

"We have moved around so many times;



Mr Jac van Niekerk ... "I still believe in miracles."

5/6/78  
CPers

# Lawaaikamp squatters defy deadline, refuse to move

21

ABOUT 1 800 Lawaai-kamp squatters have defied an ultimatum to move out of their homes by May 31 or face eviction.

Tuesday's deadline passed without anyone leaving the poverty-stricken shanty town on the Cape

coast, said Jill Dugmore, a member of the Black Sash which works closely with the squatters.

She said police had kept a low profile and there had been no attempt to evict the squatters.

"The squatters were in

good spirits and determined to stay in Lawaai-kamp, even though they feared bulldozers could be sent in to raid their houses," said Dugmore.

"We are all desperately hoping for a miracle."

The people of Lawaai-kamp, just outside Presi-

dent PW Botha's hometown of George, have fought for six years against official plans to move them to the new township of Sandkraal and redevelop Lawaai-kamp for coloured people.

The local authority denies it intends moving the squatters by force. The mayor of George, John Rogers, said the municipality would seek court orders to evict the squatters.

Government officials said on Wednesday that the municipality was considering delaying court action because 30 squatter families had applied to move to Sandkraal.

A squatter spokesman, Melford Nogokuvu, said he did not believe 30 families had applied to move.

Meanwhile, leaflets were distributed on Wednesday asking residents to attend a meeting with municipal officials last night, Dugmore said. They gave no indication of what would be discussed. — Sapa



# EVICTIOM ORDERS FOR LAWAALIKAMP?

THE first eviction orders would be served on Lawaalkamp residents this week, the town clerk of George, Mr Carel du Plessis, said on Friday.

This follows the

deadlocking of a meeting called by Mr du Plessis last Thursday to discuss transport arrangements and assistance for the move to the new township of Sandkraal.

Residents said they had no intention of moving to Sandkraal and demanded that Lawaalkamp be upgraded.

They have ignored the May 31 deadline set by the George municipality.

Mr du Plessis said he believed there had been a change in spirit and residents were willing to move.

The meeting was addressed by a Department of Information official, Mr Obie Oberholzer, and was attended by the mayor of George, Mr John Rodgers, and Mr du Plessis.

Mr Oberholzer said the council's legal team had been busy for the past week and would apply to the court for eviction orders today or tomorrow.

The houses earmarked for Lawaalkamp residents would still be available whether they were evicted or moved "voluntarily" he said.

● The chairman of the George Management Committee, Mr Jan Christians, told a Lawaalkamp delegation that neither the committee nor the coloured community had been consulted about plans to develop Lawaalkamp as a coloured residential area. He was opposed to the removal and believed the area should be upgraded. — Sapa.

## New bid to have editor Sisulu released

ATTORNEYS for detained editor Mr Zwelakhe Sisulu are to go to the appeal division in their legal battle to have the courts order his release from detention.

Mr Sisulu, editor of the *New Nation*, has been in detention for almost 18 months.

He is being held in terms of the emergency regulations and has not been charged with any offence. The Minister of Law and Order has given Mr Sisulu's involvement in the National Education Crisis Committee (NECC) as the reason for his continued detention.

### Appeal

Last week a full bench of the Transvaal Provincial Division of the Supreme Court turned down an appeal against an earlier Rand Supreme Court decision in which it was found that the judge could not order Mr Sisulu's release.

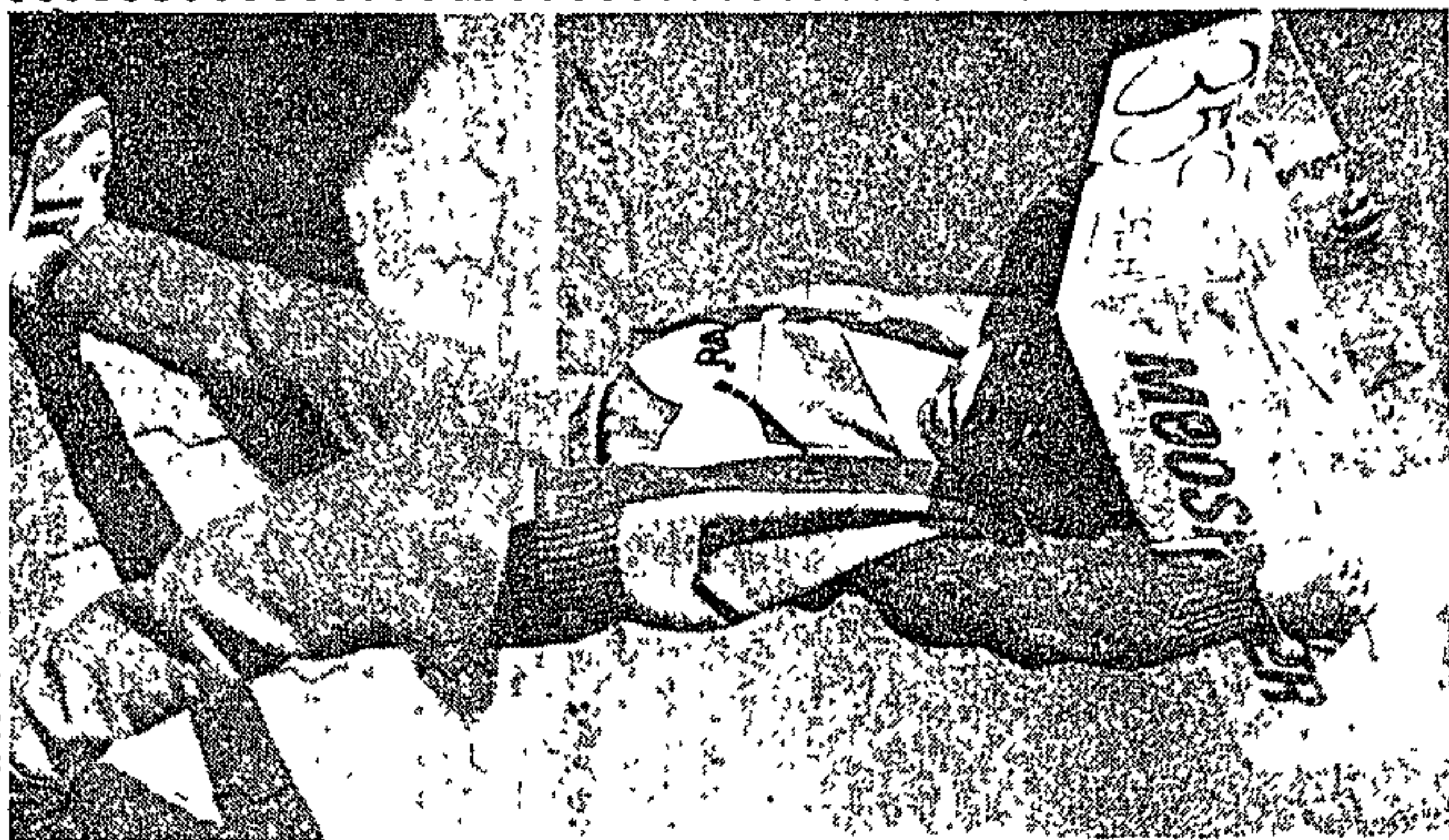
SOWETAN Correspondent

Attorney Mrs Priscilla Jana said that a further appeal would soon be lodged with the Appellate Division of the Supreme Court in Bloemfontein.

The present state of emergency expires automatically on June 9. Last year the lapsing of the emergency proclamation coincided with the release of a considerable number of detainees.

Asked whether there were signs that Mr Sisulu might be released before the appeal could be heard, Mrs Jana said there were no indications of what the authorities intended.

The *New Nation*, which was suspended in terms of emergency censorship provisions two months ago, is expected to come back into operation after the end of the present emergency.



THIS enterprising young lady is Cindy Ndlovu, who helps her hawker father Peter on his rounds. Dad has discovered that she is more than just good company.



# Former lands can help have unity talks

Sowetan 6/6/88

W. M. (scribbles)

SOWETAN, Monday, June 6, 1988

THE State President, Mr P W Botha, would provide a forum for talks if the leaders of Lebowa and KwaNdebele wanted to discuss possible amalgamation of their areas, the Minister of Constitutional Development and Planning, Mr Chris Heunis, said last week.

The Government would not oppose talks on amalgamation but it could not force the leaders to discuss the matter either.

Mr Heunis said, during his vote, that Parliament might be compelled to enact retro-active legislation, if the courts invalidated an election in KwaNdebele, to validate that government's action from 1984 to the judgment.

No one could question the Government's sovereign right to do so and, should it take action, it should not be accused of not accepting court rulings.

Mr Heunis asked how Mrs Helen Suzman's (PFP, Houghton) discussion on the Moutse problem with a foreign ruler could be reconciled with the PFP's opposition to foreign interference.

Mrs Suzman interjected that she would seek diplomatic relief if she thought something was unjust.

Mr Heunis said times of reform were unstable because people were uncertain about their future. If the State acted against people who, through their actions or utterances, caused unrest and these people happened to belong to unions or a church, the wrong perception was created of a state-union or state-church clash. — Sapa.

PW will help

cerned and of its officials. In the case of administrative status vehicles, the letter S replaces the letter D

- (3) Yes.  
(4) Yes.  
(5) No

Dr Wolfram Kistner: citizenship/permanent residence

\*3 Mr C J DERBY-LEWIS asked the Minister of Home Affairs:

- (1) Whether a certain person, whose name has been furnished to the Minister's Department for the purpose of his reply, has citizenship of the Republic of South Africa, if so, for how long has he been a citizen of the Republic, if not,  
(2) whether permanent residence has been granted to this person, if so, (a) for how long has he lived in the Republic on this basis and (b) what are the relevant dates, if not, what is the status of this person,  
(3) what is the name of the person in question?

†The MINISTER OF HOME AFFAIRS.

(1) to (3) The person in question is Dr Wolfram Kistner. He is a South African citizen by birth.

Song: *Together we will build a brighter future*

\*4 Dr P W A MULDER asked the Minister of Information, Broadcasting Services and the Film Industry:

Whether an official contract has been entered into between the Bureau for Information and an agency in respect of the song "Together we'll build a brighter future", if so, (a) what agency, (b) when, (c) (i) who signed the contract on behalf of the State and (ii) to which State Department was this person attached at that time and (d) who authorized this person to sign the contract?

The MINISTER OF INFORMATION, BROADCASTING SERVICES AND THE FILM INDUSTRY

No.

The transaction took place by way of an exchange of letters and the expenditure was approved by the Tender Board

HOUSE OF ASSEMBLY

Howick: murder of three persons

\*5. Mr P C CRONJÉ asked the Minister of Law and Order:

- (1) Whether, since his reply to Question No 9 on 24 September 1987, any (a) arrests have been made and (b) charges have been laid in connection with the alleged abduction and murder near Howick on or about 6 December 1986 of three persons, whose names have been furnished to the South African Police for the purpose of the Minister's reply, if so, (i) (aa) who was arrested and charged, and (bb) when, in each case and (ii) what are the names of the three persons in question;  
(2) whether any further steps have been taken in respect of those so arrested and charged, if not, (a) why not and (b) when is it anticipated that such steps will be taken; if so, what was the outcome?

†The DEPUTY MINISTER OF LAW AND ORDER.

- (1) and (2)

No, but warrants for the arrest of a number of persons were issued. The special team investigating the cases is making every possible endeavour to trace and arrest them.

271 Botshabelo: population/schools

\*6 Mrs H SUZMAN asked the Minister of Education and Development Aid.

- (a) What is the (i) size in hectares and (ii) total population of the township of Botshabelo, (b) how many (i) primary, (ii) higher primary and (iii) secondary schools are there in this township, (c) how many (i) pupils and (ii) teachers are there at each of these schools and (d) in respect of what date is this information furnished?

The MINISTER OF EDUCATION AND DEVELOPMENT AID (Reply laid upon the table with leave of House).

- (a) (i) 12 000 hectares  
(ii) 450 000  
(b) (i) 39  
(ii) 0  
(iii) 7

NOTE Since the compilation of above-men-

tioned official statistics on 3 March 1987, the Ntumediseng Secondary School started functioning in August 1987 and the following schools at the beginning of 1988:

Mabela Public school  
Mamukgoro Public school  
Monokoishwa Public school  
Nihapelleng Public school  
Sebatatso Public school  
Selokisa Public school  
Lefikeng Secondary school

(i)	(ii)	(iii)
Amohelang primary	767	21
Barfja primary	1 376	32
Bolokehang primary	1 423	33
Bothoba-Pelo primary	637	19
Dibengatsobo primary	1 105	30
Ditholwane primary	878	21
Fadimehang primary	690	21
Hohle primary	1 265	27
Katamelo primary	1 080	24
Lebelo primary	773	21
Lerole primary	1 013	23
Leshome primary	785	17
Mahlohonolo primary	653	18
Makgulo primary	889	21
Mmusapelo primary	837	18
Mpolokeng primary	912	22
Nitaeleng primary	989	24
Niebaleng primary	1 195	25
Niediseng primary	2 046	46
Nihabeleng primary	689	17
Phallang primary	843	21
Phano primary	901	21
Pontsheng primary	1 550	34
Qelo primary	519	21
Rankwe primary	726	21
Roahang primary	768	21
Reentseng primary	1 380	31
Refihle primary	756	21
Retsamale primary	1 347	34
Sankatane primary	777	22
Senomotela primary	912	25
Senakangwed primary	1 241	25
Seroki primary	1 032	25
Setjhaba se Maketse primary	637	16
Thabo primary	470	12
Thar ya Tsepe primary	543	17
Thato primary	964	19
Thatohatsi primary	929	22
Tlotisang primary	930	21
(ii) Falls away		

(iii)	(iv)
Hlonamang secondary	1 243
Kgaabo secondary	833
Kgorathuto secondary	1 279
Ntemoseng secondary	1 630
Popano secondary	968
Reamohetse secondary	815
Seemahale secondary	886

(d) 3 March 1987

Botshabelo/Onverwacht: development

\*7 Mr P G SOAL asked the Minister of Education and Development Aid

- (1) (a) What is the (i) *de facto* and (ii) *de jure* population of Onverwacht, now known as Botshabelo, and (b) in respect of what date is this information furnished,  
(2) (a) (i) how many housing units have been built in Botshabelo to date and (ii) how many persons are still waiting for houses and (b) how many tents are currently being used to shelter those waiting for houses;  
(3) (a) how many houses are provided with (i) electricity, (ii) a water-borne sewerage system, (iii) water and (iv) facilities for telephones and (b) what provision has been made to provide those persons currently living in tents with (i) toilets, (ii) water and (iii) fuel;

- (4) (a) what (i) sport and (ii) recreational facilities are available in Botshabelo at present and (b) how many (i) shops and (ii) (aa) occupied and (bb) unoccupied industrial sites are there in this area,  
(5) (a) (i) what public transport services are currently available to persons living in Botshabelo and (ii) to what percentage does the State subsidize each of these services and (b) (i) how many kilometres of road are there in this area and (ii) how many of these are tarred?

The MINISTER OF EDUCATION AND DEVELOPMENT AID (Reply laid upon the table with leave of the House)

- (1) (a) (i) and (ii) 400 000 — figure is estimated.  
(b) 29 April 1988.

HOUSE OF ASSEMBLY



1707

TUESDAY, 7 JUNE 1988

1708

1709

TUESDAY, 7 JUNE 1988

1710

(2) (a) (i) 11 150 houses and 18 650 informal structures.

(ii) 3 658 on existing official waiting list

(b) 200

(3) (a) (i) 901

(ii) 619

(iii) 915

(iv) 33.

(b) (i) All stands have toilets.

(ii) Water taps (standpipes) in streets.

(iii) None Available at local private entrepreneurs.

(4) (a) (i) A soccer stadium with 20 000 seats,

4 netball courts,

4 soccer fields covered with grass and

20 practice soccer fields

(ii) None.

(b) (i) 85 formal and 657 informal shops

(ii) (aa) 118

(bb) 68 are being developed

(5) (a) (i) 216 Licenced taxis

Jakaranda Busdiens (Intestate Bus Lines).

Owaqwa Busdiens.

SA Transport Services

(ii) Jakaranda Busdiens is subsidized with 50% by the Department of Development Aid in regard to workers on trips within Botshabelo. Trips from Botshabelo to areas outside it are the responsibility of the Department of Transport which does not subsidize on a percentage basis but on a basis of affordability that varies in accordance to distance travelled, e.g.

(i) From Botshabelo to Bloemfontein by one route (65 km) for a 5-day ticket  
Total R20,50 Subsidy R12,70

(ii) From Botshabelo to Bloemfontein by another route (82 km) for a 5-day ticket. Total R26,00. Subsidy R15,00.

Owaqwa Busdiens and the SA Transport Services do not transport workers but only one-way traffic passengers and therefore no subsidies are being paid.

(b) (i) 525 km

(ii) 37,3 km.

Hazyview: accident involving Buffel

\*8. Prof N J J OLIVIER asked the Minister of Defence:

(1) Whether a Buffel or any other military vehicle was involved in an accident in or near Hazyview in the Eastern Transvaal on or about 12 May 1988; if so,

(2) whether any (a) members of the South African Defence Force and/or (b) other persons were killed or injured in this accident; if so, what are the relevant details,

(3) whether a board of inquiry has been convened in regard to this incident; if not, why not, if so, (a) who is the chairman of the board and (b) when is it anticipated that the investigation into the matter will be completed?

The DEPUTY MINISTER OF LAW AND ORDER (for the Minister of Defence):

(1) Yes

(2) (a) Yes, one member was killed and three injured.

(b) No.

(3) Yes

(a) An officer of the Permanent Force.

(b) The Board was completed on 24 May 1988

Bisho/Jan Smuts Airport: traffic rights granted to airline

\*9. Mr P G SOAL asked the Minister of Transport Affairs

(1) Whether he has granted traffic rights to any airline to operate between Bisho and

Jan Smuts Airport; if so, (a) when and (b) to which airline; if not, why not;

(2) whether he has received any representations from any airline for rights to operate along such a route, if so, (a) when and (b) from what airline,

(3) whether he will make a statement on the matter?

†The MINISTER OF TRANSPORT AFFAIRS.

(1) Yes

(a) During September 1987.

(b) Ciskei International Airways Corporation.

(2) Yes.

(a) During September 1987.

(b) Ciskei International Airways Corporation

(3) No

Waterkloof Air Force Base: aircraft delayed on 8 March 1988

\*10. Mr P G SOAL asked the Minister of Defence:

(1) Whether any aircraft at Waterkloof Air Force Base were delayed on the morning of 8 March 1988, if so, (a) which aircraft, (b) who were the passengers and (c) why,

(2) whether any complaints were made to the control tower at (a) Jan Smuts Airport and/or (b) Waterkloof Air Force Base as a result of this delay, if so, (i) by whom, (ii) what was the purport of the complaints and (iii) to whom were they made;

(3) whether any official subsequently visited the control tower at Jan Smuts Airport in connection with this incident, if so, (a) why, (b) on whose instructions and (c) what is the name and/or rank of this official?

The DEPUTY MINISTER OF LAW AND ORDER (for the Minister of Defence)

(1) No. (2) and (3) fall away

SAA: military supplies carried on passenger flights

\*11 Mr D J N M ALCOMESS asked the Minister of Transport Affairs:

(1) Whether the South African Airways carries any military supplies for the South African Defence Force on (a) international and (b) local passenger flights; if so,

(2) whether any (a) ammunition, (b) rocket fuel, (c) other fuel, (d) hazardous material and (e) cargo conflicting with international regulations concerning passenger flights is carried on such flights; if so, why;

(3) whether he will make a statement on the matter?

†The MINISTER OF TRANSPORT AFFAIRS.

(1) (a) No.

(b) Yes. Only occasional shipments comprising personal effects of military personnel, diplomatic mail and odd shipments of aircraft spares are transported. No other military supplies are transported

(2) (a), (b), (c) (d) and (e) No

(3) Yes The conveyance of all cargo is performed strictly in accordance with the provisions as laid down in the International Air Transport Association (IATA) regulations regarding dangerous goods

SAA: overloaded flights

\*12 Mr D J N M ALCOMESS asked the Minister of Transport Affairs

(1) Whether he will furnish information on the cargo on the overloaded South African Airways flights referred to in his reply to Question No 8 on 17 May 1988, if not, why not, if so,

(2) whether the cargo concerned was carried on behalf of the South African Defence Force?

The MINISTER OF TRANSPORT AFFAIRS

(1) Yes. In both cases it was normal revenue cargo

(2) No.

The hon member again refers to overloaded flights. In this regard I wish to reiterate that the maximum load factor which applies to South African Airways' aircraft is ten per cent below the manufacturer's specifications. In both cases the cargo was within the limits of the manufacturer's specifications and therefore,

8/6/88

## Oppose removals — Gastrow

HOUSE OF ASSEMBLY — The people of Peelton could learn the lesson from Lawaaikamp that it did not pay to be peaceful and co-operative in the face of a forced removal, because if they were, the Government would trample on them, Mr Peter Gastrow (NDM Durban Central) has said.

He said in debate on the Borders of Particular States Amendment Bill that the type of removal envisaged at Peelton, which involved excluding people from South Africa by changing a boundary, was not as brutal as a forced

removal but had the same long term negative consequences.

The government was apparently effecting the handover at the request of the Ciskei. The attitude seemed to be hell with the views of the people of Peelton.

(271)

An independent agency should be commissioned to find out how they felt. It was common knowledge that the Ciskeian government was corrupt and the chief in the area did not have the interests of the Peelton people at heart.

— Sapa.



## Vocational education facilities for Blacks

985. Mr M J ELLIS asked the Minister of Education and Development Aid:

- (1) (a) What facilities are there at present for vocational education for Blacks falling under his Department, (b) how many students are being accommodated in these facilities and (c) in respect of what date is this information furnished;

- (2) whether any new facilities of this nature are to be provided during the course of the current financial year; if not, why not; if so, (a) what facilities and (b) how many additional students is it estimated will be accommodated in these facilities?

## The MINISTER OF EDUCATION AND DEVELOPMENT AID.

- (1) (a) Post-school training is offered at 19\* technical colleges in the residential areas as indicated.

George Tabor Soweto	(Roodepoort)
Iqhayiya New	
Isidingo	Brighton (Port Elizabeth)
Jouberton	Daveyton (Benoni)
KwaNobuhle	Jouberton (Klerksdorp)
Lazarus	KwaNobuhle (Uitenhage)
Nhlapo	
Lekoa	Tembisa (Kempston Park)
Manu	Sebokeng (Vereeniging)
Moremogo	Soweto (Florida)
Mpondozan-	Galeshewe (Kimberley)
komo	
Plessislaer	Emalaheni (Witbank)
Sivuyile	Imbali (Pietermaritzburg)
Soshanguve	Gugulethu (Cape Town)
Swinton Road	Soshanguve (Rosslyn)
Thuto-Matlala	Mobeni (Durban)
Tlamoha	Mamelodi (Pretoria)
Tosa	Kwa Thema (Springs)
Usizo	Thabong (Welkom)
Xhobutswaso	Katlehong (Germiston)
	Mangaung (Bloemfontein)

All these colleges, excepting Jouberton, have workshops. Two colleges, Soshanguve and Plessislaer, have hostel facilities

Full particulars regarding the above-

HOUSE OF ASSEMBLY

mentioned colleges and courses offered, are furnished in the Department's information document: VOCATIONAL AND NON-FORMAL EDUCATION, 1988.

- (b) See Annual Report 1987, Tables 5.4.1—5.5.2, pages 299—305.

See Annual Report 1987, Table 5.5.3, page 305.

At 9 of the 19 technical colleges of the Department the non-formal courses as indicated below are offered.

- (c) 1987. Statistics for 1988 are not yet available.

- (2) Yes.

- (a) It is expected that new college buildings comprising 33 classrooms, 4 workshops, a library, tuckshop and administrative facilities, will be completed during this year to replace the existing Manu Technical College (Soweto) which is presently housed in an old school building.

- (b) 400

Note: In the 1987 annual report 20 technical colleges were mentioned. One of this, Shikwane Matlala is since 1 January 1988 under the jurisdiction of Lebowa.

Kagiso-Senior Secondary School: official notices

1011. Mr P G SOAL asked the Minister of Education and Development Aid:

Whether official notices at the Kagiso Senior Secondary School in Bloemfontein are printed in both official languages; if not, (a) in which language are they printed and (b) why?

The MINISTER OF EDUCATION AND DEVELOPMENT AID:

No

- (a) English

- (b) English is the medium of instruction at the school

## South African Zionist Federation: transfer of funds

1037. Mr C J DERBY-LEWIS asked the Minister of Finance:

Whether he (a) has authorized, and/or (b) has been consulted in regard to, an alleged arrangement permitting a certain organization, the name of which has been furnished to the Minister's Department for the purpose of his reply, to handle the transfer of funds from South Africa to a particular foreign country; if so, (i) what is the nature of this arrangement, (ii) why has it been permitted, (iii) what controls are applicable in this regard and (iv) what is the name of the (aa) organization and (bb) foreign country involved?

## The MINISTER OF FINANCE.

(a) and (b) Yes. Implicit authorisation by virtue of a continuation of a previous ministerial arrangement.

(i) Authority was given for the transfer of locally collected funds for charitable purposes, up to a predetermined maximum amount.

(ii) For humanitarian purposes

(iii) Normal Exchange Control measures.

(iv) (aa) South African Zionist Federation.

(bb) Israel.

Electoral divisions: number of voters

1073 Mr W J D VAN WYK asked the Minister of Home Affairs:†

(1) What is the average number of voters per electoral division in (a) the Transvaal, (b) the Orange Free State, (c) Natal and (d) the Cape Province;

(2) whether a redistribution of electoral divisions is being considered, if so;

(3) whether it is the intention to divide electoral divisions in such a way that there will be an equal number of voters in each electoral division in the Republic; if not, (a) why not and (b) on what basis will this redistribution be made?

## The MINISTER OF HOME AFFAIRS:

(1)

	HR	HA	HD
(a) Transvaal	21 721	16 340	11 394
(b) OFS	16 769	6 578	—
(c) Natal	18 183	13 392	18 430
(d) Cape Province	15 193	24 086	7 140

(2) In terms of the provisions of section 48 of the Republic of South Africa Constitution Act, 1983, a delimitation commission must be appointed on or before 2 October 1990. The appointment of delimitation commissions falls within the prerogative of the State President.

(3) The Joint Select Committee on the Constitution whose terms of reference were to enquire into and report upon the amendment of the Republic of South Africa Constitution Act (Act 110 of 1983) with regard to the allocation, the norms for allocation and the number of members of each House of Parliament in respect of the respective provinces, the division of the provinces into electoral divisions for the election of members of those Houses and matters incidental thereto, Tabled its report on 27 May 1988. The Committee's report and recommendations are now being considered by Government

KwaGugqa: area of land

1075. Mr W J D VAN WYK asked the Minister of Constitutional Development and Planning †

What is the area of the land incorporated into the Black residential area of KwaGugqa in Witbank during the latest specified period of 12 months for which information is available?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

This matter vests in the Administrator of Transvaal and he furnished the following information

The following areas have been incorporated into the area of jurisdiction of the City Council of KwaGugqa during the past 12 months. Certain portions of the following farms:

HOUSE OF ASSEMBLY



1779  
 Mooutgedacht 300 JS, Transvaal, 1349,4447 ha in extent  
 Schongezicht 308 JS, Transvaal, 924 8219 ha in extent  
 Dnefontein 297 JS, Transvaal, 180,1616 ha in extent

### Consumer price index: revision of components

1106. Mr H H SCHWARZ asked the Minister of Home Affairs

- (1) (a) When were the components of the consumer price index last revised and (b) (i) what are the present components of this index and (ii) what is the percentage allocation in respect of each such component;
- (2) whether the composition of these components is being reviewed, if not, why not; if so, what are the relevant details?

The MINISTER OF HOME AFFAIRS:

- (1) (a) The components were revised with the calculation of the Consumer price index for November 1987.
- (b) (i) and (ii) Full particulars in respect of the relevant components and the percentage allocations were furnished in the December 1987 news release of the Central Statistical Service. The hon member will be provided with a copy
- (2) The composition of the components is reviewed every 5 years. The revised components, which were introduced with the calculation of the November 1987 index, were based on the 1985 Survey of household expenditure. The components will again be revised on the basis of the Survey of household expenditure that is planned for October/November 1990

### Consumer price index figures: income groups

1107 Mr H H SCHWARZ asked the Minister of Home Affairs

- (1) (a) What are the income groups in respect of which consumer price index figures are

- (i) calculated and (ii) published and (b) when were these income groups determined;
- (2) whether these income groups are being reviewed, if not, why not, if so, what are the relevant details?

The MINISTER OF HOME AFFAIRS:

- (1) (a) The income groups for which the consumer price index is
  - (i) calculated and
  - (ii) published, are.
    - Lower income group — Households with an income of less than R8 000
    - Middle income group — Households with an income of R8 000 to R19 999
    - Higher income group — Households with an income of R20 000 and more
    - All income groups — All households
- (b) These income groups were determined on basis of the 1985 Survey of Household Expenditure and introduced with the calculation of the November 1987 index.
- (2) The income groups are reviewed every 5 years. The next revision will be based on the Survey of Household Expenditure that is planned for October/November 1990

### Consumer price index: food component

1108. Mr H H SCHWARZ asked the Minister of Home Affairs:

- (1) (a) What procedure is being followed in determining the prices in respect of the individual items in the food component of the consumer price index and (b) when were they determined,
- (2) whether the (a) food components are and (b) method of price determination is being reviewed, if not, why not; if so, what are the relevant details?

### The MINISTER OF HOME AFFAIRS.

- (1) (a) Food prices, excluding the price of fruit and vegetables, are collected monthly from a representative sample of retail dealers by means of a postal survey. The sample includes businesses of all sizes, from the café on the corner to the largest chain stores, in the different urban areas for which the index is calculated. The various sizes of businesses are represented in the sample on the basis of their turnover to ensure that the average price of a commodity is accurately reflected. In this manner more larger retailers than smaller ones are included in the sample. The prices of fruit and vegetables are obtained from the Directorate of Agricultural Economic Trends of the Department of Agricultural Economics and Marketing, which collects this information on a weekly basis from municipal market stalls as well as from other vegetable dealers.

- (b) The individual items in the food component were based on the 1985 survey on household expenditure and introduced with the calculation of the November 1987 index.

- (2) (a) The food components, together with the other components, are reviewed every 5 years. However, the method of calculation and that of collection allow for the revision of packaging sizes, brand names and other changes (e.g. from locally produced commodities to imported goods) on an ongoing basis as retailers are requested to reflect the prices of those goods that are sold the most
- (b) The method of price determination is not being reviewed as adequate results are obtained with the current postal survey. The sample is, however, kept up to date on a constant basis to ensure reliable pricing

Which local authorities received loans for roads from the Cape Provincial Administration during the latest specified five-year period for which information is available?

### The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

This matter vests in the Administrator of the Cape Province and he furnished the following information.

Loans for road and/or bridge works on proclaimed main and divisional roads have been granted during the relevant period to the following divisional councils as well as the two existing regional services councils of the Western Cape and Algoa:

Bredasdorp-Swellendam  
 Caledon  
 Calvina  
 Cederberg  
 Dias  
 Drakensberg  
 Grootrivier  
 Hay  
 Humansdorp  
 Kaap  
 Kaffraria  
 Kamdeboo  
 Klein Karoo-Langkloof  
 Koup  
 Kuruman  
 Langeberg  
 Matroosberg  
 Namakwaland  
 Nuwe Roggeveld  
 Outeniqua  
 Paarl  
 Preskla  
 Smaldeel  
 Stellenbosch  
 Stormberg  
 Swartland  
 Vaalarts  
 Vaalrivier  
 Winterhoek  
 Witzenberg

### Cape Provincial Administration: loans for roads

1121 Mr C J DERBY-LEWIS asked the Minister of Constitutional Development and Planning

### Engineering students at each university

1123. Mr C J DERBY-LEWIS asked the Minister of Education and Development Aid

# 48 LAWAAI DWELLERS GET EJECT NOTICES

16/6 AR665 11/6/88

By ROBERT HOUWING

Weekend Argus Reporter

FORTY-EIGHT court summonses have been served on households in threatened Lawaakamp near George, according to the George Civic Association.

In a Press statement issued through its legal representatives in Port Elizabeth the association, mouthpiece of the inhabitants of Lawaakamp, said the summonses notified individual heads of households that separate court actions had been instituted against each of them with a view to obtaining an order for their eviction.

"Residents served with summonses have been given 10 court days to enter an appearance to defend the action.

"Each summons states that the defendant has failed to clear his house, situated on land owned by the George Municipality, in accordance with a notice on or before May 31."

The Municipality has said it needs the land for redevelopment.

The association added in yesterday's statement that they were "mystified" by the alleged change of spirit reported by the Town Clerk, Mr Carel du Plessis.

"We have no knowledge of about 30 families who are said to have applied for sites in the new township.

"Inhabitants are in the process of obtaining legal advice."

## 48 families get eviction warnings

By Robert Houwing

Court summonses have been served on 48 households in threatened Lawaakamp near George in the Cape, according to the George Civic Association. (271)

In a press statement issued through its legal representatives in Port Elizabeth, the association said the summonses notified heads of households that separate court actions had been instituted against each of them with a view to obtaining an order for their eviction.

Each summons states that the defendant had failed to clear his house, situated on land owned by the George municipality, in accordance with a notice requesting this to be done on or before May 31.

Authorities warned they would take legal steps to have residents evicted if they failed to move to the newly developed Thembaletu township.

The municipality has said it needs the land for "redevelopment", but residents have demanded that the settlement be upgraded and they be allowed to stay.



*1976-1978 14/6/88*

## Court action against Lawaai-kamp residents

Own Correspondent

271

JOHANNESBURG. — Supreme Court action has been instituted against 48 households at Lawaai-kamp, where residents face eviction from the George municipality.

This follows the expiry of the fourth eviction deadline set by the municipality for Lawaai-kamp residents since April, 1986. The present eviction notice expired on May 31.

But the estimated 200 families residing at the squatter settlement on the outskirts of George have so far resisted any pressure to move.

The George Civic Association has issued a statement saying that the 48 heads of households have now been handed summonses notifying them that action had been instituted to obtain a court order for their eviction.

Residents served with summonses have been given 10 court days to give notice that they intend to defend the action.

Inhabitants are in the process of obtaining legal advice, the statement said.

# THE MINISTER OF EDUCATION AND CULTURE:

(a) Yes,

(i) to establish both the unity of the Department and the separate identity of each provincial education department,

(ii) on each letterhead appears the blazon of the Department of Education and Culture and at the bottom the blazon of the relevant education department, the words *Department of Education and Culture*, the name and address of the particular provincial education department are given in both languages;

(aa) falls away;

(b) no,

(i) and (ii) fall away,

(bb) a standardized compliment slip has not been designed

Cape Town Gardens: rent increases in respect of rent-controlled dwellings

\*2. Mr K M ANDREW asked the Minister of Local Government and Housing:

Whether any applications were received in 1987 for rent increases in respect of rent-controlled dwellings in the electoral division of Cape Town Gardens; if so, (a) how many and (b) what was the average percentage increase granted?

THE MINISTER OF THE BUDGET AND WORKS (for the Minister of Local Government and Housing).

Yes, by Rent Board, Cape Town,

(a) 119 applications;

(b) Each application is considered with regard to section 6 of the Rent Control Act of 1976 in terms of which restoration and other improvements, increases in rates, water and electricity tariffs have an influence. The average increase was 25,58%

Aids: committee re teachers/instruction to pupils

\*3. Mr R M BURROWS asked the Minister of Education and Culture.

HOUSE OF ASSEMBLY

(1) Whether he or his Department has appointed a committee to investigate and report on the question of Aids in relation to (a) teachers and (b) instruction to pupils; if not, why not; if so, (i) when was the committee appointed and (ii) what are the names of its members;

(2) whether the committee has reported; if not, why not; if so, what were the main elements of the report;

(3) whether he will make a statement on the matter?

THE MINISTER OF EDUCATION AND CULTURE [Reply laid upon the Table with leave of House]:

(1) (a) Yes,

(i) 8 June 1988,

(ii) DEC (HO)

Mr J A de Jager

(Chairman)

Mr F J P J van Vuuren

CED

Mr A P Coetzee

NED

Mr J H Elgen

OFSED

Mr J H Badenhorst

TED

Mr G F Heyns

TFC

Mr E J Smith

Mr A P J Botha

Prof R C Conacher

Prof A H Kock

Prof A L le Roux

Mr P P Peach

Mr C M Roos

Mr J F Steyn

Mr J F Steyn

Mr R J J van Vuuren

Mr R J J van Vuuren

(b) yes,

(i) 18 February 1988,

(ii) NED

Mr J M Deane

(Chairman)

Dr C de M Cloete

Dr M A F Sofie

Dr C M Mentz

Dr B Olivier

Dr B Olivier

DEC (HO)

Mr G H J Kruger

Dr P J Liebetrau

Dr P J Liebetrau

Dr D B Swanepoel

Dr D B Swanepoel

OFSED Dr A Fourie

Mr C J Zaaiman

TED

Dr J H de la Rey

TFC

Mrs B van der Walt

Mr C M Roos;

Adv J G Prinsloo

(2) yes, a preliminary report in respect of (b) has been submitted to the Committee of Heads of Education, the matter is being further investigated;

(3) yes, should it be deemed necessary

Provincial education councils: sessional allowances

\*4. Mr M J ELLIS asked the Minister of Education and Culture:

Whether members of provincial education councils receive sessional allowances; if not, why not; if so, what allowances?

THE MINISTER OF EDUCATION AND CULTURE.

Yes, a member of an education council who is not a full-time member of the Public Service receives an allowance.

Sessional allowances payable are:

Chairman: R218,07 per session day, Member: R172,18 per session day.

For written reply.

General Affairs

Mouse area: land purchased by State

1015. Mr W J D VAN WYK asked the Minister of Education and Development Aid:

(a) What area of land was purchased by the State in the Mouse area before the Appeal Court decision on 29 March 1988 on the incorporation of the above-mentioned area into KwaNdebele, (b) how many persons were moved as a result and (c) what was the total cost of (i) the purchase transactions and (ii) moving these persons?

THE MINISTER OF EDUCATION AND DEVELOPMENT AID.

(a) From the date of commencement of the Development Trust and Land Act, 1936 (Act 18 of 1936), 30 008 hectares of land was purchased by the South African Development Trust in the Mouse area

(b) 928 families were resettled on their request.

(c) (i) The cost of purchase of the relevant land is not readily available as it is not kept apart in a register.

(ii) R2 212 356.

Self-governing territories: development corporations

1071. Mr J H VAN DER MERWE asked the Minister of Education and Development Aid:

Whether he will furnish information on the salaries and fringe benefits of senior officials of the development corporations of the self-governing territories; if not, why not; if so, what (a) salary and (b) fringe benefits does the (i) general manager, (ii) assistant general manager and (iii) manager of each such development corporation receive?

THE MINISTER OF EDUCATION AND DEVELOPMENT AID:

Development corporations in the self-governing territories are managed and controlled by a board of directors appointed by the Cabinets of the various self-governing territories. This is done under legislation adopted by all the self-governing territories.

Salaries and fringe benefits of senior corporation personnel are determined by the boards of the corporations concerned and such information is confidential by nature. It is not usual to make such information public.

Ekangala: hospitals

1080. Mr P G SOAL asked the Minister of Education and Development Aid:

Whether there are any hospitals in Ekangala; if not, (a) why not and (b) where is the nearest hospital situated; if so, (i) how many of each specified kind of hospital, (ii) how many (a) beds, (bb) doctors and (cc) nurses are there in respect of each of these hospitals, (iii) who is responsible for paramedical services in this area and (iv) in respect of what date is this information furnished?

THE MINISTER OF EDUCATION AND DEVELOPMENT AID.

No

(a) The number of inhabitants does not justify

HOUSE OF ASSEMBLY





Mrs Elizabeth Hendricks,  
obtained her BA



Ivan Carr,  
Masters in Education.



Soraya Yasum-Harnekar received her  
Masters in Dentistry.



Moegamat Ganief,  
receives his BA



Colleen February,  
awarded a BA



Archbishop Tutu awards Dr Jairam Reddy his doctorate.

## A first for Tutu

THE University of the Western Cape (UWC) was honoured to have Archbishop Desmond Tutu as its Chancellor as he represented the idea of national unity that the university was striving towards, the rector, Professor Jakes Gerwel, said at the recent graduation ceremony.

The archbishop was officiating as chancellor for the first time since his installation on May 20.

Gerwel said UWC had developed to a point in its history where it was "without doubt" the university that had most committed its teaching, research and service activities to the anti-apartheid and post-apartheid ideal.

Such a position for the university was fraught with tensions and contradictions, but the discourse generated made the university an intellectually charged and vital environment.

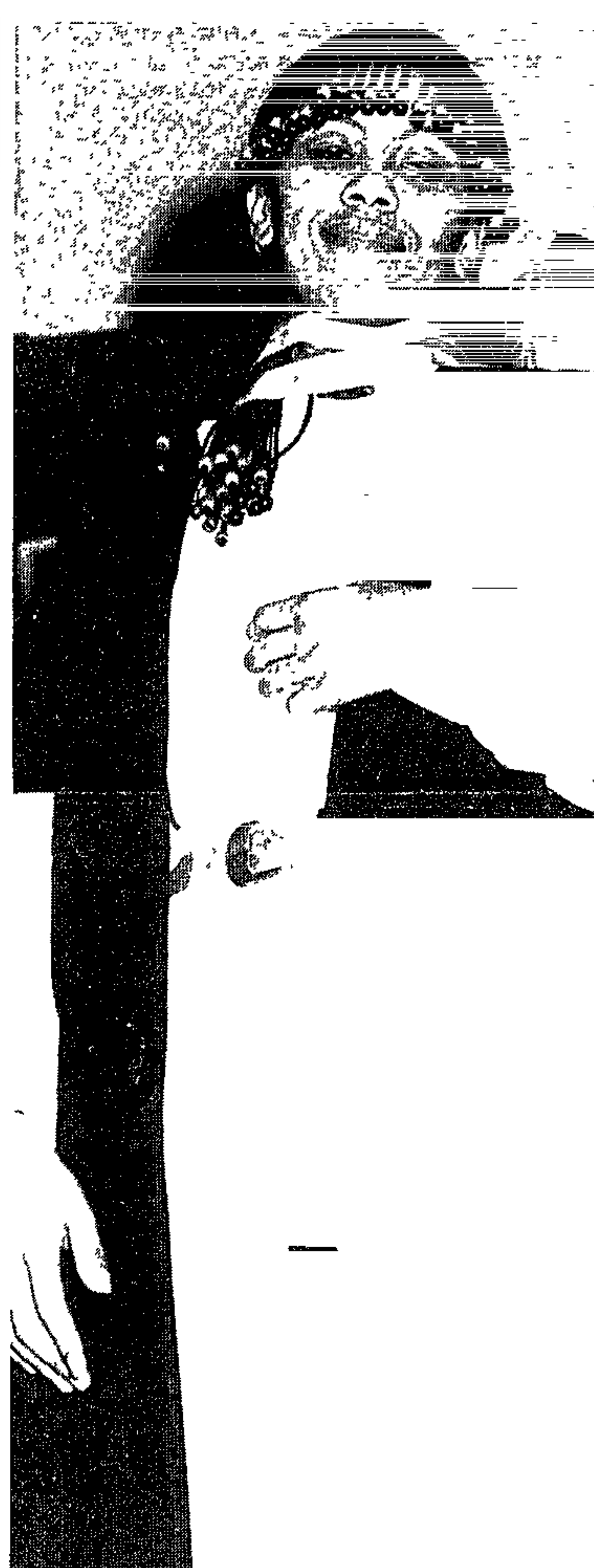
UWC's involvement with its service community had grown to be a characteristic feature of the university, said Gerwel.

"It is most heartening to hear reports of how UWC alumni distinguish themselves because of their feel for and understanding of the social issues in and around their work situations," he said.

Over 400 students were awarded degrees and diplomas at the ceremony, while doctorates were also conferred on former Dentistry dean Dr Jairam Reddy and staff member Dr Isak van der Rheede.

The university also awarded its first two degrees in physiotherapy.

There were smiles all round when Mrs Dorothy Boesak, wife of church leader Dr Allan Boesak, stepped onto the stage to receive her honours degree in Afrikaans. Archbishop Tutu broke with formalities to bestow a kiss of congratulations on Mrs Boesak.



Collette Ursula Solomon, BA.



Mrs Asma Braaf and daughter Shakira with son Nazeem,  
who received his B Comm degree.



Nickfred Saysel and Estelle Phalla, who received their Higher  
diplomas in Education, with Prof Jakes Gerwel





Move? Not this resident, who's staying out.



Your turn ... Lawaakamp awaits the State's next move.

"They can bulldoze our houses. They can take all our possessions on the trucks. That is not the difficult part for them. The difficult part is to get us to go onto the trucks."  
— elderly resident

# Message PW did



No washday blues here as the T-shirt message indicates



Youths from a nearby township help to keep Lawaakamp clean.



When they plant trees in Lawaakamp they plant hope



Some feel that to leave Lawaakamp would be to take the chicken run





Warding off the cold with some fiery brew



Warmth and friendship help to defeat despair

# not see

Report and pictures by MIKE HUTCHINGS

ON April 29 PW Botha paid a visit to his hometown and former constituency of George. The State President came to open the new by-pass highway that divides the threatened community of Lawaakamp from the new township of Sandkraal

He never got to see the message the people of Lawaakamp had for him, painted on a banner confiscated by police before he arrived. The banner read: "We appeal to the State President to Save and Upgrade Lawaakamp".

Inside Lawaakamp there is an air of both optimism and despair. Despite a long history of removal from other areas, the community appears close-knit and well established.

It is striking to see the neat and solid construction of the homes people have built for themselves there

While we were there residents were planting trees and clearing more ground for a park. Youths from a nearby "coloured" township showed their solidarity by joining in the collection of litter from the streets, despite allegations by the municipality of tensions between the two communities.

Sandkraal, where about 3 000 Lawaakamp residents have already been moved, appears bleak by comparison. It is less accessible and is three kilometers further from George, where the few job opportunities are centered.

Behind the initial row of small brick and wooden houses in Sandkraal lie many shacks built on a steep and muddy slope. Inside these shacks live the people who have moved. Residents said that some of the old people who had come there had already died.

GEORGE town clerk Carel du Plessis says Lawaakamp's residents will not be forcibly removed.

Speaking at a press conference, he said alternative housing was being provided at Sandkraal because of the bad living conditions at Lawaakamp. He said Lawaakamp's shacks were "hovels".

The first 100 houses at Sandkraal were already completed. Some were prefabricated, others were of brick.

Carel du Plessis, town clerk of George, had called them "hovels", but to the threatened residents they are homes, far preferable to the tiny "matchbox" houses offered on the slopes of Sandkraal

In Lawaakamp there are four taps providing water for the 1 800 residents. The streets are untarred and there is no electricity. According to one resident, the George municipality has cut off services such as refuse collection for some time.

However, residents are asking that the area be upgraded, and have shown some initiative in creating better living conditions for themselves.

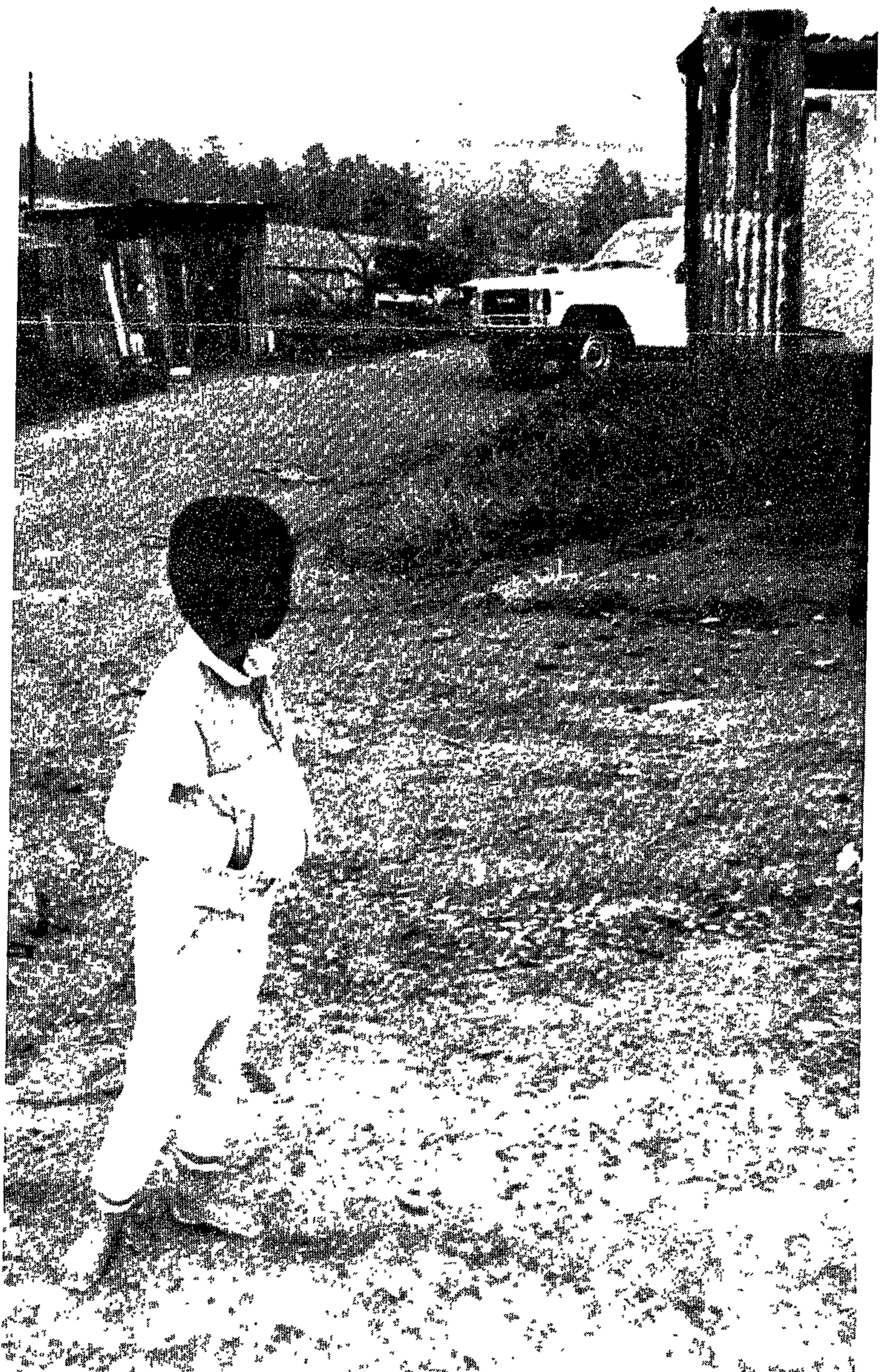
Despite government claims that it is not a forced removal, the municipality of George began last week to distribute eviction notices to the people of Lawaakamp

But the residents are optimistic. As one elderly resident put it: "They can bulldoze our houses. They can take all our possessions on the trucks. That is not the difficult part for them. The difficult part is to get us to go onto the trucks."

As we left and drove back through George, most white residents seemed oblivious to the threat over the people on their doorstep.



Catch us if you can ... the creche is open again after a long battle with the municipality



Watching and waiting ... No one knows what is around the corner but Lawaakamp residents still stand tall



CAP-7145 15/6/81

## Moutse removals cost R2,2 million

Political Staff

THE cost of resettling 928 families from the Moutse area was R2,2 million, the Minister of Education and Development Aid, Dr Gerrit Viljoen, said yesterday.

The 928 families were resettled "at their own request" from Moutse, given its incorporation into KwaNdebele.

Dr Viljoen, who was replying to a question from Mr Wynand van Wyk (CP, Witbank), said the cost of purchase of land from these people was not readily available as it was not kept apart in a register. However, the total cost was R2 212 356.

From the date of the commencement of the Development Trust and Land Act in 1936, the South African Development Trust purchased 30 008 hectares in the Moutse area, Dr Viljoen said.

CHS 16/6/88

16/6/88

271

271



**PETITION** . . . Lawaai kamp members of the George Civic Association outside Parliament with the MP for Pinelands, Mr Jasper Walsh after handing their petition to the Minister of Housing, House of Representatives, Mr David Curry. From left to right are: Mrs Sarah Lusela, Mrs Irene Jola, chairman of the George Civic Association, Mr Patric Nyobo, Mrs Phillipina Mntozini and Mr Stanford Smangolisho.

Picture: ANNE LAING



# Homes demolished at Lawaaiikamp

Cape Times 16/6/88 (271)

## Own Correspondent

PORT ELIZABETH. — A Lawaaiikamp woman was held briefly by police yesterday morning after municipal authorities demolished her house and confiscated her building materials, it is claimed.

The woman has been identified as Mrs Nofatu Winifred Vywer by George Civic Association (GCA) secretary Miss Angeline Bityu.

Miss Bityu said council officials assisted by riot squad police demolished Mrs Vywer's house and destroyed a room attached to the home of 90-year-old Mrs Lizzy Veli.

Miss Bityu said Mrs Vywer and Mrs Veli's two sons were detained. One of Mrs Veli's sons had not been released by last night, she said.

Town Clerk Mr Carel du Plessis denied Mrs Vywer's house had been demolished and her building materials confiscated.

Miss Bityu said Mrs Vywer's home had burnt down last week. She was

rebuilding the house, which had reached roof-height when municipal authorities demolished it.

She said a five-man GCA delegation left for Cape Town yesterday to speak to Mr Chris Heunis, Minister of Constitutional Development and Planning, in the hope of winning a reprieve. A spokesman for the department last night said he was not aware of a proposed meeting with the minister.

Mr Du Plessis said municipal authorities had demolished two houses in Lawaaiikamp yesterday.

He said one house had been demolished because the owner had requested they do so, the other because it was being erected for a man who had moved from Lawaaiikamp.

Attempts to obtain comment on Mrs Vywer from Major Mike Lombard, police liaison officer for South-Western Districts, were unsuccessful.

● Lawaaiikamp delegation picture —  
Page 5



Langridge prosecuted, Mr G Gower appeared  
for Mr Mhuslanga

17/6/88  
George woman

held by police

Own Correspondent

PORT ELIZABETH. — A Lawaai kamp woman, Mrs Nofatu Vywer, was arrested and held briefly by police on Wednesday morning after municipal authorities demolished her house and confiscated her building materials.

● In the police unrest report issued yesterday morning, it was said a group of blacks had "gathered illegally" at Lawaai kamp.

Three people were "removed" from the area by police and one man was arrested.

19/6/88 C Press

271

# Peelton wants to remain in SA

CP Correspondent

RESIDENTS of Peelton, a village outside King William's Town, are seeking South African citizenship following the introduction of a parliamentary Bill to incorporate the area into Ciskei.

The larger part of Peelton is already in the Ciskei. The border runs along the railway line which cuts through the village. The Extension of Particular States Amendment Bill now seeks to incorporate the remaining part on the other side of the railway

## Ciskei says division of community was an error

line into Ciskei.

The Imingqalasi Interim Committee is trying to obtain SA citizenship for all residents as a form of resistance against the possible incorporation of the area into Ciskei.

The residents' committee said residents had lived in SA all their lives and were,

without consultation, made Ciskei citizens on independence.

The Legal Resources Centre in Grahamstown - which is representing more than 200 residents in their application for citizenship - said the centre would work within the confines of the Restoration of Citizen-

ship Act of 1986.

The National Democratic Movement MP for Durban Central, Peter Gastrow, described the plan as "a form of forced removal by changing boundaries".

Gastrow said he had handed a petition, from about 2 000 residents who wished to retain SA citizenship, to the government.

The Minister of Education and Development Aid, Gerrit Viljoen indicated that SA citizens who became residents of Ciskei would be allowed dual citizenship.

Meanwhile, residents reported harassment of some members of the committee. Dennis Tefu, 65, and two others were briefly detained by Ciskei police last weekend. Ciskei spokesman, Headman Somthunzi said the Imingqalasi tribe at Peelton had been "part and parcel of the Ciskei nation and had been included in the territorial area of Ciskei from time immemorial".

"Only at the time of independence and due entirely to an error on the part of the appropriate SA government authorities, the eastern portion of Peelton location was excluded from the Ciskei," said Somthunzi. - Elnews



1891

WEDNESDAY, 22 JUNE 1988

1892

## HOUSE OF REPRESENTATIVES

†Indicates translated version.

For written reply:

General Affairs.

Self-governing territories: chambers and offices  
14 Mr T ABRAHAM asked the Minister of Education and Development Aids:

(a) What was the cost to the State of providing (i) debating chambers for the legislatures of, and (ii) administrative offices for, each of the self-governing territories and (b) when were these buildings erected in each case?

The MINISTER OF EDUCATION AND DEVELOPMENT AID

(a) (i)	(b)
Debating Chambers	Completion Date
Qwaqwa	R 7 289 900 Feb. 1988
Gazankulu	R 1 995 600 April 1982
KwaZulu	R 8 588 590 October 1987
Lebowa	R 3 600 000 March 1987
Total	R 21 474 090

The debating chambers for the self-governing

territories of KaNgwane and KwaNdebele are temporarily housed in a community hall and a school hall respectively. Upon completion of permanent facilities the halls in each case will revert to their original intended function.

(a) (ii)	(b)
Administrative Offices	Completion Date
1. Qwaqwa	R 12 952 200 Feb. 1988 to Dec 1989
2. Lebowa	R 37 730 000 May 1987 to March 1989
3. Gazankulu	R 34 037 050 April 1982 to Aug. 1989
4. KwaZulu	R 35 221 500 Aug. 1984 to May 1985
Total	R 119 940 750

(The above-mentioned amounts are the estimated final costs as some of the buildings are still under construction.)

The administrative offices for the self-governing territories of KaNgwane and KwaNdebele are currently accommodated in converted school buildings. Upon completion of the permanent facilities in these two territories the existing school buildings will revert to educational uses.

1893

THURSDAY, 23 JUNE 1988

1894

## HOUSE OF ASSEMBLY

†Indicates translated version.

For written reply:

General Affairs:

Black persons: resettlement

160 Mr P G SOAL asked the Minister of Constitutional Development and Planning:

(a) What total number of Black persons in the Republic was resettled in 1987, (b) (i) from what places were they removed and (ii) in what places were they resettled, and (c) for what reasons were they resettled, in each case?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

This information was furnished by the different Provincial Governments

ORANGE FREE STATE

- (a) None.  
(b) (i) and (ii) Fall away  
(c) Falls away.

TRANSVAAL

- (a) 435  
(b) (i) Varkfontein plots, Petit  
(ii) Etwatwa, adjacent to Daveyton.  
(c) Their perilous living conditions with the consequent health risk.

NATAL

- (a) None.  
(b) (i) and (ii) Fall away  
(c) Falls away.

CAPE PROVINCE

- (a) 47 182  
(b) (i) Noordhoek (517 persons)  
Encadens (280 persons)  
Colchester (169 persons)  
Threescombe (98 persons)  
Fitches (111 persons)  
(ii) Khayelisha  
Motherwell  
" "  
" "

Rocklands (7 persons) Motherwell  
Kabahlanga and Despatch  
(46 000 persons) "

- (c) Their perilous living conditions with the consequent health risk.

Blacks: housing shortage

162. Mr P G SOAL asked the Minister of Constitutional Development and Planning.

- (1) What was the estimated shortage of housing for Blacks outside the self-governing territories at the end of 1987;  
(2) how many houses were provided in 1987 for Blacks outside these territories and in each province by (a) the State, (b) local authorities and (c) the private sector;  
(3) when is it estimated that the shortages will be eliminated in areas outside these territories?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

This information was furnished by the different Provincial Governments

TRANSVAAL

- (1) 411 194

- (2) (a) The provision of housing is the responsibility of the individual, the employer, the other sectors of the private sector and by absolute exception, in respect of the underprivileged, that of the authorities. Provision is also made for maternal loans. The following information is supplied:  
Houses built. 783  
Maternal loans granted. 1 998  
(b) 3 342 houses; and  
3 874 loans were also granted for "self-build" housing schemes  
(c) 12 130 houses

ORANGE FREE STATE

- (1) 50 409  
(2) (a) The provision of housing is the re-





A woman resident of Lawaaiikamp prays that she will not have to move at a special church service held last month to demonstrate solidarity with residents of the settlement.

# Squatting Act changes could hit die-hards at Lawaaiikamp

By Jo-Anne Collinge

Is a forced removal any less forced if it is endorsed by a court of law?

The case that prompts this question is that of Lawaaiikamp, the shack settlement that stands, so to speak, in President Botha's own backyard — in the municipality of George.

Since early 1986 the people of Lawaaiikamp have been subjected to attempts to transplant them to Sandkraal, about 3 km further from the centre of George.

A section of the community, comprising about 150 families, was bulldozed out more than two years ago. Hundreds more left after repeated threats of eviction.

But about 2 000 have refused to go, ignoring all notices to vacate and commissioning private experts to advise them on how their dilapidated and under-serviced settlement can be upgraded.

## EVICTON ORDERS

George municipality, which owns the land at Lawaaiikamp, has been equally resolute in its efforts to deal with the "bittereinders".

In the latest bid it has applied to the courts for eviction orders in respect of at least 90 families.

It is not possible to predict the outcome of these court cases.

In fact it is not even possible to foresee whether the families will defend the actions. All that attorney Mr Kobus Pienaar of the Port Elizabeth Legal Resources Centre would say was that they were seeking legal opinion.

But irrespective of the outcome, the question remains: Is it any less coercive to use court action in preference to bulldozers against a population that does not want to move?

Mr Pienaar suggests that when legal channels are employed, the public might be bluffed as to the true source of the action and the authorities might be seen to have clean hands. "The Government is trying to say in the Lawaaiikamp case that what the courts say goes. They are trying to make out that if they've got a court order, it's the courts that removed the people."

There can be little doubt that the Lawaaiikamp

removal is not voluntary. In May, just before the last council deadline was due to expire, the George Civic Association wrote to the municipality, saying: "You can use force and we will not move. The notices (to vacate) are force — there is no option offered. All you have offered is a choice between us moving our houses to Sandkraal or going to your office to ask for a house in Sandkraal. The only option we have is to live here until we die."

The municipality has made it clear that it is "imperative that current residents of Lawaaiikamp vacate the area" so that it can be redeveloped. Most of the present residents are black. Lawaaiikamp was proclaimed a coloured group area a year ago and the redevelopment is clearly intended to be for coloured people.

With the proposed amendments to the Prevention of Illegal Squatting Act, tabled in Parliament last week, the classes of people who may be removed by the magisterial order and the conditions under which they may be moved have been significantly broadened.

## GIVEN PERMISSION

Several lawyers believe that a central feature of the legislation was triggered by the successful fight that two Lawaaiikamp residents put up in the Cape Supreme Court.

They established that the municipality had not been entitled to summarily demolish their homes because that same municipality had given them permission to reside where they did, and had treated them as tenants.

The amendment Bill proposes to make demolition and removal possible in any situation where people "enter upon or congregate upon" land — even where the landlord has given a shack-dweller permission to reside on his land.

Clearly, if the Bill is passed the State may do away with Lawaaiikamp even if applications for ejectment of the 90 families fails.

A field worker for the Transvaal Rural Action Committee, which has monitored the Lawaaiikamp saga, said residents had said quite plainly they did not want to move and no matter what tactic was employed, it would remain coercive.



## Residents plan court action on Lawaai-kamp

THE Lawaai-kamp Civic Association will fight the forced removal of its residents to Sandkraal, in court, the association said yesterday.

A spokesman said more families in Lawaai-kamp were given summonses yesterday in which the George Municipality applied for their eviction. Most residents have received these summonses by now and the association had instructed its lawyers to fight the matter in court.

"We see the municipal actions as an attempt to disguise a forced removal. Even if the court decide against us, we believe we have a moral right to remain in our homes where we have lived for many years.

"The municipality says we should move so that the land could be developed for the coloured community. We have always lived in harmony with the coloured community and do not think the colour of our skins is any reason to move us. Our coloured neighbours support our stand.

### 'Support'

\* "Even at government level the House of Representatives leader Rev Allan Hendrickse and the local coloured management committee support our right to remain in Lawaai-kamp.

"The government has made this decision without consulting us. We have tried again to see the Minister of Constitutional Development and Planning, Mr Chris Heunis, and the Administrator, Mr. Gene Louw, in the past week but met with no success.

"In the last two weeks two houses were burnt down in mysterious circumstances. The first one was bulldozed when residents tried to rebuild it. Eight houses were burnt down last year and we fear that the burnings are meant to intimidate and scare us into moving from Lawaai-kamp.

"We want to say again that we do not want to move but would like to upgrade our houses in Lawaai-kamp," the statement said. — Sapa

Cape Times 26/6/81  
47 000  
'resettled'

**Political Staff**

MORE than 47 000 black people were resettled last, 46 000 of them from Kabah/Landa and Despatch in the Eastern Cape, the Minister of Constitutional Development, Mr Chris Heunis, disclosed yesterday.

Mr Heunis, who was replying to a question from Mr Peter Soal (PFP, Johannesburg North), said that according to information furnished by the Cape Provincial Government 47 182 black people were resettled in the Cape.

Apart from the 517 people who were resettled from Noordhoek to Khayelitsha, the rest were all resettled in Motherwell in Port Elizabeth.

They were moved because "their perilous living conditions with the consequent health risk".



1963

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*Handwritten signature*

1964

vince, whose name has been furnished to the Minister's Department for the purpose of his reply, or any other MEC of this province was recently entertained overseas by any director or employee of a company or group to which even had been allocated in Extension 4B or 7 of Motherwell Township, Port Elizabeth, if so, (a) which MEC, (b) by which group or company, (c) when and (d) what form did the entertainment take,

- (2) whether the wife of this MEC was entertained as well, if so, what are the relevant particulars;

- (3) whether the airfare of (a) this MEC and (b) his wife was paid or subsidized by the company or group concerned, if not,

- (4) whether the airfare of (a) this MEC and (b) his wife was paid by the State, if so, for what purposes were they sent overseas?

The MINISTER OF HOME AFFAIRS AND OF COMMUNICATIONS (for the Minister of Constitutional Development and Planning)

This matter vests in the Administrator of the Cape Province and he furnished the following information.

- (1) No

Rest of question falls away

Janet Caroline Small: detention

\*9. Mr S S VAN DER MERWE asked the Minister of Law and Order

- (1) Whether a certain person, whose name and occupation have been furnished to the South African Police for the purpose of the Minister's reply, has been detained by the Police, if so, (a) when, (b) why, (c) in terms of what statutory provisions or regulations, (d) where is she currently being held and (e) what is her name,

- (2) whether this person is to be charged with any offences; if so, (a) when and (b) with what offences; if not, why not?

†The MINISTER OF LAW AND ORDER

- (1) Yes

(a) 13 June 1988

- (b) It is not in the interests of the public or the country to furnish these reasons.

HOUSE OF ASSEMBLY

(c) Regulation 3(1) of the Security Emergency Regulations promulgated in terms of the Public Safety Act, 1953 (Act 3 of 1953) by Proclamation R.97 of 10 June 1988.

(d) North End Prison, Port Elizabeth

(e) Janet Caroline Small.

- (2) (a) and (b) Investigation into the activities of this person is continuing. At this stage an indication cannot be given when and for which crimes the detainee will possibly be charged.

Mouse *Handwritten circled '271'*

\*10. Mrs H SUZMAN asked the Minister of Constitutional Development and Planning.

- (a) What are the terms of reference of the commission of inquiry into the Mouse affair and (b) when is it anticipated that this commission will commence its investigation?

The MINISTER OF HOME AFFAIRS AND OF COMMUNICATIONS (for the Minister of Constitutional Development and Planning).

- (a) To inquire into and make recommendations regarding.

- (i) the constitutional and related matters and the political future of the district Mouse, and

- (ii) the question of what is in general constitutionally the appropriate method to determine and to alter the boundaries of the self-governing territories

- (b) The necessary mandate was published in the *Government Gazette* of Friday, June 24, 1988 which enables the Commission to commence with their proceedings

Group areas: application for permit

\*11 Mr D G H NOLTE asked the Minister of Constitutional Development and Planning.

- (1) Whether a certain person, particulars of whom have been furnished to the Minister's Department for the purpose of his reply, applied to the Administrator of the Transvaal for a permit in terms of section 21 of the Group Areas Act, No 36 of 1966; if so, (a) who is this person, (b) in respect of what (i) address and (ii) residential area

1965

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1966

did he apply for a permit and (c) what persons and/or bodies supported the application;

- (2) whether this person has already moved into the residential area concerned, if so, when;

- (3) whether the Administrator approved this application, if so, when,

- (4) whether he will make a statement on the matter?

The MINISTER OF HOME AFFAIRS AND OF COMMUNICATIONS (for the Minister of Constitutional Development and Planning).

This matter vests in the Administrator of Transvaal and he furnished the following information:

- (1) The person of whom particulars have been furnished, did apply for a permit. Further information, however, cannot be supplied, because the application is under consideration at present.

Rest of question falls away.

†Mr D G H NOLTE: Mr Chairman, arising out of the reply of the hon the Minister, may I ask him whether he will be prepared to tell us whether Prof Heyns supported this application?

†The MINISTER. Mr Chairman, naturally I cannot reply to the hon member's question. However, I am sure that should the hon member contact the hon the Minister of Constitutional Development and Planning in that regard, he will furnish him with a reply.

\*12. Mr D J N MALCOMES—Constitutional Development and Planning. [Reply standing over.]

Gugulethu: property transaction

\*13 Mr K M ANDREW asked the Minister of Education and Development Aid:

- (1) Whether his Department investigated the purchase of any property or buildings from the private sector in Gugulethu, Cape Town, in 1987; if so, (a) what property or buildings, (b) from whom, (c) for what purposes and (d) (i) how were the investigations or negotiations handled, (ii) why were they handled in that manner and (iii) who decided on how they were to be handled.

(2) whether his Department has or had any

- (a) business and (b) other relationship with a certain person, whose name has been furnished to the Minister's Department for the purpose of his reply; if so, (i) what relationship, (ii) since when, (iii) at what cost to his Department and (iv) what (aa) is this person's name, (bb) are his qualifications and (cc) is his experience;

- (3) whether this person has been involved in any way in (a) his Department's youth programmes and (b) the purchase of land or buildings in Gugulethu, if so, to what extent?

The DEPUTY MINISTER OF EDUCATION.

- (1), (2) and (3)

The question of the hon member and particulars of the reply thereupon fall within the terms of reference of the Commission of Inquiry which was appointed by the State President on Friday, 17 June. In terms of regulation 14 of Proclamation R.106 of 17 June 1988 I consider it therefore not in the interest of the inquiry to reply to the question in detail at this stage.

If the hon member possesses any information which he feels should be brought to the attention of the Commission, he ought to submit it to the Commission.

If the Commission attends to this particular matter, all aspects of the question will thoroughly be answered by the report of the Commission.

If the Commission does not investigate particular aspects, I shall gladly reply to the hon member's question at a later stage or provide any supplementary particulars in which he might be interested

Business dealings

\*14 Mr K M ANDREW asked the Minister of Education and Development Aid

- (1) Whether his Department has had any business dealings with two business concerns, the names of which have been furnished to the Minister's Department for the purpose of his reply, if so, (a) what was the nature of these business dealings, (b) what products or services were supplied, (c) when were they supplied, (d) what was the total amount of money involved and

HOUSE OF ASSEMBLY



1947

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1948

**Sun Promotions: competition**

\*12. Mr P C CRONJÉ asked the Minister of National Health and Population Development:

- (1) Whether, with reference to the reply of the Minister of Law and Order to Question No 22 on 15 September 1987, the R1 million competition run by Sun Promotions has been concluded; if not,
- (2) whether his Department has issued any instructions in regard to the money collected by way of this competition; if not, why not; if so, (a) what instructions, (b) when, (c) to whom and (d) with what result,
- (3) whether any further steps were taken or are to be taken in respect of the organizers of this competition; if not, why not, if so, (a) what steps and (b) when?

**†The MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT:**

As the appeal on this case will be heard on 28 October 1988, I regard the matter as *sub-judice*

**Marpol Convention: Annex V**

\*13. Mr R S SCHOEMAN asked the Minister of Transport Affairs.

- (1) On what date will Annex V to the Marpol Convention come into operation,
- (2) whether the Republic will accede to the said annex;
- (3) whether he will make a statement on the matter?

**The DEPUTY MINISTER OF TRANSPORT AFFAIRS**

- (1) Annex V to the International Convention for the Prevention of Pollution from Ships, 1973, shall enter into force on 31 December 1988.
- (2) The desirability for the Republic to accede to Annex V is still being investigated by the Department of Transport. No opinion can consequently be expressed at this stage
- (3) No, not at this stage.

HOUSE OF ASSEMBLY

**Lawaakamp: removal of residents to Sandkraal**

\*14. Mr J VAN ECK asked the Minister of Information, Broadcasting Services and the Film Industry:†

- (1) Whether any officials of the Bureau for Information visited George in May 1988; if so, on what dates;
- (2) whether their visit was connected with the removal of the residents of Lawaakamp to Sandkraal; if so, (a) what instructions did they receive in regard to this removal and (b) what views did they have to convey on behalf of the Government in this connection;
- (3) whether these officials held formal discussion with organizations in George, if so, (a) with which organizations and (b) what was the (i) purpose and (ii) result of these discussions;
- (4) whether they attended a (a) press conference held in Lawaakamp by the George Civic Association on 29 May and (b) prayer service for Lawaakamp held in a church in Parkdene on the same day?

**†The MINISTER OF INFORMATION, BROADCASTING SERVICES AND THE FILM INDUSTRY.**

- (1) Yes, two officials from 19 May to 1 June 1988 and four officials on 25 and 26 May 1988.
- (2) Yes, as far as the first two officials are concerned. No, as far as the other four officials are concerned
- (a) and (b) To arrange a press conference and to assist the media with their enquiries re Lawaakamp and to assist in informing the residents of Lawaakamp about the availability of housing in Tembalethu
- (3) (a) and (b), (i) and (ii) Informal discussions were held between the Town Clerk of George, Bureau officials and members of the George Civic Association to inform the latter of the availability of housing in Tembalethu and the procedures to be followed to obtain it. These discussions resulted in a meeting with the residents of Lawaakamp in order to convey the same information.
- (4) (a) and (b) No

1949

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1950

†Mr J VAN ECK: Mr Chairman, arising out of the hon the Minister's reply, can he tell us whether there were no other people in George who had already informed the residents of Lawaakamp about the availability of houses in Tembalethu? Does he really think he had to send officials to do that?

†The MINISTER. Mr Chairman, we at the Bureau for Information have quite enough work as it is without doing any unnecessary work in addition. If we therefore did send people there, it was because we had made quite sure that their services there could serve a useful purpose

†Mr J VAN ECK. Mr Chairman, further arising out of the hon the Minister's reply, can he tell the House how much of the taxpayer's money was spent on that outing to George by officials of his department? [Interjections]

†The MINISTER. Mr Chairman, the hon member's question entails the furnishing of particulars about a very specific sum of money. If he wants that kind of answer, he will just have to table the question. We shall then answer him on that

**Train tickets**

\*15. Mr J VAN ECK asked the Minister of Transport Affairs:

Whether notices restricting the right of access and exit to first class ticket holders only have been erected at the main concourse entrances to and exits from any of the platforms at the Cape Town station; if so, (a) at the entrances to and exits from which platforms, (b) with effect from what date and (c) for what purpose?

**The DEPUTY MINISTER OF TRANSPORT AFFAIRS**

Yes.

- (a) Platforms 1 to 24
- (b) November 1987.
- (c) To streamline the flow of passengers through entrances and exits

†Mr J VAN ECK. Mr Chairman, arising out of the hon the Deputy Minister's reply, can he tell us whether all holders of third class tickets will now be refused entry to those platforms — entry through that concourse?

†The DEPUTY MINISTER. Mr Chairman, in reply to that question I again want to point out to the hon member that the entrances and exits

which are restricted to holders of first class tickets are there to improve the flow of passengers. Holders of third class tickets enter and leave through their own entrances and exits, and holders of first class tickets enter and leave through their own entrances and exits

†Mr J VAN ECK. Mr Chairman, further arising out of the hon the Deputy Minister's reply, are most of the passengers travelling third class Black?

†The DEPUTY MINISTER. Mr Chairman, that may be the case, but there are also Whites who travel third class. They may also enter and leave that way.

†Mr J VAN ECK. Mr Chairman.

†Mr J H W MENTZ. You are a racist.

†The CHAIRMAN OF THE HOUSE. Order! I think enough supplementary questions have been asked about this.

†Mr J VAN ECK. Mr Chairman, on a point of order: As I understand it, members are allowed five supplementary questions per question.

†The CHAIRMAN OF THE HOUSE. Order! No, the hon member is making a very big mistake. If every member were to ask five questions here, we would never complete the questions. I rule that enough supplementary questions have now been asked about this matter, and I am now proceeding to Question 16.

**Albany district: farm**

\*16. Mr S S VAN DER MERWE asked the Minister of Constitutional Development and Planning.

- (1) Whether the application for a permit to buy a farm in the Albany district by a certain person, whose name has been furnished to the Minister's Department for the purpose of his reply, was refused; if so, (a) why, (b) when, (c) who made the decision to refuse the application and (d) what is the name of the person in question,
- (2) whether he received any representations (a) objecting to and (b) supporting the application; if so, (i) from whom, (ii) when, and (iii) what was the response thereto, in each case;
- (3) whether the Government is planning to exclude agricultural land from the provi-

HOUSE OF ASSEMBLY



Star 28/6/88  
**Bill aims to  
validate Goyt  
actions in  
Moutse area**

A Bill was tabled in Parliament yesterday to validate Government actions in the Moutse district, after the Appeal Court declared a Government proclamation regarding the area null and void.

An attached memorandum said the Moutse (Validation of Actions) Bill would prevent the existence of a vacuum in the administration of Moutse, following the ruling.

**JURISDICTION**

The SA Government incorporated Moutse into kwaNdebele's area of jurisdiction on December 31 1985.

The acting captain of the Bantoane tribe objected to the incorporation, and on March 29 this year the Appeal Court declared the incorporation null and void.

The Bill validates any action taken in respect of Moutse, in terms of kwaNdebele law, during the period in question. — Sapa.



## Indemnity in Moutse

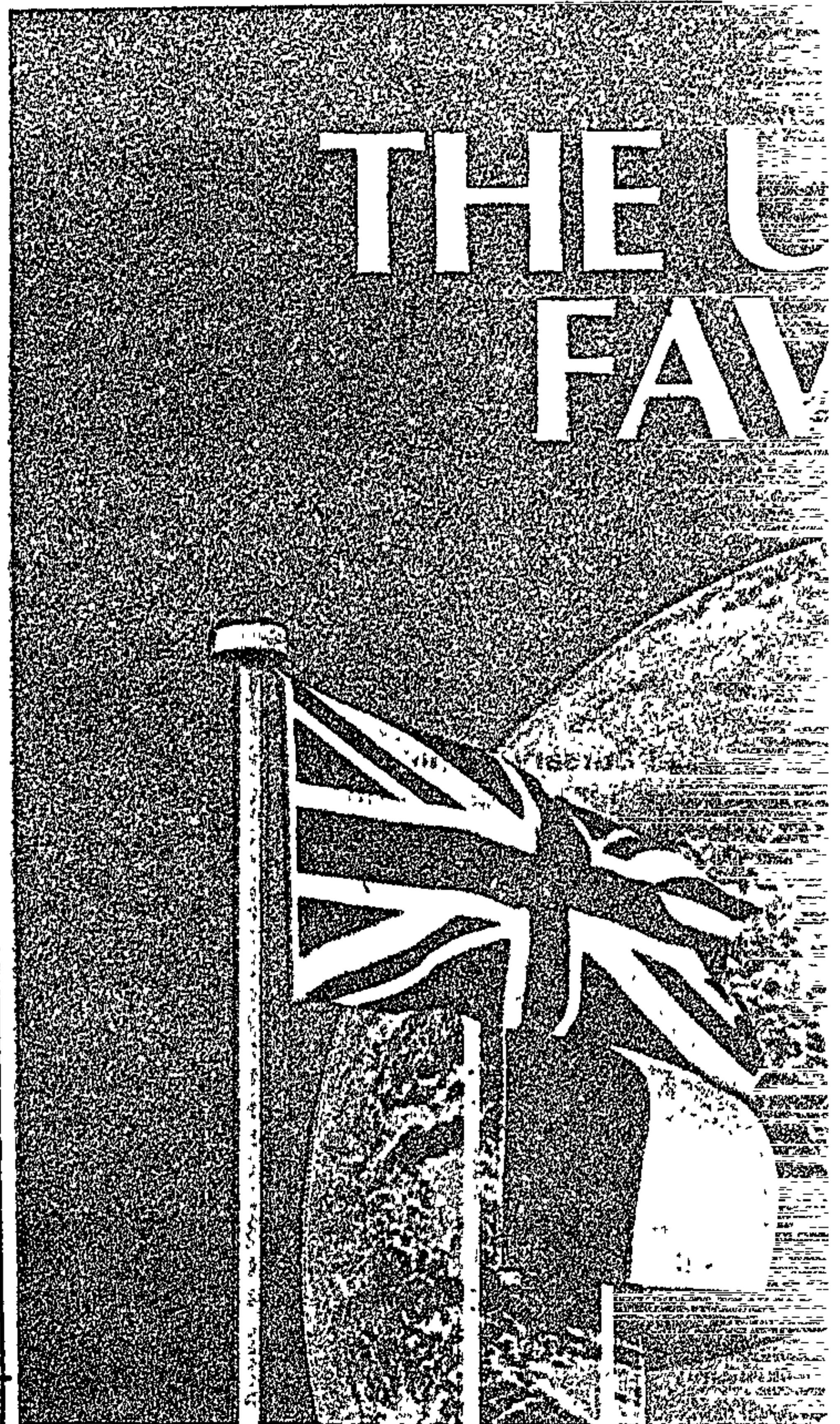
A BILL was tabled in Parliament yesterday to validate Government actions in the Moutse district, after the Appeal Court declared a Government proclamation regarding the area null and void. *271*

An attached memorandum said the Moutse (Validation of Actions) Bill would prevent the existence of a vacuum in the administration of Moutse, following the rulings *Sowetan 26/6/84*

The Government incorporated Moutse into KwaNdebele's area of jurisdiction on December 31, 1985.

The acting chief of the Bantoane tribe objected to the incorporation however, and on March 29, this year, the South African Appeal Court declared the incorporation null and void.

*85* *Sowetan*





2075

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2076

1978	15,85
1979	15,78
1980	9,09
1981	21,21
1982	22,50
1983	16,32
1984	14,03
1985	21,53
1986	22,78
1987	20,61

(1) (c) (i)

(u)

November 1979	18,00
May 1980	18,00
November 1980	18,00
May 1981	18,00
November 1981	18,00
May 1982	18,00
November 1982	18,00
May 1983	22,00
May 1988	60,00

(2) 1961

Statistics are not available  
 1962 Statistics are not available  
 1963 Statistics are not available  
 1964 Statistics are not available  
 1965 Statistics are not available  
 1966 Statistics are not available  
 1967 316 550 persons  
 1968 327 978 persons  
 1969 291 645 persons  
 1970 256 197 persons  
 1971 262 550 persons  
 1972 198 576 persons  
 1973 205 980 persons  
 1974 219 110 persons  
 1975 228 911 persons  
 1976 244 563 persons  
 1977 257 353 persons  
 1978 270 631 persons  
 1979 281 885 persons  
 1980 289 459 persons  
 1981 307 099 persons  
 1982 317 620 persons  
 1983 331 453 persons  
 1984 349 293 persons  
 1985 374 350 persons  
 1986 402 143 persons  
 1987 426 354 persons  
 1988 453 229 persons

Langlaagte: incorporating into Riverlea  
 21 Mr T R GEORGE asked the Minister of  
 Constitutional Development and Planning

HOUSE OF REPRESENTATIVES

2077

WEDNESDAY, 29 JUNE 1988

2078

finance grants over the latest specified period of three years for which information is available and (b) how many of these applications (i) were (aa) granted and (bb) refused and (ii) are still under consideration.

(2) whether his Department received any complaints during the above period from members of the public concerning misconduct on the part of officials attached to the Port Elizabeth regional offices of his Department and involved in the processing of these pensions and grants, if so, (a) what was the purpose of these complaints and (b) what steps have been or are to be taken in this regard.

(3) whether any funds were misappropriated at the above-mentioned offices over this three-year period, if so, (a) what were the amounts involved in each of these years and (b) how many persons were involved in each instance.

(4) whether the Department took any action in regard to these instances, if not, why not, if so, what action was taken in respect of (a) the perpetrators and (b) preventing a recurrence.

(5) whether he will make a statement on the matter?

The MINISTER OF HEALTH SERVICES AND WELFARE.

(1)(a)(i)	(ii)	(iii)	(iv)	(v)
1985 451	8	1 834	50	940
1986 741	7	2 217	43	1 062
1987 753	4	1 777	64	1 174

(1)(b)(i)(aa)	1985. 2 686 cases
1986	3 198 cases
1987	2 871 cases
TOTAL	8 755 cases

(1)(b)(i)(bb)	1985 597 cases
1986	872 cases
1987	901 cases
TOTAL	2 370 cases

1(b)(ii)	1985 0
1986	0
1987	0

(2) No	
(3) Yes	
(a) 1986	R 9 758,10

(b) 1985: 12 persons	1986: R16 149,45
1986: 15 persons	1987 R26 143,42
1987: 13 persons	

(4) Yes

(a) The South African Police have opened fraud dossiers in each case. A recoupment order have been served on each debtor for the repayment of all moneys illegally received.

(b) Supervision and control over Social Security matters have been re-inforced at all the Department's Regional Offices. Review procedures on all pensions/allowances have been tightened and more stringent control measures applied to the issuing of face-value forms

(5) No

Social pensions  
 11 Mr P A CHENDRICKSE asked the Minister of Health Services and Welfare:

(1) (a) What was the amount paid per month to social pensioners (i) in each year from 1961 up to and including 1987 and (ii) in 1988 as at the latest specified date for which figures are available, (b) what was the percentage increases in each such year and (c) (i) in which years were bonuses paid to such pensioners and (ii) what was the amount of the bonuses paid out in each of these years;

(2) how many social pensioners were registered with his Department in each of the above years?

The MINISTER OF HEALTH SERVICES AND WELFARE

(1) (a)	(i) 1961 — Not available
	1962 — Not available
	1963 — Not available
	1964 — R6,00 per month
	1965 — R7,50 per month
	1966 — R8,00 per month
	1967 — R8,50 per month
	1968 — R9,00 per month
	1969 — R15,50 per month
	1970 — R21,00 per month
	1971 — R22,00 per month

HOUSE OF REPRESENTATIVES

## Some white farmers to be affected

# 407 000 ha of Natal given to kwaZulu

Stev 1/7/88  
(271)

### Political Staff

CAPE TOWN — An extra 407 000 hectares of Natal have been given to kwaZulu in the Government's final consolidation proposals for the homeland, released today.

The number of units of kwaZulu land will be reduced from 26 to 19, and 50 000 ha of white farmland will be expropriated, the chairman of the Commission for Co-operation and Development, Mr Jurie Mentz, said yesterday.

The move would affect about 30 white farmers. But he said most of the land given to kwaZulu was owned by the State or the SA Development Trust.

### No forced removals

Constitutional Development and Planning Minister Chris Heunis said the Government had accepted the commission's proposals. There would be no forced removals needed to implement the plans.

Under the previous proposals, 143 000 people would have had to be moved, Mr Heunis said.

There were still 18 areas under consideration and the commission would report back to the Government on these.

About 50 areas have been affected by the new proposals. The main areas affected include:

● Given to kwaZulu: the State land of Makatini Flats including the Ndumu game reserve — about 215 900 ha in size — lying in the Ingwavuma and Ubombo district between Reserves 14 and 16 north of the Mkuze river.

● Remains part of Natal: the Umfolozi and Hluhluwe game reserves — including the corridor between them and the part of the Umfolozi game reserve between the Black and White Umfolozi rivers west of the original western boundary of the game reserve and east of the property known as Ukuku. Mr Mentz said this land had been retained by Natal because plans to take over kwaZulu land to expand the St Lucia nature reserve had now been dropped.

● Remains in Natal: Mkuze game reserve.

● Proposed incorporation of Lamontville and Glebelands Hostel into kwaZulu will be considered later.

● Goes to kwaZulu: 102 500 ha of land in the Piet Retief/Paulpietersburg area including the black urban area of Izitende.

● Remains part of kwaZulu: Reserve 2 No 7638 of 11 000 ha in size.

● Natal Parks Board gets preference for acquiring about 900 ha of land that forms part of Reserve 14 bordering the Sordwana nature conservation area, including Lake Mgobezeleni and Jesser Point. The rest of this land of about 600 ha is returned to kwaZulu.



C/Press  
3/7/88

(271)



# Victory for Border residents' bodies

## CP Correspondent

THE government is dealing directly with residents' associations in some "black spots" in the Border over an upgrading project.

Unusual in South Africa, joint "development committees" have been set up

In most other areas, the authorities have acted strongly against residents' bodies, accusing them of trying to establish alternative structures of "people's power".

In the Border "black spots", strongly organised residents' associations have begun tentative co-operation with the Department of Development Aid, while trying to avoid co-option. Both parties remain wary of each other's political agenda.

A member of the Kwelera Residents' Association described the situation: "The government is trying to set up their own structures in Kwelera because the headmen ran away to Ciskei in April 1986. The government is trying to turn the residents' associations into tribal authorities because they want control of Kwelera."

"The only way they can get control is working through the residents' association and co-opting it into the structure."

The government's strategy of using upgrading to legitimise local authorities was to be used in these rural areas in the same way as in urban townships.

But the Border black spots offered a significantly different political terrain than the urban areas

## Development committees set up in 'black spots'

when the government began the process halfway through last year.

Eight communities in the corridor squeezed between the Ciskei and Transkei were for many years scheduled for removal into the Ciskei. In the meantime, the Ciskei was administering them in terms of a pre-independence agreement.

But in September 1985, the Mgwali Residents' Association challenged the legality of this arrangement. The Supreme Court ruled in its favour, and Pretoria was ordered to resume direct control.

Although the ruling did not prevent the government from going ahead with removals, it was widely seen as a victory for the residents, and soon after the government conceded the areas would remain a part of South Africa.

Despite detentions and harassment, residents' structures had survived the emergency comparatively better than those in most urban areas. On the other hand, the tribal authorities in several areas had physically fled to the Ciskei with their supporters.

As a result, residents' bodies had taken over several powers of local administration, such as the crucial power to allocate land.

An agreement with local government departments

provided that people would be acknowledged as residents of their areas if they brought a letter from their association.

This meant their South African citizenship would be recognised, and they would gain access to both South African identity documents and pensions.

In May 1987, it was announced that the government would spend R12.5-million on upgrading the eight areas, as well as Need's Camp, a semi-rural settlement set up for a community evicted by the Ciskei.

Upgrading was to involve the building of schools and agricultural facilities such as dipping tanks, the fencing of land, provision of water and the improvement of roads.

The Department of Development Aid in East London was significantly expanded to handle the project, and a new "regional representative", Clyde Attwell, was appointed.

In an interview, Attwell placed great emphasis on the need to consult with the communities affected: "We are not planning for, we are planning with the communities about upgrading. If we don't approach it this way, we won't achieve very much."

Liaison between the DDA and the residents' associations takes place

through "development committees", which were set up in the wake of several meetings late last year.

Attwell made it clear the intention was to form a "community authority" in each area. He said these authorities could be formed on terms determined by the community itself.

But a look at the legislation reveals the options are severely circumscribed. "Community authorities" fall under the definition of "tribal authority" in the Black Authorities Act of 1951 and are governed by similar regulations.

Among residents, opinion is divided about the activities of the DDA. A resident of Moorplaas claimed the DDA had "stolen two locations". He said "The chairman and secretary of these decided to co-operate with the DDA without consulting the others, because Roji (a DDA official) organised them with promises of beautiful flowers, so they became weak."

"But they are now with us again."

In some cases, divisions have not as easily been overcome. Tuba village in Kwelera has for a long time not participated in the overall residents' association and has its own

And in Mgwali a separate body was set up in op-

position to the formerly powerful Mgwali Residents' Association. There has been a decision by this body to set up a joint "community authority" together with Wartburg and Heckel.

In other areas, residents' bodies have taken steps to resist any attempts to set up such authorities. In the strongly organised areas of Kwelera and Moorplaas, the associations have been wary of rejecting the government's proposals outright.

Among principles that have been adopted are that negotiations should be held in public, negotiating directly with the officials concerned and not their political representatives, allowing no other organisational structure to be set up, and obtaining as much information as possible.

In addition, residents' bodies are seeking to give their development committees constitutions which will bind them to dealing only with technical issues of upgrading, and remain accountable to the association itself.

A member of the Kwelera Residents' Association said "The only way we can prevent co-option is to take the development committee to work only on development in the area and to recognise the KRA. The DDA told us they are not interested in politics, and the KRA is a political organisation, so we decided to set up the development committees. Now they can't use development for political ends."



C/Press 3/7/88 (271) ~~271~~

# Victory for Border residents' bodies

## CP Correspondent

THE government is dealing directly with residents' associations in some "black spots" in the Border over an upgrading project

Unusual in South Africa, joint "development committees" have been set up.

In most other areas, the authorities have acted strongly against residents' bodies, accusing them of trying to establish alternative structures of "people's power"

In the Border "black spots", strongly organised residents' associations have begun tentative co-operation with the Department of Development Aid, while trying to avoid co-option. Both parties remain wary of each other's political agenda

A member of the Kwelera Residents' Association described the situation: "The government is trying to set up their own structures in Kwelera because the headmen ran away to Ciskei in April 1986. The government is trying to turn the residents' associations into tribal authorities because they want control of Kwelera.

"The only way they can get control is working through the residents' association and co-opting it into the structure."

The government's strategy of using upgrading to legitimise local authorities was to be used in these rural areas in the same way as in urban townships

But the Border black spots offered a significantly different political terrain than the urban areas

## Development committees set up in 'black spots'

when the government began the process halfway through last year.

Eight communities in the corridor squeezed between the Ciskei and Transkei were for many years scheduled for removal into the Ciskei. In the meantime, the Ciskei was administering them in terms of a pre-independence agreement.

But in September 1985, the Mgwali Residents' Association challenged the legality of this arrangement. The Supreme Court ruled in its favour, and Pretoria was ordered to resume direct control.

Although the ruling did not prevent the government from going ahead with removals, it was widely seen as a victory for the residents, and soon after the government conceded the areas would remain a part of South Africa.

Despite detentions and harassment, residents' structures had survived the emergency comparatively better than those in most urban areas. On the other hand, the tribal authorities in several areas had physically fled to the Ciskei with their supporters.

As a result, residents' bodies had taken over several powers of local administration, such as the crucial power to allocate land.

An agreement with local government departments

provided that people would be acknowledged as residents of their areas if they brought a letter from their association.

This meant their South African citizenship would be recognised, and they would gain access to both South African identity documents and pensions.

In May 1987, it was announced that the government would spend R12,5-million on upgrading the eight areas, as well as Need's Camp, a semi-rural settlement set up for a community evicted by the Ciskei.

Upgrading was to involve the building of schools and agricultural facilities such as dipping tanks, the fencing of land, provision of water and the improvement of roads.

The Department of Development Aid in East London was significantly expanded to handle the project, and a new "regional representative", Clyde Attwell, was appointed.

In an interview, Attwell placed great emphasis on the need to consult with the communities affected. "We are not planning for, we are planning with the communities about upgrading. If we don't approach it this way, we won't achieve very much."

Liaison between the DDA and the residents' associations takes place

through "development committees", which were set up in the wake of several meetings late last year.

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A member of the Brits Action Committee speaks to younger residents.

JOHANNESBURG. — Entering Oukasek unlawfully, or keeping a dog, chicken or donkey without written permission of the township superintendent invites a fine of R500 or three months' imprisonment.

This is but one of the emergency camp restrictions placed on the rundown township last month in terms of the Squatters Act. But the 10 000 strong community has vowed to oppose any attempts to move them to a Letlabile, a new settlement nearby.

In terms of a Government notice, outsiders must apply for permits from the township superintendent to enter the township. The application can be turned down "if he is of the opinion that the presence of the person concerned may cause a disturbance of the peace and good order in the camp" or "good cause exists for such refusal or withdrawal".

A visit to the area last week revealed no large-scale army and police activity. The restrictions are not yet strictly enforced, and the township has not as been sealed off to all non-residents. Visitors could still

# 'We won't move'

## Residents of Oukasek vow to oppose resettlement

*The government announced earlier this year that residents of Oukasek, near Brits, would not be relocated. But residents see the recent imposition of emergency camp restrictions on the township as an attempt to pressure them into moving. MONO BADELA reports*

enter the area.

Residents believe the Government will still attempt to get residents to move "voluntarily".

On April 26 a curfew was imposed on Oukasek — after 9pm police went round telling residents to move into houses and not be seen in the streets.

Brits Action Committee (BAC)

spokesman Mr Sello Ramakobye said pamphlets had been sent to employers saying these steps were taken because "radicals" were behind the people's refusal to move.

BAC said it viewed the restrictive camp conditions "as a pretext for the State to establish a permanent military and police presence at Oukasek to control and demoralise the community" so that residents would leave

"voluntarily" for Letlabile.

Soldiers have entered the township, numbered the houses and taken a census.

As an emergency camp Oukasek has been subjected to a large increase in service charges — from R24 to R37,50 a month. An additional R15 a month is payable for every registered lodger.

Residents have vowed not to pay the rent hikes.

Ramakobye said "There had been no improvement in basic services for over 50 years and about 50 percent of our community is unemployed".

Failure to pay service charges may incur a sentence of R500 and/or three months' jail for the first offence.

The maximum penalty for second or subsequent violations of the emergency camp regulations are R1 000 and/or six months.

The 55-year-old township has been under threat of removal since 1986. That year the Government ordered the 15 000 residents to move to a new site 25km away.

Residents demanded to stay, and threatened to stage a one-day strike at local factories. They said it would be a forced removal.

### 'Illegal squatters'

The streets in Oukasek are pot-holed. There is bucket sewerage and no electricity, and only 54 communal taps for a remaining population of 10 000. It provides labour for several local plants, including Firestone and other multinational companies.

Neither the authorities, nor the companies whose workers live there, have made an effort to upgrade the settlement, residents said.

The Government wants to move residents away from an expanding white suburb about 200m from Oukasek, to Letlabile.

In March this year Oukasek residents became "illegal squatters". About 5 000 residents, mostly civil servants, accepted Government offers for compensation and moved to Letlabile, where the authorities have provided water on sites where they may build their own homes.

However more than 10 000 residents stayed on in Oukasek.

On March 25 this year Development and Planning Minister Chris Heunis announced in Parliament that residents of Oukasek would not be relocated. Those who requested would be resettled at Letlabile. He also announced that Letlabile, originally scheduled to be incorporated in Bophuthatane, would remain part of South Africa.

But not long after the Government announced the imposition of emergency camp restrictions on Oukasek.



Several houses in the area have already been demolished.



# Thunderflash hurled into PE lawyer's home

17645 7/7/88 (27)  
The Argus Bureau

PORT ELIZABETH. — A thunderflash has been hurled through the bedroom window at the home of a human rights lawyer representing 104 Lawaai kamp householders.

Mr Kobus Pienaar, who is with the Port Elizabeth office of the Legal Resources Centre, is representing Lawaai kamp householders resisting their relocation to Sandkraal by the George Municipality.

Mr Pienaar was not at home at the time of yesterday's incident. He is moving house and

spent the night in his new flat.

Mr Pienaar said the thunderflash was thrown through a closed bedroom window in the early hours of the morning and exploded about two metres from where he would have been sleeping.

The force of the explosion blew out another pane and dislodged a pelmet. Three people in the communal house were awakened by the blast.

Police are investigating.

In July last year a death threat was painted on Mr Pienaar's car.





**SIGNED FATE . . .** Some of the Langa squatters who moved to Khayelitsha yesterday load their goods.

Picture ALAN TAYLOR

# We were misled say squatters

Cape Times 15/7/88 (27)

By CHRIS BATEMAN

AT LEAST 10 squatter families in Langa were yesterday moved to Khayelitsha. The move took place under the guard of armed municipal police.

The removal, which is intended to involve 51 families, threatens to provoke a major row, with several of the families claiming they had signed chits agreeing to removal under pressure — or under the wrong impression.

Mrs Patricia Merriman, 36, whose three children are among dozens of the squatter community's children attending school in Langa, said she was away when her shack was "tagged" for removal this week. Many said they had lived on the site — next to Langa hostels and within sight of the N2 highway — for more than two years.

Mrs Merriman said she understood official proposals made two weeks ago to mean that if people vacated the land they would be provided with alterna-

tive sites "of our choosing".

Many squatters had asked for Brown's Farm in Philippi, she said.

"After we had signed they said it was for Khayelitsha," she claimed.

Tensions rose when three families unloaded their housing materials and possessions from the trucks.

Mr Jonathan Walters, Director of Community Services for the Cape Town Town Council, said that while he "sympathized" with squatters, they were holding up construction work on phases two and three of a Langa housing scheme.

"At Khayelitsha we have layed on sanitation, refuge removal and running water, none of which they have here," he said.

Mr Walters denied suggestions of coercion or force. He said he had told the community that if they could not find alternative accommodation, a place would be found for them. "We told them it was Khayelitsha from the start," he said.



KWANDEBELE

## Confusion reigns

KwaNdebele remains a constitutional headache. Minister Chris Heunis was obviously hoping for an easy way out of the administrative mess the homeland was plunged into by the Supreme Court decision in May, which invalidated the election of 16 members of the government, including Chief Minister Majosi George Mahlangu. However, Heunis's attempt to legalise the actions of Mahlangu's regime is being thwarted by the Labour Party (LP), which is blocking the legislation.

The present homeland government only continues in office pending an Appeal Court decision on the validity of the 1984 election. According to sources in Pretoria, however, government does not think it has a chance of winning the appeal. The implication, according to Heunis, is that "all the decisions and actions of the government of KwaNdebele, as well as legislation passed, might be questioned and contested in court."

So Heunis has recommended that the KwaNdebele government hold an election as soon as possible and that simultaneously it takes steps to retroactively validate the actions of homeland government "up to and until an election is held." Instead of retroactive legislation, however, the LP has recommended that government initiate a conference to resolve the problems in the region.

Any conference, says Deputy Minister of Population Development Luwellyn Landers,

should also address the Moutse issue currently being investigated by a judicial commission under former Chief Justice Rumpff. Moutse was excised from Lebowa prior to its inclusion in KwaNdebele. Therefore, Landers suggests that any such conference also include representatives from Lebowa. In March the Appeal Court ruled that the inclusion of Moutse in KwaNdebele was illegal and brought to an end just over two years of rule of the territory by KwaNdebele.

Government has also introduced retroactive legislation to validate certain actions taken in Moutse between January 1 1986, when the region was originally incorporated into KwaNdebele, and March 29 this year, the date of the Appeal Court judgment. The LP is blocking this Bill as well.

The debate on the two Bills is currently deadlocked in the Joint Standing Committee on Constitutional Affairs. The issue may be resolved before parliament resumes in August, as the committees continue to sit during the recess. Otherwise they are due for a stormy passage during the next sitting.

The KwaNdebele government has yet to announce the date for the forthcoming election. The crucial question surrounding the election is whether it will be free and fair.

No doubt, Mahlangu and his administration will attempt to hold on to power. In their favour is the fact that the responsibility for calling the election falls to them in terms of the Constitutional Laws Act. There is no provision in this Act for independent monitoring of the election.

The homeland government's quest for independence has been steeped in controversy and continuing allegations of a reign of terror by the Mbokotho vigilantes. Any election is likely to be regarded as a referendum on this question. It is therefore likely that pressure will be brought on government to make an exception, and in this instance government may be forced to go against its precept that the affairs of the homelands are an internal matter.

There is evidence to support the theory that at least some members of President P W Botha's administration desire this. According to sources, there is a growing faction, including army personnel, who are concerned about the long-term stability of KwaNdebele under Mahlangu's rule. The election may therefore be used as an opportunity to end his tenure. But the politics of the region have become so mysterious, and involve groupings within and outside the homeland, that anything could happen.

A key question is whether those opposed to independence — many of whom have been detained or are in hiding — will be free to stand for election. Pivotal will be the role played by the KwaNdebele royal family who still enjoy popular support and have — until now — been opposing independence. Members of the royal family could not be contacted for comment: one of the three brothers, Cornelius Mahlangu, remains in detention; the other two, James and Andries, are in hiding.



CAP & Tait  
y, July 22, 1968

# George refuses Lawaaikamp rent

By MONICA GRAAFF

LAWAAIKAMP residents wishing to pay their July rent and service charges have been turned away by the George municipality, a spokesman for the George Civic Association, Mr Melford Notshokovo, said yesterday.

This was confirmed by Mr A B de Swart, chief of health and housing at the George municipality, who said he had received instructions from the town clerk, Mr C P du Plessis, not to collect any more rent from Lawaaikamp.

Mr Du Plessis said Lawaaikamp residents were informed

on May 31 that they must leave the area and that housing was available at Sandkraal, Sapa reports.

"We have not cut their services but have refused to accept rent and service payments. If we accept payment we also accept that they are legally entitled to stay," Mr Du Plessis said.

According to Mr Kobus Pienaar, the legal representative for the community, about 120 notices have been served on households and about 102 had filed intentions of defence.

So far two eviction orders against households, which did not file intentions of defence, have been granted by the

Supreme Court.

A spokesman for the National Council Against Removals said residents had paid their rents ever since the George municipality took over the area in 1976.

Seeing this action as yet "another pressure" from the municipality "to force us to leave Lawaaikamp", the George Civic Association issued a statement late on Wednesday that said "the municipality cannot wish us away by refusing our payments".

The Civic Association said it was "puzzled that the municipality should suddenly and without explanation refuse payment after years of accepting our payments without rendering adequate services".



ACW 28/7/88

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CITY

# Only 3% of threatened squatters favour move

By VERNON BRENT  
Staff Reporter

NINETY-SEVEN percent of heads of households in Lawaai-kamp do not want to move, according to a study by the department of anthropology at the University of Cape Town.

The survey, conducted in April before the George municipality went to court to evict the residents, found only three percent in favour of moving to the new township of Sandkraal.

About half of the 232 households were questioned by five teams led by Professor Martin West and the results have been published by the Institute of Race Relations.

Professor West concluded: "It is unquestionable that the people do not want to move. If forced relocation is indeed a thing of the past, they should be allowed to remain.

"The threatened move is for ideological reasons to do with the Group Areas Act and the exercise

of power over what is seen as a troublesome community."

He said court orders obtained by the municipality would be a clear signal to South Africa and the world that the policy of forced relocation was "alive and well and still kicking people about".

Professor West said that in spite of their unwillingness to move, 18 percent of the householders had paid deposits on sites at Sandkraal.

## Pressure

This was because "considerable pressure has been placed on the community: the threat of demolition hangs over all and it is widely believed that future employment may depend on leaving Lawaai-kamp".

Professor West said the argument often advanced that the families should be moved because of poor facilities was "specious".

He said: "The poor facilities have been there since the inception of Lawaai-kamp and never worried the authorities before."

He said the municipality could have improved the area "overnight".

"The policy of neglect has clearly been used to encourage people to leave the area."

The survey showed that many adults had been forcibly moved to Lawaai-kamp from squatter areas around George.

He called on the authorities to honour undertakings that the much-moved residents would not have to move again.

Of the 114 household heads questioned, 10 had been born in Lawaai-kamp and the rest had lived there an average of 18 years.

● About 120 eviction summonses have been served on residents and 102 have given notice of their intention to contest the evictions.

The town clerk of George, Mr Carel du Plessis, repeated the municipality's determination to move the residents. He said: "We do not acknowledge their right to be there."



CAPT Ticks 28/7/88

# Millions spent on bus subsidies

Own Correspondent

JOHANNESBURG. — The government's policy of homeland settlement is costing the taxpayer hundreds of millions of rand each year in bus subsidies for people who, in many cases, have been resettled up to 130km from where they work.

Last year Pretoria spent R280 million — 80% of its bus subsidy for the year — to transport commuters, according to CSIR research.

In the case of KwaNdebele, every commuter was subsidized to the tune of R1 500 last year.

There are close on 20 000 commuters that travel up to 130km to Pretoria for work, CSIR transport research says.

And transport consultant Mr Paul Brownign says highly unprofitable bus companies have been kept in business by subsidies and regulation.

In urban areas unsubsidized micro-bus taxis have taken passengers from the bus companies, which have in the past three years closed down most of their short-haul routes and now have an overcapacity.

Meanwhile they demand higher subsidies every year because their overheads of running large head offices have not been reduced, he says.

## Phasing out

However, the CSIR researcher points out the general trend in government is to a greater acceptance of deregulated urban settlement and public transport, coupled with the gradual phasing out of subsidies.

But doing away with "wasteful" subsidies and planning for the movement of settlements can be justified only if the measures are directly affordable to the people involved.

He suggested that settlement

closer to town could be encouraged by subsidizing fixed assets such as housing rather than transport and that the subsidy should be user-directed — rather than to the producer.

But he conceded it was not feasible politically to phase out subsidies overnight to industries for transport, housing or food.

One way to phase out the excessive subsidies to the remote areas would be to offer weekend subsidies to commuters and concurrent housing subsidies for settlement closer to their place of work, over a five-year period.

The transport specialist at the Southern African Development Bank added that bus subsidies on very long distances should be removed.

However the change in urbanization patterns could be achieved only if there were no constraints in settlement through the Group Areas Act.



2 Cape Times, Saturday, August 6, 1988

# Farm workers gather to stop family's eviction

Staff Reporter

ABOUT 90 workers marched on the offices of Elsienberg Agricultural College yesterday morning — and saved a family of 10 from eviction.

The family, who have been on the farm for 23 years, were given notice of eviction last week although three unmarried household members are employed on the farm.

An earlier notice had been temporarily dropped when the lessee, Mr. Barend Harense, died of a heart attack on November 10 last year, the day they were due to leave the premises.

The Western Cape director of agriculture, Dr J Burger, told the Cape Times yesterday that the eldest son had not yet made a new application for a lease. "I told him at the gathering yesterday that if he made an immediate application the family would be allowed to stay," he said.

Mr Roger Channels, acting for the Harenses, said the employers had a common-law right to evict them. "But the Harenses have a case considering the fact that members of the family are still working on the farm."

Dr Burger said that there was a housing problem on the farm. The three unmarried workers would have been offered accommodation had the family moved. "We provide housing for workers. Anybody not employed on the farm is usually expected to move. But we considered the fact that they have an elderly mother and a sister with a serious kidney condition and decided to consider the case on humane grounds."

Workers said four families had been evicted since the beginning of last year. They said the workers were unhappy about their lack of housing security on the farm.



**FARM WORKERS MARCH**... Workers at Elsienberg Agricultural College march on management offices yesterday to protest against the impending eviction of a family who have lived there for 23 years.



# Municipality denies Lawaai-kamp demolition

Staff Reporter 77/7

AN eight-roomed Lawaai-kamp shack housing eight families was demolished on orders from the town's municipality, the George Civic Association has claimed.

This has been denied by the town clerk of George, Mr Carel du Plessis.

In a statement yesterday the association claimed that one of the residents — an elderly pensioner — had since died; and that another had given birth to a baby boy hours after the demolition took place.

The demolition was allegedly supervised by Mr J Gerber of the municipality.

However, the George town clerk, Mr C P du Plessis, said yesterday that neither he nor Mr Gerber knew anything about the demolition.

According to the civic association, five of the families had received summonses from the George municipality

for not vacating plot number 157 by May 31 — the date stipulated in their eviction notices — but all of them had filed intentions of defence.

This meant that they were legally protected against further action from the municipality, pending a Supreme Court judgment.

● A Supreme Court eviction order was served on a Lawaai-kamp resident, Mr Meslack Stow of plot number 44, on Tuesday.

This is the third eviction order of the Supreme Court since the George municipality's serving of eviction notices on Lawaai-kamp residents to vacate their plots by May 31.

● The George municipality has declined to explain why it will not permit the Black Sash to hold a stand protesting against Lawaai-kamp forced removals on Knysna Road in George.



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(271)  
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## George man's burial restricted

PRETORIA. — Police have imposed emergency restrictions on the funeral of an elderly man who was found dead at Lawaai kamp in George.

Police said Mr Freddie Bosch, 70, was found dead in Lawaai kamp on August 8, shortly after being resettled at Sandkraal.

Police said they suspect "radicals trying to drum up publicity" may have played a role in the episode.

The number of mourners at his funeral has been restricted to 200 and the use of a public address system prohibited. — Sapa



# Rebuilding go-ahead in Lawaaikamp furore

CAC Times 20/8/88 27

By MONICA GRAAFF

GEORGE Municipality has again backed down in Lawaaikamp and undertaken to allow four residents to rebuild their shack that was demolished by the municipality earlier this month.

The George Civic Association said last night that the municipality had also undertaken to take no unlawful action against any Lawaaikamp resident.

This follows a furore in which the residents claimed their shack on site 157 was illegally demolished by the municipality.

Last week the municipality denied having anything to do with the demolition, but later admitted responsibility

and warned that it would also demolish a temporary shelter erected by the homeless residents.

Though the residents had been given notices to evacuate their shack by May 31, they had all filed intentions of defence and were therefore protected by the law pending a Supreme Court judgment, an association spokesman said.

"Even though the municipality refuses to accept that the residents were legal occupants of the shack, we see their decision to allow them to rebuild the shack as a step forward," he said yesterday.

The status of another four families left homeless by the demolition is still unclear.



# Moutse: Role of government the 'real problem'

Parliamentary Staff

AKGUS 24/8/88

THE government was trying to pass off the Moutse (Validation of Actions) Bill as the solution to a mere administrative problem while the real problem was the whole "disgraceful episode" which began with government attempts to incorporate Moutse into Kwandebele, the Progressive Federal Party's parliamentary leader, Mr Colin Eglin, said.

Mr Eglin was speaking against the Bill in the Assembly yesterday after the Minister of Education and Development Aid, Dr Gerrit Viljoen, had described the Bill as ratifying those actions taken in good faith by the Kwandebele authorities in Moutse during the period of Moutse's incorporation (December 1985 to March 1988).

The incorporation of Moutse into Kwandebele was overruled by a Supreme Court decision in March 1988.

Dr Viljoen said the Bill was "not aimed at covering up illegalities" but at the problem of filling the vacuum in Moutse administration created by the court decision and which could prejudice innocent individuals and jeopardise their rights.

Mr Eglin said the major problem was a result of government incompetence and ineptitude, not a result of the Supreme Court decision.

The government itself had jeopardised the rights of Moutse's residents by irregularly proclaiming it part of Kwandebele against the wishes of the majority of the people of Moutse, Mr Eglin said.

"The Bill is not just the legalising of a few documents; it seeks to validate any action and is a blanket validation on anything that happened in Moutse in terms of the law of Kwandebele."



## Eldorado Park Extension 9: rentals

39. Mr T R GEORGE asked the Minister of Local Government, Housing and Agriculture:

- (1) Whether any assistance in regard to rentals is available to residents of Eldorado Park Extension 9; if so, what assistance,
- (2) whether new rental formulae will be implemented in this residential area; if not, why not; if so, what are the relevant details,
- (3) whether he will make a statement on the matter?

## The MINISTER OF LOCAL GOVERNMENT, HOUSING AND AGRICULTURE

- (1) No
- (2) No
- (3) No

The new rental instalment formula cannot be applied as the dwellings were financed with the local authority's own funds.

## Central Johannesburg: resettlement of Coloureds

49. Mr T R GEORGE asked the Minister of Local Government, Housing and Agriculture:

- (1) Whether his Department has any official responsibility in regard to the resettlement of the Coloured population residing in the central areas of Johannesburg, if not, (a) why not and (b) what body is responsible for this matter, if so, to what extent;
- (2) whether any housing development is taking place in the Emmerdale area, if so,
- (3) whether it is the intention to resettle Coloured persons residing in the central areas of Johannesburg in Emmerdale, if so, (a) why and (b) when, if not, for what purpose is the Emmerdale area being developed,
- (4) whether the areas of (a) Westbury, (b) Newclare, (c) Bosmont, (d) Riverlea, (e) Coronationville and (f) Noordgesig are to be extended to accommodate Coloured

persons; if not, why not; if so, (i) which of these areas and (ii) (aa) to what extent, and (bb) when, in each case?

## The MINISTER OF LOCAL GOVERNMENT, HOUSING AND AGRICULTURE:

- (1) Yes.

- (a) Falls away
- (b) The Johannesburg City Council administers a project of 500 flats, which is financed by the Department and built for the relocation of the Coloured Community who resided in the central areas of Johannesburg. Relocation has been carried out in co-operation with the Administration House of Assembly and the Johannesburg City Council
- (2) Yes
- (3) No
- (a) Falls away
- (b) For housing.
- (4) (a) Westbury No, vacant land unavailable.
- (b) Newclare: Yes.
- (c) Bosmont: No, vacant land unavailable.
- (d) Riverlea: K1 and K2 areas were investigated but due to the physical limitations of the areas, investigations ceased
- (e) Coronationville: No, vacant land unavailable
- (f) Noordgesig: No, vacant land unavailable [3
- (i) Newclare The buffer zone is presently being investigated by the Group Areas Board
- (ii) (aa) Falls away
- (bb) Falls away

## HOUSE OF ASSEMBLY

+ Indicates translated version.

For written reply

## General Affairs:

## Black education: funds from non-Government sources

1360. Mr A GERBER asked the Minister of Education and Development Aid:†

Whether any amounts were received from (a) foreign governments, (b) foreign companies and (c) South African companies in 1987 for Black education in South Africa, if so, (i) what total amount in each case and (ii) (aa) from which South African companies were such amounts received and (bb) what amount was received from each of these companies?

## The MINISTER OF EDUCATION AND DEVELOPMENT AID.

- (a) No.
- (b) No
- (c) Yes
- (i) R61 082,00

Co-operative society: information on directors  
1428. Mr C J DERBY-LEWIS asked the Minister of Agriculture:

- (1) Whether he will furnish information on the directors of a certain co-operative society, the name of which has been furnished to the Minister's Department for the purpose of his reply; if not, why not, if so, (a) what are their names and (b) in respect of what date is this information furnished,
- (2) whether any of these directors are ostrich farmers; if so, who?

## The MINISTER OF AGRICULTURE

- (1) Yes;
- (a) Messrs A J de Jager, J J Schoeman, C M Coetzee, P R Fourie, S D Jonker, G Cle Roux, M C Looock, P L Kleyn, G A Olivier, J C Esterhuizen, J H Potgieter and J J Schoeman,
- (b) 23 August 1988;
- (2) all the directors, with the exception of Messrs M C Looock and J C Esterhuizen, are ostrich farmers.



CME Tins 27/8/88 371

# Botshabelo incorporation invalid

**BLOEMFONTEIN.** — The Free State Supreme Court has found that the incorporation of Botshabelo — the dormitory town that houses many of Bloemfontein's labour force — into Qwa Qwa in December last year was invalid. The court ordered the State President and the government of Qwa Qwa, jointly and severally, to pay the costs of an application brought by Mr Gauta Lawrence Lefuo, a resident of Botshabelo.

It said the proclamation was not authorized by the statutory powers on which the State President purported to rely when he issued it. Mr Justice J P Malherbe, with the concur-

rence of Mr Justice G A Hattingsh, concluded that the purported alteration of the area of Qwa Qwa did not accord with the intention of the legislature, as expressed in the enabling provision of the National States Constitution Act of 1971.

This was because it could not have been done to promote the political development of the inhabitants of Botshabelo in their national context. It followed that the application of Mr Lefuo must succeed.

Mr Acting Justice Findlay, in a separate judgment, agreed with the order made by Mr Justice Malherbe.

The judge referred to the Appeal Court decision earlier this year that found that the incorporation of the Moutse area into KwaNdebele was not valid.

That decision had not yet been given when Mr Lefuo's application was argued before the

Supreme Court earlier this year and the case was postponed "sine die" at that stage.

Mr Justice Malherbe said there were clear differences in the facts of the Moutse case and the present one.

The North Sothos of Moutse are a totally different group to the South Ndebeles of KwaNdebele. Of Qwa Qwa's black inhabitants, 80,14% are South Sothos while 70% of Botshabelo's 400 000 are also South Sotho. — Sapa.



# Squatters fire on police

By SHAUN HARRIS

NEARLY a fortnight of forced removals reached a violent climax this week as squatters fought back by firing shots at police and contractors.

Their homes had been bulldozed and burned by a property developer.

And a politician has warned that if the controversial Squatting Bill is forced through Parliament, scenes like the ones which shocked Durban could become a common occurrence.

Police spokesman Lieutenant Bala Naidoo confirmed yesterday that about 15 shots were fired at police and workers at Lovezone, a strip of land between Newlands East and KwaMashu.

Apparently no one was injured. One man was arrested.

Police are investigating charges against a community leader who, Lieut Naidoo said, had assaulted a police officer.

pay R5 to join the Inkatha movement before they could settle there.

"In the end I had no other alternative but to demolish their houses — I could have gone to jail if they were not cleared away."

PFP MP Roger Burrows said tragedies like the Lovezone removals could become commonplace if the Squatting Bill became law.

"The situation is quite clearly one in which the landowner has to resort to this

type of thing, or else have his land declared a transit area — which could in effect mean losing the use of it — or face a R10 000 fine or five years' imprisonment."

Mr Burrows, who had been trying to find alternative land for the Lovezone community, said the Government could not cope with trying to provide alternate sites for displaced people.

"Late this week they said they could offer them land near Ladysmith," said Mr Burrows.

In an open letter from the

University of Natal's "built environment" support group, Mr David Curry, Housing Minister in the House of Representatives, has been told it is his responsibility to see the area is not developed for coloured housing.

After the bitterness expressed by Mr Curry and his colleagues at coloured removals for white settlement — in areas such as District Six — he should use his power to make sure that the area is not rezoned for coloured development in the wake of the removals, the letter adds.

## Homeless

Friday's confrontation between squatters and wrecking crews working for land developer Mr Grant Trebble followed forced removals during which hundreds of shacks had been flattened and burned to prevent people from rebuilding them.

Between 3 000 and 6 000 people have been left homeless with no alternative accommodation.

Mr Trebble said somebody had been making between R20 000 to R25 000 a month by offering the people "title deeds".

"I would like to find out who that person was," he said.

He continued: "I accept responsibility for what happened there."

"Personally, I feel bloody, bloody awful about it — especially for the old people who had to go."

He learned that they had to



# Foundation offers govt 'housing strategy'

Mr. Tim J  
29/8/88

271

By BARRY STREEK

THE Urban Foundation and the wider private sector had made an offer to the government to provide their expertise and resources to develop a positive informal housing strategy — if the government squatting proposals were reconsidered, the foundation's managing director, Mr Sam van Coller, said at the weekend.

Detailed written and oral submissions were made "four or five weeks ago" to the Parliamentary Standing Committee handling the Prevention of Illegal Squatting Amendment Bill.

The foundation did not believe the bill would achieve its objectives until a positive informal housing policy had been developed and implemented.

## Publicly disclosed

"The offer still stands," Mr Van Coller said at a press briefing.

Its proposals for a new informal housing policy — supported by FCI, Assocom, Nafcoc, Chamber of Mines, SA Institute of Civil Engineers, SA Institute of Architects and the National Association of Home Builders — are to be publicly disclosed for the first time today.

Mr Van Coller said the private sector urged that both the bill and the 1951 Prevention of Illegal Squatting Act should be reconsidered and "in the event of reconsideration the Urban Foundation and the wider private sector have offered their expertise and resources".

Once the bill became law, the legal process "will be inexorable". "It will be arbitrary because there are no criteria laid down in the bill."

However, Mr Van Coller said, "we will continue to interact with the government until we have found the right route".

There were also positive provisions in the bill and provision for "designated areas" was one positive aspect.

"These are the opportunities to build on," Mr Van Coller said.

Though no direct response to the offer was given, the Foundation "cer-

tainly received a positive response to its proposals" when it gave evidence to the Standing Committee.

The Foundation had not disclosed its proposals for informal housing policy until now in the interest of correct procedures, but reference had been made in Parliament to its proposals and it felt it necessary to make public its full set of proposals "so that any discussion of these is seen in the proper context". "The Urban Foundation is concerned that the release of this information should not be misconstrued."

"We are sensitive to the current political difficulties being experienced and believe that the UF's submissions should be seen as being totally separate from those difficulties."

The foundation believes the matter should be approached from a developmental point of view and that "there is a positive approach that can be adopted to the extremely difficult issues surrounding squatting and informal settlements".

Its director of urban development, Ms Anne Bernstein, said the government's policy should emphasize that the preservation and upgrading was a national priority.

"The central government should instruct all provincial and local authorities to halt any planned demolition of shelter unless there is suitable alternate land which is well located for employment and is acceptable to the communities concerned."

## Land invasion

"One of the motivations of the bill is to prevent informal settlers from occupying urban land contrary to existing land use plans."

"We share this concern. But if the bill is implemented, land invasion in all South Africa's metropolitan areas will increase and large-scale settlements in unauthorized places will develop," Ms Bernstein said.

"Policy-makers have an important choice to make: The Prevention of Illegal Squatting Act or an Informal Housing Act. The choice will determine South Africa's future."

# A Botshabelo party after court victory

By VUSI GUNENE

BOTSHABELO residents threw feasts this week to celebrate their successful Supreme Court battle — which reversed a government decision to incorporate the Free State resettlement area into QwaQwa.

Three judges in the Bloemfontein Supreme Court last Friday granted an order nullifying the incorporation of Botshabelo into the "homeland".

The liaison officer of the Department of Development and Planning,

Deon du Plooy, said the state had already given notice that it will appeal against the judgement.

Botshabelo's "partial incorporation" was proclaimed on December 2 1987. An application opposing incorporation — brought by Botshabelo teacher Gauta Lawrence Lesuo against President PW Botha and the government of QwaQwa — was heard in

March this year. In Friday's ruling the judges found Botha did not have the power to amend the area for which a Legislative Assembly had been established.

The judges said QwaQwa and Botshabelo had undergone completely different political processes.

QwaQwa, they argued, had developed tribal, regional and territorial authorities, and a Legislative Assembly. During all these processes ethnicity was taken into consideration.

But Botshabelo — which is about 300km from QwaQwa — was a black township which had no political or statutory development.

The judges concluded the incorporation could not in anyway promote the political development of Botshabelo within ethnic groups.

The educational system in Botshabelo, which was administered by the QwaQwa homeland, is expected to be handed over to South Africa — though it is not clear when or how long this process will take place.

In a statement this week, the National Committee Against Removals (NCAR) said Botshabelo's brief incorporation into QwaQwa was "disastrous for Botshabelo. Residents' objections were never considered and the incorporation was accompanied by immense repression and insecurity."

And while the NCAR welcomed the court's decision it was sceptical of the future of Botshabelo's 400 000-strong community.

"Already the government has given notice that it intends to appeal against the judgement.

"It is clear therefore that it is the homeland policy which is the problem. Until it is abandoned there can be no security for a community such as Botshabelo."



# Squatter eviction bid — court told of 'death threats'

Supreme Court Reporter

RESIDENTS of the Bloukamps, Tentedorp and Soutpan squatter communities in Port Nolloth are opposing an application in the Supreme Court to evict them.

Port Nolloth municipality made an urgent application yesterday for an order, effective from September 18, declaring occupancy of the camps by 131 squatters and their families illegal. It also asked for an order permitting the municipality, the Cape Provincial Administration and, if necessary, the police, to evict the residents.

The squatters were given a six-month reprieve in the Supreme Court in March after being served notices by the municipality ordering them to leave their temporary accommodation within a month. The municipality agreed not to eject them before September 19.

Mr I G Farlam SC, told the court he had instructions to appear on behalf of 65 squatters and appeared amicus curae for the others. "If at the end of the day the court dismisses the application, it would be a sad thing for the remaining respondents if they were to be evicted on a default basis," he argued. "They are clearly in the same boat as those who are defended here today."

## UNKNOWN PERSONS

Mr T Barnard, for the municipality, argued that Mr Farlam could not appear for the remaining respondents as he did not have a mandate to do so. He said the application to have the squatters' presence in Port Nolloth declared illegal was of an urgent nature because businessmen had had death threats recently.

"Unknown persons have been going to businessmen with a petition. They have been told their premises will be burned down if they do not sign it. There have been threats that their homes will be burned down and they will be shot."

Mr Justice Williamson said: "They have to be out by September 19. It is now September 13. I don't know who will leave by that date. Maybe some have left the area already. On September 26 the court will know who has abided by the agreement."

Mr Justice Williamson postponed the proceedings against the squatters to September 27.

# The quite Zululand forced removals

CP Correspondent

8/1/80  
SCORES of illiterate farmers are quietly being evicted from their ancestral homes in the remote hills of Zululand.

Zululand is so vast and remote that it is impossible to monitor all the evictions. But in four farms surveyed, nearly 2 000 people face eviction.

"Tens of thousands of people are circulating through Natal as internal refugees," said a lawyer specialising in fighting forced removals through the Dur-

ban-based Legal Resources Centre.

About 320 members of the Ngobesi tribe are planning a march on Pretoria in protest against the removals.

"My forefathers' graves are still there," said Mahadula Kunene, who was born in 1906.

"My heart hurts to think that there will be nobody to look after everything."

The land is owned by CFM van der Walt, a wealthy Transvaal farmer from Rust de Winter, who bought it for R2,8-million.



# Group Areas threat for Lawaaikamp residents

THE Group Areas Act has been cited as a reason for the eviction of residents of Lawaaikamp in a legal battle between the George Municipality and residents opposing their eviction.

This week, lawyers acting for the George Civic Association filed "an exception" in the Cape Town Supreme Court to papers filed earlier by the municipality.

These papers said even if the court found the residents were legal tenants, they could be evicted under the Group Areas Act.

On February 18, the mu-

nicipality first issued summonses to residents giving them notice to be out by May 31.

When the community indicated they were not moving, the municipality issued Supreme Court summonses against individual households. The court was asked to order their eviction.

The papers said - even in the event of the court finding that they were statutory tenants with common law rights - such argument would be null and void because of provisions of the Group Areas Act.

This was because Lawaaikamp residents were "of the black group", while Lawaaikamp had been proclaimed a coloured area in June last year.

A spokesman for the residents' lawyers said they had filed an exception to the Group Areas Act issue.

He said a date for the hearing of the exception would have to be set before the main case was heard.

No dates had yet been set.

"We are still throwing papers at each other" - Sapa

27/1  
18/9/87  
Sapa

# Kicked, slapped by council cops, claims schoolboy

Staff Reporter

ELEVEN residents of Pabalello township in Upington have been granted an interim interdict in the Supreme Court in Kimberley restraining municipal policemen from unlawfully detaining, assaulting and evicting them from their homes.

Mr Alfred Gubula and 10 others made the application after municipal policemen allegedly detained and beat up school pupils and threatened to evict their families.

The Judge-President of the Northern Cape, Mr Justice G P van Rhyn, granted a rule nisi by consent between the parties.

The return date is October 21.

The respondents were the Pabalello Town Council, the commander of the council's law-enforcement officers, the Minister of Law and Order, the divisional commissioner of police for the northern districts, the station commanders of the police at Pabalello and Upington, Warrant Officer Medlar and 14 municipal policemen.

Mr Gubula, 54, said in papers that on August 11 municipal police evicted a tenant from a house in view of the Pabalello Senior Secondary School playgrounds.

## POLICE TEASED

A number of pupils teased the policemen by chanting at them, Mr Gubula said.

"It would seem as if two or three stones were thrown in the direction of the municipal police," Mr Gubula said.

Later that afternoon 13 pupils were taken into custody by the municipal police, Mr Gubula said.

"It would seem that the object of the exercise was to brutally assault them to convey a message to all pupils that should they taunt or tease the municipal police they too would be victims of similar assaults," he said.

"All the pupils were kicked, punched and slapped."

He said municipal police decided to evict some of the parents who were in arrears with their rent.

## PROTECTION

"It would seem the object was to penalise and intimidate those pupils' families because the pupils had the misfortune to be present in the playground when pupils taunted the police and a few stones were thrown," Mr Gubula said.

He said Pabalello residents needed protection from the unlawful conduct of the municipal policemen.

A 17-year-old pupil said in an affidavit that he saw a municipal policeman drink wine while they were evicting the family opposite the school.

He heard pupils shouting but did not see stones being thrown.

Later three municipal policemen fetched him at his home and he was told to enter the "hall" of the police station, where he alleged he was slapped and punched in the face and kicked in the testicles, on his back and his head.



# At midnight on Sunday, a tent town must move out

By GAYE DAVIS  
Cape Town

AN entire community living in tents in a salt pan near the West Coast fishing town of Port Nolloth face eviction after midnight on September 18.

The Port Nolloth Municipality and the Cape Provincial Administration have told them to leave the area because there is no proclaimed residential township for people classified black.

Opposed to moving, residents will host a church service, organised by the local civic association and the Namaqualand Council of Churches, at 4pm on Sunday in the town's Anglican Church.

Meanwhile, the Port Nolloth municipality has applied to the Cape Supreme Court for a declaratory order empowering it to evict residents, with the aid of the police and Cape Provincial Administration officials, who fail to move of their own accord.

The tent-towners — officially estimated at 200, although the people themselves say they number 500 — have battled for years for permanent homes in the area.

Many originally had homes in a shanty town which also housed "coloured" people. They were forced out in the early 1980s when the shanty town was demolished and new "coloured" housing built.

A group of about 300 fled to Namibia, only to be forced back into South Africa by the Namibian authorities.

They were trucked back to Port Nolloth, given tents and told they could live in the salt pan on a temporary basis. That was two years ago.

This year, officials started pressuring residents to move — and residents started mobilising in opposition, forming representative committees and approaching businesses to support them in their bid to stay.

In February, residents appealed to the Cape Supreme Court against the municipality's bid to evict them. They were granted a six-month reprieve on grounds that the length of time given them to leave the area was unreasonable. This respite expires at midnight on September 18.

None have any idea of where to move to. The nearest proclaimed black township is in Upington, 550km away.

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# The surgeons of apartheid remove the 'black spots'

**FORCED REMOVAL:** The division, segregation and control of the people of South Africa by Elaine Unterhalter (International Defence and Aid Fund for Southern Africa)

FORCED removals are one of the cruellest manifestations of apartheid — families scattered all over the show, sheer brute force applied to those communities resisting removal.

These realities, like the well-publicised case of Crossroads squatter camp, are captured vividly in this book.

But the author attempts to "analyse forced removals in the context of apartheid", taking it to be a changing — not clearcut — practice. Various forms of forced removal are scrutinised within apartheid's changing "political and economic nature".

The Surplus People's Project estimates about three million people were moved between 1960 and 1983. Unterhalter claims this is an underestimate as it does not include: those moved through pass law enforcement; people living in informal sectors around large towns who are forced to move several times, and those moved within "homeland" boundaries as part of schemes to restructure land use.

The book outlines the history of removals, concentrating on the 1913 and 1936 Land Acts which were responsible for assigning 13 per cent of the land to Africans and the rest to "white" South Africa.

Unterhalter traces the evolution of influx control from the government's 1922 Stallard Commission — which concluded a "native" should be allowed into urban areas "to minister to the needs of the white man and should depart therefrom when he ceases to minister" — to the National Party's coming to power in 1948.

Regarding Africans in urban areas as "temporary sojourners", the National Party introduced the pass laws and designed the "homelands" as cheap labour reserves for the mining and industrial sectors.

Unterhalter argues influx control is a three-pronged system intended to: limit the growth of the African population and ensure widespread use of migrant labour in the mines; control the allocation of labour to different sectors of the economy, and control where unemployed Africans reside.

She says there are four types of removals which are implemented to enforce the Group Areas Act, consolidate African townships, enforce the Coloured Labour Preference policy, and provide for the relocation of townships into "homelands".

Group Areas removals for many years have prevented African families from living with breadwinners in "white" areas.

African townships were established to locate Africans as far away as possible from the urban areas.

The new townships were built with straight roads to make them easy to patrol. Tribalism was also enforced — different "nationalities" were put in different areas. Ironically, these new settlements became the sites of sustained opposition — as seen in Soweto in 1976 and on the Vaal in 1984.

The Coloured Labour Preference Policy was used — mainly in the Western Cape — to remove Africans forcibly from the area.

The establishment of "homeland towns" was a response to the failure of influx control. Some townships were relocated to fall under "homelands" but not without resistance —



**Troops erect barbed wire around Nyanga Bush in Cape Town, 1986**

Picture: from **FORCED REMOVAL** by Elaine Unterhalter  
such as Lamontville's successful battle against its incorporation into kwaZulu.

Squatter communities are also forcibly removed — usually with promises of a better place to live. Such areas have seen unprecedented resistance — and claimed many lives. A case in point is Crossroads, where squatters moved only after their shacks were repeatedly destroyed by Witdoeke, allegedly backed by police and the army.

Other types of "homeland" removals are: the eviction of labour tenants and farmworkers — provision for this is made in the 1913 Land Act; the dispossession of peasants through land allocation schemes, and the seizure of freehold land in "black spots".

Most of the people evicted in these areas are dumped in "closer settlements", with no livestock and meagre plots — such as Nondweni in kwaZulu's Nqutu district.

At Nondweni, Unterhalter says, "The nearest water source was a polluted donga and the pump for water was frequently broken. the

nearest stores were 10km away".  
"Black spots" are removed, she says, through a "curt official instruction to move, intimidation, selective use of violence, fostering of widespread insecurity, the division of communities and the outright show of force". She argues such removals are attempts to divide people, not merely gross acts of dispossession.

With the wheel of "reform" already in motion, removals have been achieved by new strategies, Unterhalter says.

Squatters are tolerated if they have some accord with the government, like Witdoek leader Johnson Ngxobongwana, or if they are in state resettlement sites, like Botshabelo.

Another recent aspect of territorial desegregation is decentralisation — a state strategy, supposed to induce entrepreneurs to build factories and businesses next to "homelands" and black residential areas.

The author's scope of research makes this book well worth reading.

16-22/9/88  
Musa Zondi



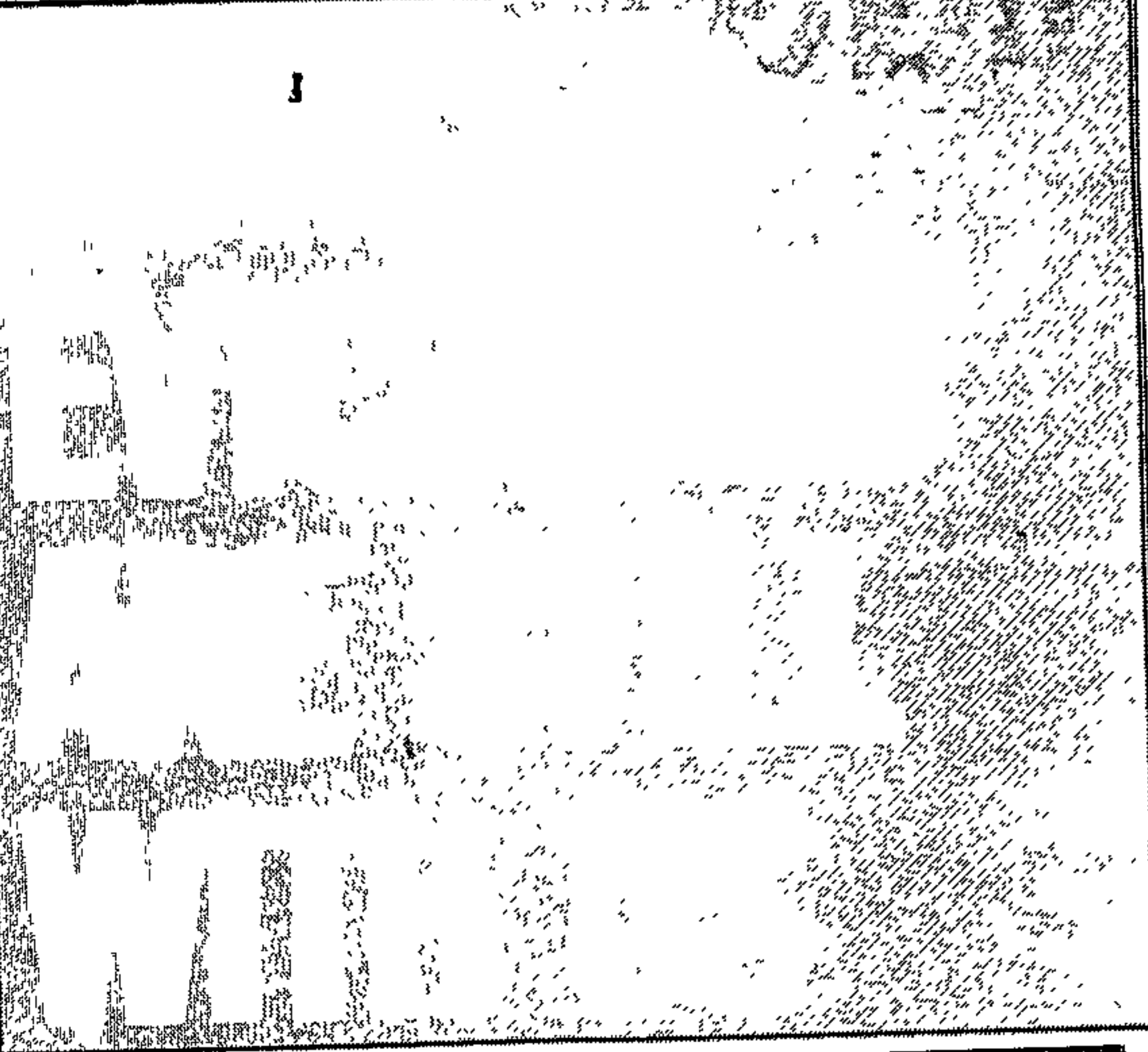
(271) *Smelton*

**Y**et again there is no acknowledgement of the important role that "slums" (a pejorative term in itself) play in providing affordable accommodation. Those households presently housed in "slum" conditions frequently have little option but to accept that which is considered to be sub-standard based on First World criteria. Needless to say, given affordable alternatives, no family is likely to choose to live in such circumstances.

In numerous instances, however and so on, the negative physical elements may well be counter-balanced by other factors such as proximity to work opportunities, public transport networks, commercial and recreational facilities and so on. These are all important urban facilities and offer opportunities either absent or inadequately supplied in the townships located on cheaper land far from the city centre. This is the adjunct to the policies long implemented in South African cities.

### Effort

"Slums" generally comprise the city's oldest housing stock and are therefore well located in terms of the criteria mentioned above. Frequently, it is for those reasons that they have been identified as a valuable component of an under-supplied urban housing complement. Consequently, in a variety of international contexts such as in Kenya, the Philippines and Colombia, the authorities have made a concerted effort to improve and upgrade so-



**in response to recommendations from the Standing Committee which investigated the previous amendments to the Slums Act, a revised version has recently been published. While there have been a number of alterations, in essence, underlying notions have not been significantly modified. In this article the Transvaal Rural Action Committee (TRAC) comments on the Slums Amendment Bill now before Parliament.**

called slums as opposed to the old policies of slum clearance and demolition.

The precipitating factor for these new policies was the recognition that the housing standards used in determining slum conditions were generally inappropriate given the economic situation of many of the residents. Moreover, with the limited finance available for new housing, it was considered short-sighted and economically inadvisable to eradicate valuable housing stock which was structurally sound and could be

### FOCUS

adequately improved at less expense. These factors have been used as strong arguments in favour of upgrading as opposed to slum clearance.

Again using international examples, one can note a series of other positive aspects to this policy. Firstly, it has been shown in a variety of situations that the urban poor rely quite heavily on informal sector activities to supplement or, in fact, provide the mainstay of their household income

### Actions

As this vitality and the underpinning economic and social activities depend on established patterns and networks, once an area has been demolished, those networks are destroyed irreparably. This generates resentment, social dislocation. It has therefore been argued that only in those instances where it has been proved untenable to upgrade, should such actions be the policy focus.

Secondly, slum upgrading projects could well be labour-intensive



**Mr CHRIS Heunis** ... Minister of Constitutional Development and Planning.

and therefore generate jobs. Similarly, such *in-situ* projects necessitate consultation of and participation by the local residents. In the process of defining the project, through such participation, the residents are likely to become more involved thereby stimulating a series of positive spin-off effects.

However, the proposed amendments to the Slums Act do not address themselves to the same issues. Despite the amendments introduced subsequent to the report of the Standing Committee, a number of the clauses arouse some concern

Firstly, in response to the reservations expressed regarding the curtailment of considerable powers to the local authorities, greater checks have been proposed through the increased involvement of the Minister. Nonetheless, given the track record of many black municipalities as regards corrupt or questionable practices, unacknowledged ability reservations have been expressed by township residents. If the proposed change in structure still considered to be inadequate as providing a mechanism to counter the possible abuse of power from personal gain.

Furthermore, by extending the responsibility of the Minister, the local authorities' greater legitimacy as derived from its provincial role, has been partially eroded from the acknowledged need for checks on its power in itself, thus as a recognition of the current de facto position of black local authorities.

This gives rise to a second point. Should the owner wish to contest the decision, the first appeal is to the very same body which passed the initial judgement. While the owner is permitted to appeal to the Minister through the local authority, the latter is legally entitled to submit its comments alongside those of the complainant. Ensuring that the process remains unassailable just may prove rather difficult.

### Decisions

Thirdly, the municipal officer or official appointed by the Minister to inspect the premises need not be qualified in any way to make such informed decisions. No where within the Bill is provision made for a body of experts to evaluate the property, assess the extent of the "nuisance", and make recommendations regarding its improvement or upgrading. Given the prior observations about appropriate building codes and standards, it should be reiterated that the potential for many buildings to be adequately improved should not be underestimated. This however, requires a thorough structural assessment and one that must be conducted by experts in the field.

Fourthly, it is still not incumbent on the local authority to ensure the provision of alternative accommodation. As with



Howard

2271

WEDNESDAY, 28 SEPTEMBER 1988

HOUSE OF ASSEMBLY

Indicates translated version

For written reply:

General Affairs



**KwaNdebele: civil claims against police force**  
1069. Mr F J LE ROUX asked the Minister of Constitutional Development and Planning:†

Whether any civil claims were brought against the police force of KwaNdebele during the period 1 January 1986 to 31 December 1987, if so, (a) how many such claims were (i) brought and (ii) disposed of, (b) what total amount was involved, (c) what did the legal costs amount to and (d) what total amount has already been granted by the court against this police force?

**THE MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING.**

The police function was transferred to the KwaNdebele Government on 1 April 1986. I am not in a position or prepared to reply to questions regarding matters which fall under the jurisdiction of another government

(a), (b), (c) and (d) fall away

**KwaNdebele: civil claims against Government**  
1070. Mr F J LE ROUX asked the Minister of Constitutional Development and Planning:†

Whether any civil claims were brought against the Government of KwaNdebele during the period 1 January 1986 to 31 December 1987, if so, (a) how many such claims were (i) brought and (ii) disposed of, (b) what total amount was involved, (c) what did the legal costs amount to and (d) what total amount has already been granted by the court against the Government of KwaNdebele?

**THE MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING**

Civil claims brought against a government is an internal matter of that government.

I am not in a position or prepared to reply to questions regarding matters which fall under the jurisdiction of another Government

(a), (b), (c) and (d) fall away

HOUSE OF ASSEMBLY

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**Black residential areas: water/electricity accounts**

1169. Mr C J DERBY-LEWIS asked the Minister of Constitutional Development and Planning:

(a) What was the total amount outstanding in respect of unpaid (i) water and (ii) electricity accounts in the Black residential areas situated in the Pretoria/Witwatersrand/Vaal Triangle areas of the Transvaal as at the latest specified date for which figures are available and (b) for how long, on average, had these amounts been outstanding?

**THE MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:**

This matter vests in the Administrator of Transvaal and he furnished the following information.

(a) These statistics are unfortunately not kept in detail and therefore only the total outstanding rent and service charges can be furnished

Total amount outstanding as at 31 March 1988 is: R328 840 294.

The outstanding amount is mainly in respect of Soweto and the West Rand. It can be mentioned, however, that there is a remarkable decline in the increase of arrears

The following steps are taken to improve the collection of rent and service charges

**By Local Authorities:**

(a) A deacon action is being launched by employing teams to collect outstanding moneys from house to house with reasonable success

(b) In some instances mobile offices are utilised to collect rent and service charges before normal office hours and in the evenings.

(c) Eviction orders are being obtained against non-payers and electricity supply is being discontinued.

(d) Personal interviews are being conducted with lessees.

(e) Council members hold ward meetings with lessees to motivate them to pay

2273

WEDNESDAY, 28 SEPTEMBER 1988

2274

Howard

**By the Provincial Government of Transvaal:**

(f) Meetings are held between members of the Executive Committee and the Administrator and Mayors and Executive Committee Members of local authorities, to address the issue, i.e. Soweto, Lekoa, Dobsonville, Jouberton and Ratanda.

(g) Councils which do not attempt to bring its financial matters in order, are moved from office and administrators are appointed, i.e. Diepmeadow, Embalehle and Tokoza.

(h) In the case of Soweto the Dr. Simon Brand Working Group has been appointed to address the financial problems of Soweto. Recommendations of the Working Group will be applied to other local authorities.

(b) ± 13 months

**Beaches: open/reserved**

1179. Mr C J DERBY-LEWIS asked the Minister of Constitutional Development and Planning:

(1) Whether there are any beaches on the coastlines of the Cape Province and Natal that are open to members of all race groups, if so, which beaches,

(2) whether any beaches on these coastlines are reserved solely for use by (a) Whites, (b) Coloureds, (c) Indians and (d) Blacks; if so, (i) which beaches in each case, (ii) in terms of what statutory provisions and/or regulations and (iii) what are the penalties for contravening these statutory provisions and/or regulations?

**THE MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING.**

This matter vests in the Administrators of the Cape Province and Natal and they furnished the following information.

**NATAL**

(1) Yes; all beaches are open to all members of all race groups except Durban's South Beach, Addington Beach and Anseley's Beach, and Richards Bay's Alkant Beach

(2) (a) Whites, yes

(b) Coloureds, no

(c) Indians, no

(d) Blacks, no

(i) Durban's South Beach, Addington Beach and Anseley's Beach, and Richards Bay's Alkant Beach.

(ii) Durban

In terms of the Durban Beach Bylaws published in terms of the Local Authorities Ordinance, No 25 of 1974

**Richards Bay**

In terms of the Reservation of Separate Amenities Act, No 49 of 1953

(iii) Durban

As prescribed by the Durban Beach Bylaws made in terms of the Local Authorities Ordinance No 25 of 1974

**Richards Bay**

As prescribed by Section 2(2) of the Reservation of Separate Amenities Act, No 49 of 1953

**CAPE PROVINCE**

(1) Yes. It is, however, not possible to provide a list of the open beaches. Local authorities were until recently responsible for demarcation resulting in that all information is at present only available from the different local authorities. The Cape Provincial Government is presently obtaining the information.

(2) (a), (b), (c), (d) and (i) Fall away. (See (1) above.)

(ii) In accordance with the reservations of Separate Amenities Act, Act No 49 of 1953

(iii) As prescribed by the Separate Amenities Act, Act No 49 of 1953

**Black communities/townships: resettlement**

1206. Mr K M ANDREW asked the Minister of Constitutional Development and Planning.

(1) (a) How many Black communities or townships remain to be removed or resettled in each province, (b) what is the (i)

HOUSE OF ASSEMBLY



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WEDNESDAY, 28 SEPTEMBER 1988

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Huwanda

name and location, (ii) nature and (iii) total population of each such community or township and (c) in respect of what date is this information furnished,

- (2) (a) (i) where and (ii) when will the inhabitants of each such township or community be resettled and (b) what is the total estimated cost of resettling these communities?

(b) R2 511 555 in respect of compensation for buildings and structures evacuated as well as removal expenses.

Weilers Farm

- (a) (i) Wildebeestfontein (adjacent to Evaton)

(ii) As soon as serviced sites become available (presumably October 1988) and residents agree to resettle voluntarily.

(b) R394 500 in respect of transport expenses should they seek assistance.

# THE MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

This matter vests in the Administrators of the different provinces and they furnished the following information:

## Natal

- (1) (a) Two

(b) (i) Umbulwane and Ntombi's Camp, Ladysmith

(ii) Squatting communities

(iii) 2 976 and 432 persons respectively

(c) As at 31 May 1988

- (2) (a) (i) Steadville Extension, Ladysmith

(ii) During 1988/89

(b) R128 000

## Orange Free State

- (1) (a) Three

(1) (a) Three

(b) (i) Oukase Emergency Camp, Brits

Weilers Farm Emergency Camp, Vaal Triangle  
Old Black residential area, Koster

(ii) As indicated under (i) above

(iii) Oukase: 5 563

Weilers Farm: 9 468

Koster: 2 700

(c) 31 March 1988.

- (2) Oukase

(a) (i) Lethabile (23 km from Brits)

(ii) Resettlement is in progress and takes place at the rate residents apply voluntarily to be moved

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Huwanda

(ii) Platberg — continuous action

Voelpan — continuous action  
Luckhoff — as soon as the area for the new Black township has been proclaimed a development area.

(b) Because resettlement takes place on a voluntary basis costs can only be determined after the resettlement has been completed.

## Cape Province

(1) (a) 52

(b) (i), (ii), (iii) below.

(c) 9 June 1988.

(2) (a) (i), (ii) below.

(b) below.

(1) (b) (i)	(1) (b) (ii)	(1) (b) (iii)	(2) (a) (i)	(2) (a) (ii)	(2) (b)
(number of people)					

Port Elizabeth

— Koeganskop

— St Peters Church,

Coega

— Missionville

— Klenskool

— Charty River

— New Brighton,

Kwasakhele Zwide

(Soweto by the

sea) and Walmer

— Swartkopsesout

— Brckworks

(Vernaak)

— Brckworks

(Corobrick)

— Korsten

— Kleinskool (South

of old

— Uitenhage road)

— Gedult River

— Groenbossies

— Aloes

— Kunene Park

— Motherwell

— St Albans

(Ferreira's Camp)

— Welgemoed

— Maitland-mouth

— Mark Lovemore's

Ground

— JCC Kamp

— Moselbay

— JCC Kamp

— Moselbay

— JCC Kamp

— Moselbay

— JCC Kamp

— Moselbay

— JCC Kamp

— Moselbay

— JCC Kamp

— Moselbay

— JCC Kamp

— Moselbay

— JCC Kamp

— Moselbay

— JCC Kamp

2278

Handwritten: 271

Township 1991-92 13 880 525

Thousand 271

**Humansdorp**

**Black area**

**black wolnuts, amount of money, contracts, farmers**

## CONSTITUTIONAL DEVELOPMENT AND PLANNING.

lowing information



# Govt intends going ahead with removal of 248 000

29/9/98 By Jo-Anne Collinge

The Government intends to proceed with the removal of more than 248 000 people from 73 areas across the country, the Minister of Constitutional Development and Planning, Mr Chris Heunis, has stated.

The estimated cost of removing just 63 of the communities named exceeds R450 million, according to calculations based on the Minister's figures.

Mr Heunis supplied the figures yesterday in a written answer to a question by Progressive Federal Party MP Mr Ken Andrew.

About 220 000 of those whom the Government intends removing are living in the Cape Prov-

ince and many are described as squatters living outside designated black areas.

If the Prevention of Illegal Squatting Amendment Bill becomes law the authorities will be able to remove the squatters after obtaining a criminal conviction in a court of law — after which eviction and demolition will be mandatory — or by using an administrative procedure conducted by a magistrate.

The greatest concentration of squatters in line for removal is in the Port Elizabeth area.

They include Oukasie near Brits, the black township at Koster, Lawaalkamp near George, Tent Town near Port Nolloth and Duncan Village at East London.

# 246 000 'to be moved'

Political Staff

SOME 250 000 Africans — nearly 200 000 of them in the Eastern Cape — are still living under the threat of removal, according to figures given by the Minister of Constitutional Development and Planning, Mr Chris Heunis.

And the total bill facing the taxpayer is close to R500 million.

The disclosure that nearly a quarter-of-a-million people have still to be forcibly removed came on the same day as a heated and highly charged debate on the Group Areas Act Amendment Bill.

In a written reply to a question from the MP for Gardens, Mr Ken Andrew, yesterday, the minister said that 246 403 people are still to be moved. The cost, he said, was R457 million. This does not include removing 6 552 people in Mossel Bay, Knysna and Port Nolloth, where the cost is unknown at this stage.

Most of the people living in limbo under threat of removal are in Port Elizabeth or East London.

He said 93 282 people in New Brighton, Zwide, Kwazakhele and Walmer are to be moved; 15 000 in Chatly River and 7 800 in Motherwell.

Another 3 000 have still to be removed from Swartkops Sea Salt, 2 918 from Greenbushes, 1 968 from Kleinskool and 396 from Missionvale. The remainder are to be removed

## Cost to SA taxpayer to run to R500m



Mr Chris Heunis



Mr Ken Andrew

from Koeganskop, Aloes, Korsten, Geduld River, St Peter's Church, Coega, Brickworks (Vermaak), Brickworks (Corobrick), Kleinskool (south of the old Uitenhage Road), Kunene Park, Welgemoed, Maitland Mouth, St Alban's (Ferreira's Camp) and Mark Lovemore's Ground.

The more than 125 000 people are to be moved to Motherwell, the future Motherwell 2 and other land which

Reeston, East London, as well as other land with the people scheduled to be moved between 1990 and 1992.

The total cost, according to the minister, is R147 278 883.

Other communities in the Cape due to be removed are: 3 250 people from Middelburg at a cost of R5,4 million; 3 800 people from Elliot at a cost of about R11 million; 5 200 people from Cathcart at a cost of R13,8 million; 2 736 people from Kanton-on-Sea at a cost of R8,1 million and 5 000 squatters at Aliwal North at a cost of R9,6 million.

In Natal, some 3 408 people still have to be moved from two areas near Ladysmith, while three removals are scheduled for the Transvaal. The areas are Oukase, Weilers Farm Emergency Camp and the Old Black residential areas near Koster.

Three removals involving more than 8 000 people are scheduled for the Free State. The three communities are at Platberg (Ladybrand), Luckhoff and Voelpan (Allanridge).

Mr Andrew said that in spite of claims to the contrary, it was clear "the government plans to pursue its apartheid policies with vigour, irrespective of the cost to the country in terms of human suffering or money".

"The admission that hundreds of thousands of black people are still to be moved comes as a nasty shock," he said. "The government is playing with fire."

Group Areas Amendment Bill

More of what was said



man for the Western Cape Regional Services Council said last night that the road had been closed from about 4.30pm yesterday after it became slippery in the rain.

## Swapo demo dispersed

WINDHOEK. — Riot police with batons and whips dispersed a group of about 100 members of Swapo's Youth League demonstrating outside South West Africa House here yesterday, police said. Yesterday was the 10th anniversary of Resolution 435.

## No action against strikers

DURBAN. — Thousands of SATS workers who streamed back to work yesterday here and at Richard's Bay at the end of a nine-day strike have been assured that no disciplinary action will be taken against them.

## Solidarity service

A CHURCH service will be held in Port Nolloth's Anglican Church at 10am tomorrow in solidarity with about 350 members of the community who face forced removal, the Surplus Peoples Project said yesterday.

# Squatting Bill draws howls of protest from LP

By DALE LAUTENBACH,  
Parliamentary Staff

AKG 30/9/88 271

THE National Party would get its law for the prevention of illegal squatting "one of these days" but those who suffered injustice would have justice on their side, said Labour Party MP Mr Jannie Douw speaking against the Prevention of Illegal Squatting Act.

Also rejecting the Bill, National Democratic Movement MP Mr Pierre Cronje said President Botha should have been the first visitor to Crossroads rather than the bulldozers.

"Just a friendly warning," said Mr Douw, addressing a joint sitting of Parliament yesterday, "touch a person's shelter and you touch their very heart and soul."

The Bill drew a heated rejection from the majority parties in the Houses of Delegates and Representatives, similar to the rejection of the Group Areas trilogy of Bills debated jointly over the first three days of the week.

## Drowned out

Labour MPs all but drowned out National Party MP Dr J Vilonel when he said squatting had nothing to do with apartheid. "It's a worldwide phenomenon," he argued to howls of disapproval from the LP benches.

Dr Vilonel acknowledged that wrongs had been committed in the name of apartheid but you could not lay everything at the door of this ideology, he said. The LP disagreed loudly.

The NDM's Mr Cronje characterised the Bill: "If it moves, control it, if it settles, remove it." The very name gave the game away, he said. The spirit of the Bill was the prevention of "illegal" squatting instead of a "positive" search for its prevention.

The way in which the Bill empowered the authorities separated the functions of taking and providing in a dangerous manner, he said. In terms of the Bill the left hand could evict people with no responsibility to those people evicted and the right hand might provide but with no obligation.

## No appeal

"The destitute have no single door to knock on at the end of their road, no final agency of government to appeal to," he said.

The Bill could also not be seen in isolation from the Group Areas Act. The major metropolitan areas were white and when it came to the much-needed provision of land to address the squatter problem, even those white landowners who were prepared to provide land could not do so in terms of the group areas proclamation which prescribed the "colour" of their properties.

Mr Cronje called for the withdrawal of the Bill: "Get off your backsides and use the skills and efforts of those officials who have to hound people out of squatter camps positively. The State President should have been the first to visit Crossroads, not the bulldozers."

In reply to the debate, Deputy Minister of Constitutional Development and Planning Mr Roelf Meyer said he "seriously questioned" the Urban Foundation's estimate that there were about seven-million homeless people in the country.



Mr Jannie Douw

## In brief

ANYONE trying to solve the squatter problem would be unsuccessful if he did not apply the lessons learned from the failure of influx control, Mr A T van der Walt (NP Bellville) told the joint sitting.

■ ■ ■

Government claims of a shortage of land and money for housing were false, said Mr Pat Poovalingham (PFP Reservoir Hills).

■ ■ ■

Every Labour Party attempt to embarrass the National Party was a vote for the Conservative Party, said Mr Johannes Maree (NP Klip River).

■ ■ ■

By scrapping influx control and then introducing harsher squatting laws the government was saying people could take water from the refrigerator but should be careful they did not open the door, said Mr Y Seedat (PPSA Nominated).

■ ■ ■

Squatting in South Africa had nothing to do with apartheid, said Dr J J Vilonel (NP Langlaagte).

■ ■ ■

(Reports by Sapa).



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# Judge halts Port Nolloth demolition

CAPE TIMES  
13/10/88

## Staff Reporters

A CAPE TOWN judge yesterday granted an 11th-hour interdict restraining the Port Nolloth municipality from carrying out a plan to destroy squatter homes near the town.

Mr Justice D M Williamson conducted his entire hearing over the telephone.

His order withholds the municipality from "destroying or removing any of the tents or other structures" of any of the squatters at Tentedorp and Bloukamp, till 4pm on Friday, October 14.

According to an attorney for the squatters, Mr Henk Smit of Mallinicks, the municipality had informed squatters that their dwellings would be demolished at 4pm on Tuesday.

The judge issued the order at 3.50pm.

Mr Justice Williamson's registrar telephoned the order to lawyers for the municipality 10 minutes before demolitions were planned to begin.

● Early last month the municipality lodged an urgent application in the Supreme Court for an order declaring the squatters' occupancy of municipal land illegal and unlawful. The matter was postponed until October 26.

The municipality also requested that an order be granted authorising the municipality, assisted by the Cape Provincial Administration and the South African Police, to evict the squatters from the municipal area of Port Nolloth.

However, Mr Smit said the municipality told squatters on Tuesday afternoon that their structures would be demolished and their tents removed.

Attorneys for the municipality were then contacted and they confirmed that the demolition would take place.

He said he then instructed an advocate, Mr John Whitehead, in the matter.

Mr Whitehead applied to the duty judge, Mr Justice Williamson, for an order restraining the municipality from demolishing the shacks.

# Two barbarous removals

Dear Sir

THE RECENT announcement by Chris Heunis in Parliament that 248 000 people are to be moved at a cost of more than R450m reveals that this government is still totally committed to old-style apartheid.

In the case of the Transvaal, government's plans are patently racist in their inspiration. The cases of Oukasië (Brits) and Koster most clearly illustrate this. The two townships are both very close to the neighbouring white area and one can only surmise that they are being moved because whites do not want blacks living so close to them.

The effects of government's decision on the these two communities can only be described as barbarous. Both townships have been formally established for more than 50 years.

The vibrant communities that have developed during this period will be destroyed.

The communities have constantly requested that they not be moved and that government upgrade the existing area. These requests have been ignored. If government is prepared to spend close on half-a-billion rand on removing people so as to further entrench apartheid then it must stop telling the world how much sanctions will hurt black South Africans.

Rather, if it is any way sincere about dismantling apartheid, it must stop the removals, start negotiating with the legitimate leaders of the threatened communities — and, of course, with the black population as a whole — as regards the future.

**CAROLA STEINBERG**

Black Sash Removals Committee  
Johannesburg

14/10/88

(271) B/day



## Tutu: Port Nolloth evictions 'evil'

Staff Reporter

THE Archbishop of Cape Town, the Most Rev Desmond Tutu, says the possible eviction of about 500 Port Nolloth squatters is "evil".

The archbishop visited the area last week.

He said at an ecumenical church service yesterday that he was dismayed at living conditions, but impressed with the squatters' determination not to give up their homes without a fight.

"I want to express admiration for the people here, at the extraordinary resilience and the strength of their

commitment to stand for their rights," he said.

The squatter camp comprises about 90 tent homes, while residents obtain drinking water from barrels and use portable toilets.

Archbishop Tutu and his wife, Mrs Leah Tutu, received a hero's welcome on their arrival and a gathered crowd sang in his praise while he met community leader Mr Linnington Sonqishe.

The Supreme Court sits on Tuesday next week, November 8, to consider an application by the Port Nolloth municipality for an order declaring the squatters' presence illegal.



# Give squatters your support,

## pleads Tutu

By KAREN STANDER  
Religion Reporter

31/10/88

ARCHBISHOP Desmond Tutu has urged the residents of Port Nolloth to support Tentedorp's black community who are fighting to stay on a desolate wind-swept piece of land hundreds of kilometres from the nearest black group area.

The Anglican leader paid a two-day visit to the 500-strong community at the weekend and was welcomed by cheering and singing men and women.

He spoke to community leader Mr Livingston Songishe and members of his committee.

Video film of the visit was later seized by police at Lanseria Airport outside Johannesburg under the emergency regulations.

### Court battle

A spokesman for Worldwide Television News said a team from WTN and Visnews had asked a pilot to take four video cassettes to Johannesburg from Springbok.

The squatters are fighting an application to evict them, which is pending in the Cape Town Supreme Court.

Archbishop Tutu, addressing a church service in Port Nolloth yesterday, condemned the eviction of the squatters as evil and said God would always take the part of the weak, the voiceless and the oppressed.

"If we do not help them we are disobeying God."

"God hears the cries of His people. We say to those who suffer: God is on your side. He cares for you and He cannot ultimately be defeated. That is why we say to those who are oppressing you: you have already lost."

Archbishop Tutu said God did not want to destroy those against Him. "He wants to convert them."



Pictures: LEON MULLER,  
The Argus

**WELCOME:** Archbishop Desmond Tutu and Mrs Leah Tutu are greeted by members of the Tentedorp community at Port Nolloth. And, left, Archbishop Tutu talks to Tentedorp community leader Mr Livingston Songishe.



# Squatters' goods to be returned

Case T-115 32119  
1/11/88 271

## Supreme Court Reporter

POSSESSIONS and building materials stripped from seven Kraaifontein squatters by an estate agent were ordered returned by the Supreme Court late yesterday afternoon.

The interim interdict was granted in chambers by Mr Acting Justice R G Comrie after Mr Alfred Zali, and six fellow squatters, brought an urgent application.

In terms of the interim order, Model Estate Agents and Auctioneers (Pty) Ltd was ordered yesterday to restore the possessions and building materials that they removed, to the squatters and to show cause on November 11 — the return date — why the estate agent should not be interdicted and restrained from further demolishing the squatters' shacks and show cause why it should not pay the costs of the application.

In a statement to the court, Mr Zali said that in February this year he and

seven families had come to live on the Uitkyk farm where they built their structures without knowing who the owner of the farm was. No one came to ask them how they came to be there.

They lived without interference until August this year when they received a notice from Model Estate Agents saying that they were illegally occupying the land in contravention of the Illegal Squatting Act and that they could be prosecuted.

One letter was delivered to the area for all the residents, he said.

Mr Zali said that before they moved into the area they had lived on adjacent land where they were paying rent of R25 a week. The conditions were terrible there and they were forced to leave.

Since their move they had not received any threats of eviction until the notice arrived in August when the municipality told them that boarders in shacks should build their own shelters, according to Mr Zali.

Mr Deon Insh, instructed by the Legal Resources Centre, appeared for the squatters.

## Call to set up relief camps

### Staff Reporter

THE co-owner of the Kraaifontein smallholding from which 30 squatter families were almost evicted yesterday has called on the government to set up emergency squatter relief camps as a means of "avoiding another Crossroads".

Mr Mathew Dudley, a co-director of the New Retreat Development Company, whose agents yesterday helped demolish six squatter structures and caused the dismantling of another 16, described the squatting as "a helluva situation". Yesterday's demolition

prompted lawyers for the squatters to seek and successfully obtain an urgent Supreme Court interim interdict ordering New Retreat to restore all possessions and building materials and restraining the company from any further demolitions.

Interviewed before hearing of the court action, Mr Dudley said: "It's awful, who puts these people up now?"

Mr Lawrence Muller, the estate agent for New Retreat, said that three weeks ago police had "called him in" and warned that unless he

did something about a dramatic increase in squatters, the landowner would be charged.

He confirmed arriving with police at the shacks about 5am yesterday and that his labourers demolished some of the shacks.

A police liaison officer for the Western Province, Lt Denise Benson, confirmed that police had warned the owners of possible charges in terms of "unlawful squatting". Police were "on hand" yesterday when the owners "willingly" acted, she said.





**REPRIEVE . . .** These women were among the estimated 200 Kraaifontein squatters granted a reprieve from eviction by the Supreme Court yesterday.

Picture: GLENN SHERRATT



**BREAKING DOWN . . .** Residents at the Kraaifontein smallholding opposite the farm Uitkyk speak to Independent MP Mr Jan van Eck just before a Supreme Court interdict prevented the landowner from continuing demolitions.

Picture: GLENN SHERRATT



# Daliwe folks <sup>CP</sup> won't be <sup>9/11/88</sup> <sup>(27)</sup> removed

CP Correspondent

A SECOND attempt has been made by authorities to forcibly remove residents of Daliwe in the tiny eastern Cape town of Cathcart but residents still refuse to move.

Kenneth Sigidi, the co-ordinator of the Daliwe Advice Centre, said councillors had promised residents high prices to demolish their houses in the old township of Daliwe.

Sigidi said a white councillor from Queenstown had visited Daliwe recently and had gone from house to house, valuing each one.

Following this visit, homeowners were offered compensation for their houses — of amounts between R3 000 and R22 000.

Sigidi said preconditions for payment of the compensation had been set.

Residents were to apply for a house in the new township of Katikati, and were to evict tenants and demolish their properties at Daliwe.

"To remove tenants who had been offered no more than plastic tents erected at the new township would be unfair," said Sigidi.

Residents saw this as another "trick" to remove them to Katikati.

This is not the first attempt to move Cathcart residents against their will.

In June last year, a senior official of the East Cape Development Board was quoted as saying people were moving voluntarily.

Residents were then offered R600 for their houses.

Daliwe residents say they do not want to move because Katikati is far from town and lacks amenities. —

Elnews

Political comment and newshills by K. Sihlyu. Headlines and sub-editing by C. Fram, all of 204 Eloff Street Ext, Johannesburg.

# Standing firm — against the wind and land officials

By KAREN STANDER  
Staff Reporter

TENTEDORP may be windswept, desolate and grey, but the people there have vowed to stay.

Shunted from place to place because of legislation which forbids blacks to live in Namaqualand, the Port Nolloth community is fed up and determined not to be moved again. The nearest group area where they may live legally is about 500km away in Upington.

"We are not going anywhere. We are going to die here," community leader Livingston Sonqishe told an Argus team who visited the settlement with Archbishop Desmond Tutu this week.

## Unceasing wind

"We are all South African citizens. Jobs are scarce here, but so are they everywhere else. Here we sell things to the people working in the mines," Mr Sonqishe said.

"We will stay. If the municipality comes and takes these tents away, we will wrap ourselves in blankets and go and sit on top of that mountain," he

said, pointing to a sand dune. "Like baboons, we will sit on that mountain where the whole world can see us."

About 500m beyond the town — known for its rich off-shore diamond deposits, — on the edge of a salt pan and backed by a row of sand dunes, the Tentedorp community lives in about 90 green tents pitched in two neat rows and interspersed with the odd shanty.

Because of the lack of vegetation, a seemingly unceasing wind screams through the settlement, burning eyes and covering everything in fine dust and sand. The zinc sheets rattle and the canvas tents flap in a constant din as the wind blows through gaps in the makeshift homes.

After talking to Mr Sonqishe and his committee, Archbishop Tutu said he was distressed that people lived in such appalling conditions.

"This is a strong community which is standing up for its rights. They have their own leadership. We have come at the tail end of this saga. They did not need (Dr Allan) Boesak or Tutu to organise them."

He said the community had been told that Namaqualand

was reserved for whites and coloured people.

"We hope this case will work out in favour of God's people, whose only sin in this country is their black skins. In the land of their birth they have to live like this when there is so much land — even this kind of land," he said.

Mrs Cornelia Nfete said she had lived in the area for about five years. The community was happy and did not want to move, she said.

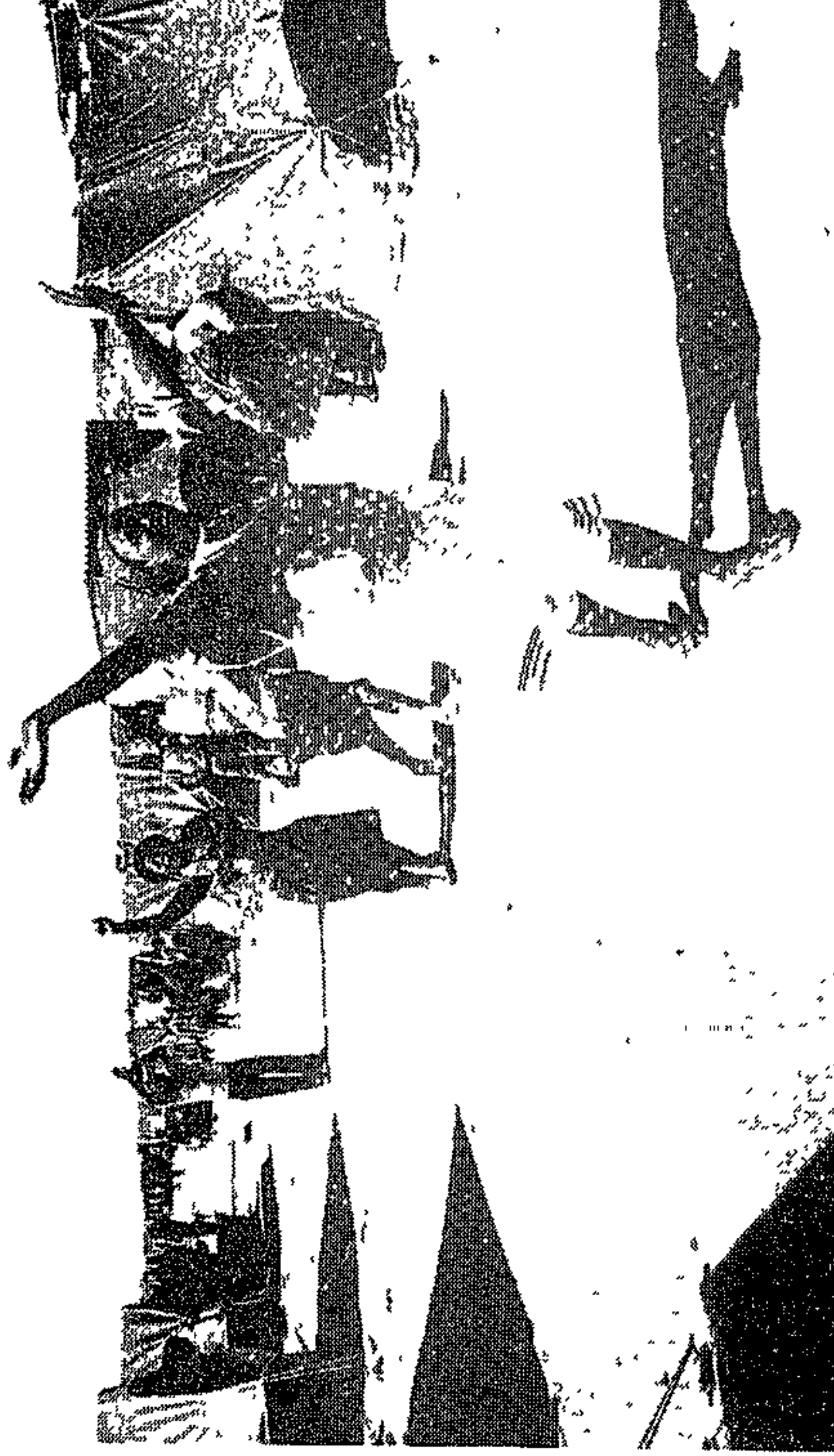
Mr Sidney Ngabase, who runs a taxi service between Port Nolloth, Cape Town and Johannesburg, said that while the tents were not very satisfactory, they were better than nothing.

## "We will stay"

Mr Ngabase shares his tent with his common-law wife, Miss Anna Mahalungu, and another family: Mr Job Thokoane and Miss Betty Mbehe and their one-year-old daughter, Junior. Mr Thokoane and his family sleep on the ground.

"If they take our tents away we will still stay here," Mr Ngabase said.

Some families settled in the



**ENTHUSIASTIC WELCOME:** Cheering women welcome Archbishop Desmond Tutu with open arms. Asked by a television camera crew how she felt about the Archbishop visiting Tentedorp, one woman remarked: "It's like God came to Port Nolloth."

area in 1979, but they claim they were harassed and told to leave because they were contravening the Group Areas Act.

About 300 moved to a farm at Noordoewer in Namibia in 1984, but two years later were told to move again. They went to Vioolsdrif near Springbok and then back to Port Nolloth where they were given permission to stay temporarily.

The municipality has applied for the occupation of Tentedorp and nearby Bloukamp to be declared illegal. A restraining order has been issued preventing the squatters from being evicted or their structures from being demolished pending the outcome.



**FIGHTING TO STAY:** Tentedorp, on the edge of a saltpan about 500m from Port Nolloth.



6.11/88

(271)



Pictures: LEON MÜLLER, The Argus.

**TENT FAMILY:** Mr Sidney Ngabase, left, and his wife, Miss Anna Mahalungu, right, share their tent with Mr Job Thokoane, Miss Betty Mbehe and their daughter, Junior.

# Port Nolloth squatters: Court reserves verdict

Staff Reporter

JUDGMENT has been reserved in the application by the Port Nolloth municipality to evict 131 squatter families from municipal land.

Archbishop Desmond Tutu and other Anglican clergymen who visited the squatter camps, Tentedorp and Bloukamp, last week, attended the hearing in the Supreme Court, Cape Town, yesterday.

The application was opposed by the residents.

Mr Justice H L Berman said he would give judgment simultaneously with a judgment on the application by Tentedorp resident Mr Joseph Luwalala for an order preventing the municipality from demolishing shacks.

## "Deportation"

Port Nolloth has no proclaimed black residential area.

Opposing the application, Mr Dawid de Villiers, QC, said the municipality was applying for a "deportation order" evicting the squatters from the municipal area of Port Nolloth, without indicating where they were to go.

He said that in correspondence with higher authorities the municipality had said it was under extreme pressure from ratepayers who wanted to know "when the blacks will be removed from the municipal area".

The municipality is seeking an order to evict all squatters from Tentedorp and Bloukamp, their families, guests and visitors, with the help of the Cape Provincial Administration and the police.

Mr de Villiers said this was not the same as an owner seeking vacant possession of his property against an occupier said to have no right or title to occupation.

There was no basis in South African law for such relief as deportation was strictly a matter for the executive authority, not the courts.

Mr Theo Barnard, for the municipality, said the order sought was to remove the squatters from Erf 516 and not from the entire municipal area of Port Nolloth, as contained in the motion.

Mr Justice Berman disputed this and questioned the right of the municipality to request an order removing the squatters from the municipal area.

Mr Barnard said the municipality was within its rights as it owned the property which was being occupied illegally and sought only to remove the squatters from Erf 516.

Mr Justice Berman said he accepted that there were laws in South Africa which were unfair but that it was "not the task of the court to rewrite the history of the country with this judgment".



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## De Beer visits Lawaaikamp

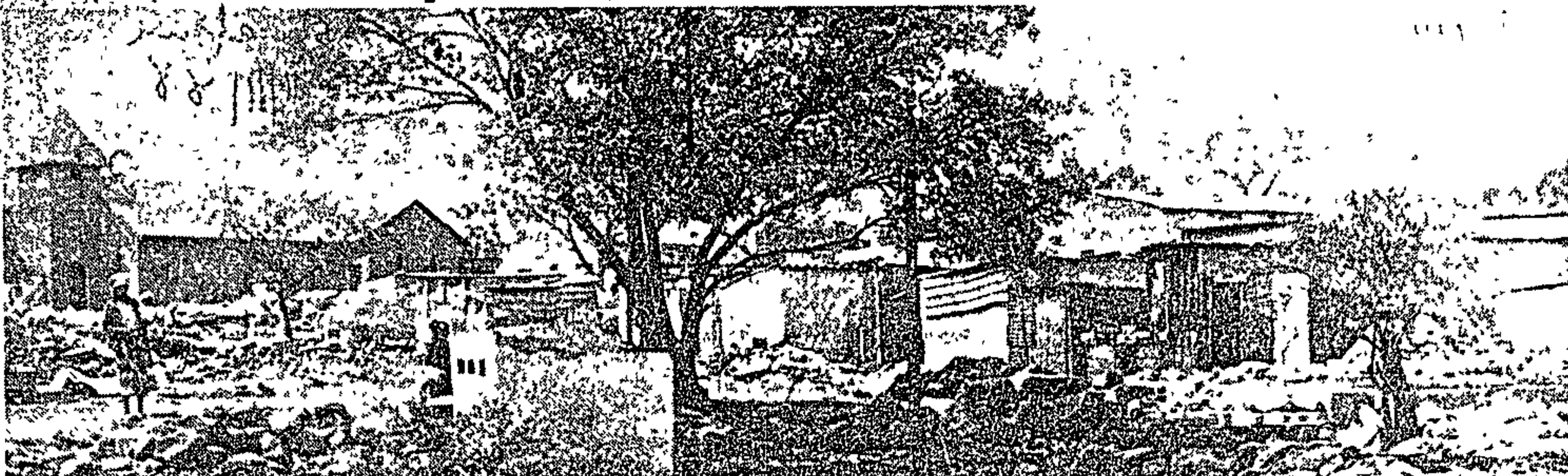
GEORGE. — Lawaaikamp, the squatter settlement near George, was visited yesterday by the leader of the Progressive Federal Party, Dr Zach de Beer, who said he supported the residents' efforts to upgrade the area and improve their quality of life. Dr De Beer later visited Sandkraal, where the George municipality intends to move the squatters. He said he did not see the point in destroying homes in a place where people had lived for years only to have the same shacks erected in a less desirable area.

Dr De Beer said some people had been living in Lawaaikamp for 40 years while some had been born there. — Sapa



Friday, November 11, 1988

# When people have to move



ANOTHER township that has been sentenced to death . . . Oukasle near Brits in the Transvaal.

THE Government had replaced bulldozers, detentions and the police with more subtle methods to remove black people from "white" areas, the Association for Rural Advancement has said.

Afra has produced a study of Cornfields, a section of black freehold land in white farmland outside Estcourt that faces the threat of removal.

There are 276 registered landowners at Cornfields. Officially 5000 people live there, including farm workers and labour tenants evicted from white-owned farms around Weenen and Estcourt in the 1950s and 1960s.

Cornfields was bought by American Baptist missionary Reverend William Cullen Wilcox in 1912. He sold to African people before the 1913 Land Act restricted where Africans could buy.

Cornfields is about 27km north-east of Estcourt. As it is black-owned, the Government intends moving the people to a re-settlement area on trust land near the KwaZulu town of Wembezi, 20km west of Estcourt.

## Govt's silent war of attrition against a black community

Afra said more than 100 000 people in Natal had been forcefully removed from black spots such as this since the 1960s with an estimated 160 000 people still threatened.

An estimated 430 000 people had been resettled into overcrowded settlements and bantustan ghettos in the Natal region since 1960.

Cornfields is 8km from the old Johannesburg-Durban main road. It is not exceptionally fertile, but is suitable for cattle grazing.

According to the Government, the people of Cornfields had moved voluntarily to Wembezi, Afra said.

Since the 1985 statement, meetings of the community and officials were characterised by less than subtle attempts to highlight advantages to people who went to the new area, and the disadvantages in staying.

In April 1987 officials

## Bulldozers, detentions and police replaced by other means

FOCUS

SOWETAN  
Correspondent

told Cornfields residents they would not be forced to move. But, according to Afra, officials said those who opted to stay at Cornfields "should not expect any further government money for development in their

area."

Afra said since February at least 250 families, mostly rent-paying tenants, had opted to move to Wembezi.

"There have been none of the familiar state actions that have characterised the brutal forced removals of the past, no police, arrests, detentions, bulldozers and home demolition that aroused such condemnation from the

South African and international community in the past.

"Furthermore, the Government has not taken explicit action against those who have said they will not move," Afra said.

However, the removal represented a more subtle but no less forceful way of getting people to move. "Its success so far has been achieved through the manipulation of community development resources: The systematic and official neglect of Cornfields in the provision of water, roads, schools, clinics and other services on the one hand, and a heavy commitment to the provision of resources in the proposed resettlement area on the other.

"It is the familiar carrot-and-stick strategy that the Government is increasingly using to achieve its apartheid objectives."



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## Harare official 'forced' to resign

The Star's Africa News Service

HARARE — A Zimbabwean deputy Minister whose sexual morals became the focus of public debate has been forced to resign.

Television programmes were interrupted on Friday night with the news that President Robert Mugabe had accepted the resignation of Mrs Shuvai Mahofa, whose affair with a local businessman came to light when she was charged with arson after the burning down of a rival girlfriend's hut.

Mrs Mahofa was acquitted on the arson charge, but evidence in court of her sexual activities led to a campaign to oust her from her parliamentary seat in Masvingo province.

At a press conference, Mr Mugabe said people had "been after her blood" and that the deputy Minister had been a victim of "machinations" against her.

In an apparent reference to political infighting within the ruling party in Masvingo province, Mr Mugabe said society should not be guided by personal ambitions, tribalism or regionalism.

He also said the case showed that women in Zimbabwe were "having a raw deal".

"It is taboo for the women to have a boyfriend, but men can have as many girlfriends as the world offers," he said.

Mrs Mahofa's resignation came two weeks after her constituents voted against her in a referendum.

## Forced moves persist by stealth, says Afra

By Helen Grange

Removals of rural blacks in South Africa are no less forced than they were before the Government's promise in 1985 that it would no longer compel communities to move, according to the Association for Rural Advancement (Afra).

The organisation, which is based in Maritzburg, says the process of removals is simply more subtle.

"Of late, there are none of the familiar state actions that have characterised the brutal forced removals of the past; no police, arrests, detentions, bulldozers and home demolitions that aroused such condemnation from the South African and international community in the past.

"Furthermore, the Government has not taken explicit action against those who refuse to move," the Afra newsletter says.

### CARROT AND STICK

But removals, as could be seen in Cornfields in the Natal Midlands, are achieved with subtlety — through the manipulation of community development resources and neglect requirements such as water, roads, schools, clinics and other services on the one hand with a heavy commitment to the provision of resources into the proposed resettlement area on the other.

"It is the familiar carrot-and-stick strategy that the Government is increasingly using to achieve its apartheid objectives," says Afra.

The objective behind the Cornfields removal was a clear ideological strategy — the removal of people from so-called "white" South Africa into an area the government intended to incorporate into kwaZulu as part of its Bantustan policy.

Resistance to such removals is high, illustrated by Cornfields community's continued protest.

Cornfields' residents have appealed to the Government to rather "proclaim Cornfields a permanent township and to upgrade it into a proper modern township". They argue that this would cost a great deal less than developing the new resettlement area.

In an analysis of the predicament of rural squatters, Afra says that although the abolition of influx control has meant the evicted farm dwellers are legally entitled to move to the cities, the problems of massive unemployment, their lack of skills, and the alienating experience of urban life (particularly with the present political tensions in the urban areas of Natal) make urban migration a "non-option".

## Two held after car chase

DURBAN — Two youths, aged 16 and 15, were arrested on Saturday night after a high-speed car chase in which several shots were fired.

A police spokesman for Port Natal, Lieutenant Bala Naidoo, said it was established later that the youths had been driving a stolen car.

Sergeant H B Vos, who was patrolling the esplanade about 10.30 pm, noticed the car and became suspicious, Lieutenant Naidoo said.

The sergeant gave chase and eventually managed to stop the car in the harbour area. Two bullets had hit its boot. — Sapa.

# It's home to them and they will fight to remain there

DURBAN — The old people of Cornfields, 27 km north-east of Estcourt, are preparing for the toughest battle in their difficult lives so far — stopping the Government from forcing them off their land.

Cornfields does not have much to boast about. It's a collection of mud houses, awful roads, one water point and is in conflict with all its neighbours, but it's home to 5 000 black people and has existed as an obstacle to the Government's land policies since the Lands Act was passed in 1913.

In 1912, an American Baptist missionary bought the land, subdivided it and sold it to blacks.

From then until the 1970s, the people lived largely through farming and taking in as rent-paying tenants the surplus black people kicked off white farms.

In the 1970s, white officials reminded residents that they were living illegally in "white" South Africa and would have to move to a new area in kwaZulu.

The fight to stay has been taken up by the old people, descendants of the original landowners and people who bought into the community. They formed themselves into a landowners' committee.

In 1985, the Government announced

## Own Correspondent

that nobody would be forcibly removed again in South Africa — something Cornfields learnt two years later when somebody read it in a newspaper. Residents promptly told the Government they would not move.

Actually, the people want the Government to do a little more than allow them to stay: they want the Government to play an active role in developing their area. This message was conveyed by leaders of the community and the committee who met the press this week.

The meeting was organised by the Association for Rural Advancement (Afra). It arranged a press tour of Natal and kwaZulu to enable the 160 000 people in 103 "black spots" who face removal to put their own case.

Also threatened with removal, particularly with the proposed changes to the squatting legislation, are surplus black people living on white farms.

They expect the Government to force them to move to tidy up the apartheid map.

With the young people away at work, the old ones staying behind expect the officials to come from Pretoria any day to move them on. They will again tell the officials they do not want to go.

## Tzaneen to host F1 powerboat racers



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ape Times, Friday, November 25, 1988 9

## Workers 'evicted from land of their birth'

MARITZBURG. — Hundreds of farm workers in the Weenen area claimed they had been evicted, their cattle impounded and their homes destroyed by absentee landlords and other farmers.

Farm workers, about 200 of them in tents, are living in makeshift accommodation in an emergency camp on the outskirts of Weenen.

The farm workers claim that on the slightest pretext they are being chased off the land where they, their parents and their grandparents were born.

However, the farmers say those evicted are growing dagga on the farms, are lazy, often drunk, steal cattle and allow their herds to wander unchecked.

Mr Amos Majola, 39, claimed he was given two months' notice to get off former PFP MP Mr Graham McIntosh's farm, Zyperfontein, after Mr McIntosh accused him of stocktheft.

Mr McIntosh said the workers' claims were "grossly exaggerated".

"Are you suggesting I am not allowed to terminate the services of workers who openly steal from me, who are lazy, who are always drunk and who grow dagga on my farm?" Mr McIntosh asked. — Sapa

# Squatter bill 'aims to give unfettered power'

Political Staff

THE Prevention of Illegal Squatting Amendment Bill was an attempt to deal with a crisis by creating wide and largely uncontrollable administrative powers, Mr Geoff Budlender of the Legal Resources Centre has concluded.

He said the bill, to be debated in the President's Council this week, created new legal mechanisms for forced removals and reversed some major reforms instituted when influx control was scrapped.

Mr Budlender said a major recurrent theme in the bill was that it placed wide discretionary powers in the hands of officials while it limited the power of the Supreme Court to control both administrative action and the conduct of the lower courts.

The bill also provided that the punishment, ejection order and demolition order would not be suspended on appeal to the Supreme Court.

"The success of an appeal will thus be largely theoretical in its result, as the punishment and order will already have been carried out," Mr Budlender said.

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# Thousands move for park

By Helen Grange

The pristine bushveld that sweeps from the Lebombo mountains across northern Natal-Zululand to Kosi Bay gave rise to the dream of a Great Maputaland National Park — a dream which is fast becoming reality, but at the expense of thousands of families who have lived there for centuries.

This is according to the Association of Rural Advancement (Afra), which held a press tour of the area last week.

The conservation projects, which include the Thembe Elephant Park and the Ndumu Game Reserve, require the removal by the kwaZulu government of the Thembe-Tonga people from the Thembe Elephant Park and the Ndumu Game Reserve, despite Chief Mangosuthu Buthe's promise that communities would benefit from game reserve projects, says Afra.

At the launch of the



A Kosi Bay villager is forced to move from his ancestral home by an electrified fence which poses a danger to local children.

Rhino and Elephant Foundation in 1986, he said. "Conservation cannot be practised in isolation from the economy of the region. People are entitled to tangible benefits from conservation projects — employment opportunities, levies from fees paid by tourists or the harvest of raw ma-

terials such as firewood, reeds, thatch and medicinal plants."

## COMPENSATION

A kwaZulu Bureau for Natural Resources spokesman, Mr Barry Marshall, has said since the bureau "does not force people to leave areas designated as na-

ture reserves and adequate compensation is provided when people do leave their homes".

Mr Marshall said removals were done with the consent of tribal authorities but when The Star visited the area last week, two influential tribal members said consent had not been given.

Chief induna, Mr SM Tembe, said: "Communities are being forced out of the game reserves by an electric fence."

More than 2 000 people had already been moved in this manner.

The electric fence, one resident said, had been erected right through the middle of his kraal near Kosi Bay and would pose a threat to his children if he did not move.

Maputaland is an ecologically unique stretch of territory with South Africa's only coral reefs, replete with hundreds of tropical fish species. It is the home of the white and black rhino, hippo and crocodile.

Govt turnabout  
on resettlements.

PRETORIA. — The Minister of Education and Development Aid, Dr Gerrit Viljoen, yesterday said the government had revoked its decision to resettle Serobatsé and Mathope communities in the Ventersdorp and Lichtenburg districts.

Dr Viljoen said he informed the communities about the reprieve yesterday during a visit to the two districts.

About 6 000 live in the two districts. — Sapa

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DURBAN

By VASANTHA ANGAMUTHU

NEAR Escourt, in the Natal Midlands, two black rural communities are being uprooted, ostensibly for their development, but according to the Association for Rural Advancement, to clear the area of "black spots".

Afra denies government claims that residents of Cornfields - an area near Escourt with 276 registered landowners - have been moved voluntarily to nearby Wembezi in Kwa-Zulu.

"Behind the Cornfields removal is a clear ideological strategy: The removal of people from so-called 'white' South Africa into an area that the government intends to incorporate into KwaZulu is part of its bantustan policy, the creation of a separate Zulu ethnic nation," a statement from Afra says.

The other group under threat of removal is the labour tenants on farms near Weenen. Recently these residents found out that the government had plans to move them to an emergency camp - a temporary settlement near the town - which was established in 1968 to accommodate tenants evicted from nearby farmlands.

Cornfields, near another black spot community called Thenbailile, is surrounded by white-owned farms. Residents bought their land shortly before the passing of the 1913 Land Act which prevented Africans from buying land except in scheduled areas. Presently, there are only two water points to serve the community of 5 000 people and an overcrowded primary school. The school, church and a few stores have been erected by the community.

The resettlement site of Wembezi, about

# Rural removals continue

## Black spots are still being 'cleared' in Natal Midlands

20km west of Escourt, has been provided with basic facilities such as water and temporary homes. Since February this year, the families have been conveyed to the site with their belongings and building material.

The government says they are moving voluntarily.

Afra says that at face value there appears to be some truth in these claims

"There have been none of the familiar State actions that have characterised the brutal forced removals of the past. No police, arrests, detentions, bulldozers and home demolitions that aroused condemnation from the local and international community in the past.

"But the Cornfields removal represents a more subtle but no less forceful way of getting the people to move. Its success so far has been achieved through the manipulation of community development resources, the systematic and official neglect of Cornfields in the provision of water, roads, schools, clinics and other services on the one hand, and a heavy commitment to the provision of resources into the proposed resettlement area on the other.

In 1985 an official from Pretoria informed a meeting at Cornfields that the people were to be removed because it "was the wish of the

Department of Cooperation and Development to develop the people and this included political development"

Other reasons that he gave included that the roads were in a shocking condition, water was inadequate and the area could not expand.

Besides boasting of the facilities that will be available at the new resettlement area, officials have also made bold promises about grazing and residential land

"But there also exists a great deal of confusion over the exact basis of land distribution," Afra says.

"Although official parliamentary inquiries have revealed that the tenants will be settled on small residential plots in a closer settlement, tenants have been led to believe that they will also be provided with grazing land for their livestock.

"At present there is sufficient land available for grazing, but this will soon diminish as the resettlement plans for the area are implemented

"According to a Cabinet-approved consolidation report released at the end of June this year, the government is planning to use the resettlement area for the relocation of people from 'badly situated areas' (an official euphe-

mism for black spots), in the Ladysmith, Bergville and Estcourt areas.

"It will not be long before tenants realise that they have been deceived and that they face the same plight as the rest of the estimated 430 000 people who have been resettled into over-crowded closer settlements and Bantustan ghettos in the Natal region since 1960," the Afra report reads

In February this year, land owners and residents who opposed the removals sent a petition to the Minister of Constitutional Development and Planning calling on him to "note our opposition to the plan to remove us from our beloved Cornfields village"

The residents have also called on the government to proclaim Cornfields a permanent township and to upgrade it into a proper modern township. The residents argue that to upgrade Cornfields would cost a lot less than developing a new resettlement area

Meanwhile, the labour tenants at Weenen are being evicted through the private actions of farmers in the area.

In the 1960s the government introduced a district-by-district ban on labour tenancy in an attempt to modernise white agriculture and to

force the introduction of wage labour. Despite the ban on labour tenancy in Weenen, the system continued. As the tenancy contract was no longer recognised in law, families faced arbitrary convictions with no legal means of contesting them.

A 63-year-old Mr Zungu from the area told Afra the story of his life before a series of arrests, court cases, jail sentences and fines forced him to live in the bush near Weenen like a refugee. At present another charge of illegal squatting is pending against him

"Suddenly we are told to clear off from this farm - the reason being that our children do not want to work on the farm anymore. We were born here, our grandparents were born and died here. We know no other place. I myself have worked for years. The reason why my son doesn't want to work in the farm is that he doesn't want to be like me - work and work for nothing.

"I did all sort of work. I used to water huge fields - carrying water on my head like a woman. I used to load big lorries. No wonder my back is bent like this.

"Now that my back is broken, that I am so old, I am sick, I am of no use to the farmer. I must go. Where will I go as sick as I am? How

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am I, an old sick man like me, to start all over again. Why doesn't he let me die here on this farm?"

Afra says the farmers want to evict families for a number of reasons:

- In some cases families are evicted because their sons and daughters refuse to work for the farmers. They see the terms of labour tenancy as nothing less than slave labour.
- The labour force has been reduced because of increased mechanisation.
- There have been disputes over service conditions, wages, working hours and overtime.

Having received eviction notices to move to the emergency camp, most families are determined not to leave the farms with which they have been associated all their lives, where their children go to school and where their parents and grandparents have been buried.

The Weenen Farmers' Association believe that the hastily erected and long neglected settlement is the solution for the Weenen eviction problem, arguing that this urbanisation programme was in line with the government's policy on "black urbanisation" and would assist in reducing the "black birth rate."

The Tugela Basin Regional Development Association also believes that a decentralisation scheme could also be introduced to provide more jobs.

The farmworkers are strongly opposed to the plans, warning that the crowding of dispossessed people into a resettlement village will greatly increase the level of factional violence present in the area, as it did in the nearby Mzinga area during the forced removals of the late 1960s.



CP Correspondent

THE struggle of Potsdam residents in the Ciskei to regain their South African citizenship continued in the Grahamstown Supreme Court when their application was heard last week.

The application has been brought against the SA government and the Minister of Home Affairs.

The applicants - Nellie Nozewu, Velile Dasi and Popo Ntwanambi - and the other residents of Potsdam are part of the Blue Rock settlement community, near East London, that was forcibly removed to Ciskei in June 1983.

The three applicants have applied for a court order:

- Confirming their right to permanent residence in SA without any permit or exemption.
- Interdicting the respondents from preventing the community from being permanently resident in SA.
- Interdicting the respondents from subjecting the community to forced removal from SA.

They are also asking the court to prevent the respondents from destroying their dwellings. They further allege severe harassment by Ciskei authorities.

Friday's application follows two unsuccessful attempts by several thousand Potsdam residents to flee Ciskei last year for a new

# Potsdam fights for right to live in SA

home in SA. Each time South African authorities forcibly trucked them back to the Ciskei.

The applicants claim they are SA citizens by birth and have lived in SA all their lives until their removal to Potsdam.

They further claim that the Blue Rock settlement falls mainly in South Africa.

However, the respondents claim that the Blue Rock side of the squatter camp falls under Ciskei, with the overspill moving into SA.

Both sides have filed surveys reports supporting their arguments.

The action was first brought last year as a matter of urgency because the applicants claimed they and other members of the community feared for their

lives. However, Judge MP Jennet ruled that the matter was not urgent and the respondents undertake not to subject the Potsdam group to forced removals from South Africa.

Counsel for the applicants argued that it was indisputable that the SA government co-operated with the Ciskeian security forces in removing squatters from within SA to the Ciskei.

It had been acknowledged that the removal and destruction of homes took place by mere administrative action, involuntary and without recourse to the courts.

They further argued that the right to freedom of movement was a fundamental liberty recognised and protected by the law.

Counsel for the government and the Minister of Home Affairs argued that the settlement in which the three applicants resided before June 1983 fell within the Ciskei.

They further argued that the language spoken by the applicants was used by members of a tribe which formed part of the Republic of Ciskei.

They held that the applicants became citizens of Ciskei at independence on December 4, 1981 and from that time were no longer South African citizens.

Judgment was reserved.  
- Ana

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Sowetan 6/12/88  
EDUCATION and Development Aid Minister, Dr Gerrit Viljoen, said yesterday the Government had revoked its decision to resettle Serobatse and Mathope communities in the Ventersdorp and Lichtenburg districts.

Dr Viljoen said he informed the communities about the reprieve yesterday during a visit to the two districts.

"This means that the two communities are now assured of permanent residence on the land they are presently living on," he said in a statement issued by the Bureau for Information.

He added: "This is a further implementation of the Government's policy to revoke previous decisions on forced resettlements."



and-below category has forced the SA Housing Trust to take matters into its

collection services  
"However, a concerted effort by the private and public sectors is urgently

tutions and life offices can finance this type of housing through a bond purchase scheme," he says.

● See Page 4

Squatter clearance, forced removals predicted

# 'Soweto West' restates apartheid, says critic

GOVERNMENT'S announcement on Tuesday that 13 000ha west of Soweto had been earmarked for housing, agricultural and industrial development was, in an era of reform, a massive restatement of apartheid through the Group Areas Act.

This is the view of Planact, an organisation advising union and community bodies on housing and developmental issues. A Planact official yesterday said the timing of the announcement was "remarkable", following within days the referral of the Prevention of Illegal Squatting Amendment Act to the State President for his assent.

He predicted a new spate of forced

ALAN FINE

removals. Government would embark on a process of "cleaning up" the numerous squatter camps in the white PWV group areas and relocate inhabitants in the newly declared areas.

This, he said, was an indication that the state was losing the squatting battle, and was trying to regain the initiative by releasing land for controlled squatting. The development would replicate all the old apartheid problems.

Depending on housing density, the 3 100ha earmarked for residential development would accommodate anything from 370 000 to 1,1m people. It had to be asked whether residents would be close to their workplaces. If not, transport

costs would be prohibitive.

Also, given that the area was starting from scratch, infrastructural development costs would be extremely high. Finally, a key question was whether land would be available to the most needy, who could least afford it.

Urban Foundation director Sam van Coller said apart from the obvious misgivings regarding group areas legislation, the organisation welcomed the availability of new land to tackle the critical housing shortage.

Acting director-general of Development Planning Skippie Scheepers said there were very complex processes to be followed "before you will see anything happening on the ground".

● Comment Page 6.

240 Commissioner Street, Johannesburg.

WILSENACH ● 880944

789-2615



Frank Kazi. "I won't go."

From Christina Scott

DURBAN. — Stoffel Botha, a Christian former slave, trekked from the Cape to Natal over a century ago to find land and independence.

In 1877, he bought shares in 8 000 acres on the south flank of a mountain outside Ladysmith and changed his surname to Ndhlovu.

In 1977, the government ordered that Steincoalspruit, home to Stoffel Botha Ndhlovu's great-grandchildren, should be expropriated as a black spot in a white area and removed 11 000 rent-paying tenants and small farmowners.

"They thought they could not say no to the government," explained landowner and college graduate Frank Kazi, 67.

#### Jigsaw pieces

The 30 families left are among 189 black spots in Natal with a population of about 160 000 people still threatened with forced removal, say the Association for Rural Advancement (AFRA).

Farms evicting surplus labourers, consolidation moves to make the jigsaw pieces of KwaZulu into one logical entity and strong-arm tactics to create nature preserves, security buffers and dams, have built an internal refugee state of uncounted thousands in Natal, say AFRA fieldworkers.

Frank Kazi is descended from Abraham Limberg, a kidnapped Tswana boy who escaped over the mountains with only a spear to become a builder and fruitgrower.

"I must be honest: we are not prepared to move," he said. "I'd rather be dead."

Kazi sat in a cool family chapel, decorated with a stencilled border of grape bunches near where a school bus ran over and killed a small child.

When the six schools built by the community were standing, the children needed no buses.

"When the tenants moved, the government

## Stoffel's children removed

More than a century ago Stoffel Botha bought shares in 8 000 acres outside Ladysmith. Today the government wants to expropriate the homes of 11 000 tenants.

broke down the schools. They dismantled the iron roof and broke the walls," said Kazi.

Shops without customers and churches without congregations became ruins.

Now Kazi answers officials who complain of transport costs with "Build the schools you destroyed and take back your buses".

This attitude has not gone down well with the Elandsplaag Farmers' Association. Fifty-five years ago they called Steincoalspruit "a menace to European farmers". Today they want the farmers moved to KwaZulu.

But it took a century — and large coal deposits — before the government acted.

The Ndhlovus' 960 acres contain "at least a million tons of good coal", says an experienced ex-miner and neighbouring white farmer.

The secretary for Agricultural Credit and Land Tenure claimed the value of the coal was "purely nominal", despite applications by collieries for contracts to explore and exploit.

The local Nationalist MP, Val Volker, has proposed compensation for the land and mineral rights. He has suggested alternative land.

But only people "who are brewing the beer" are happy at Ekuweni, the resettlement site for tenants and minor property holders, according to one landowner. It is also wracked by faction fights.

#### All rock

Land offered to larger landowners is "completely hopeless", says Kazi.

"You can hardly bury anyone because it's all rock. Here is an abundance of spring water even during the worst drought," he said.

AFRA in Maritzburg and the Legal Resources Centre in Durban are investigating a solution for Steincoalspruit.

"But what it takes is for the political cost to become too high," admitted one AFRA fieldworker.

Frank Kazi has high hopes for the future. Even if legal appeals fail and his portion of the collective farm is expropriated, he said, "I just cannot imagine removing myself. They would have to shoot me."

DURBAN NEWS





JOHANNESBURG. — The Soweto City Council has pledged that there will be no further rent evictions and dawn raids, and that a firm decision on rent arrears will be announced in January.

This assurance was given by the newly-elected mayor of the country's largest African township, Sam Mkhwanazi, following an historic meeting with a high-powered delegation.

Anglican Archbishop Desmond Tutu led the delegation which included the Rev Frank Chikane, general secretary of the SACC; Albertina Sisulu, co-president of the United Democratic Front (UDF);

# Evictions stopped

National Union of Mineworkers' general secretary Cyril Ramaphosa; Federation of Transvaal Women (Fedtraw) president, Sister Bernard Ncube; and author Ellen Khuzwayo.

Mkhwanazi confirmed that the council had agreed that the R167-million the council has lost as a result

of the 30-month rent boycott should be written off as a bad debt.

Friday's meeting between the council and community leaders comes in the wake of the Appellate Division's landmark ruling in Bloemfontein that the council collected rents from 15 000 tenants illegally over the years.

# Win or lose, it's trouble for Potsdam

A CISKEIAN community involved in a court battle to determine its right to live in South Africa faces a bleak future, whether it wins or loses its case.

The community was forcibly removed from South Africa in 1983 and dumped in Potsdam in the Ciskei. They have twice tried, unsuccessfully, to flee from the Ciskei.

They have now applied to the Grahamstown Supreme Court in an attempt to get the authorities to recognise their right to live in South Africa by virtue of the fact that they hold South African citizenship.

The application was brought against the South African government and the Minister of Home Affairs. They are asking the court to confirm their right to permanent residence in South Africa, interdict the respondents from preventing them from being permanently resident in South Africa, and from subjecting them to forced removal from South Africa.

They allege they have been severely harassed by the Ciskei authorities.

But even if they succeed, and are given the right to live in South Africa,

By BEVERLEY GARSON,  
Grahamstown (271)

they still face the major problem of finding a place to settle.

The community lived in a squatter settlement at Blue Rock in the Eastern Cape until 1983, but was removed to Potsdam, near Mdantsane in the Ciskei.

Members of the community claim that Blue Rock fell mainly in South Africa with an overspill into the Ciskei, while the government argues that it fell in the Ciskei with an overspill into South Africa.

Community members argue that they were born in South Africa, acquired citizenship at birth, were at all times resident in South Africa and have not relinquished their citizenship.

The government, however, argues that they lost their citizenship when the Ciskei became "independent" on December 4, 1981.

The community was in the news last year, when it fled from Potsdam and erected shacks at the roadside near Fort Jackson on the South Afri-

can side of the border. The move involved over 300 families and more than 2 000 people.

They were later forcibly moved back to Potsdam, where some of them were subjected to much harassment by Ciskei police and vigilante attacks.

In an affidavit before the court, one community member said they had lived in constant fear of being found by the South African authorities. "If the community is moved back to the Ciskei, we shall no doubt be killed or injured by vigilantes or suffer harassment from Ciskei police."

Judgement has been reserved until next year.

If the application is lost, the community will have to face the wrath of the Ciskei authorities and endure the prospect of continual harassment and destruction of its property.

If the community wins, its problems are still severe. It will have to find land to settle on — an almost impossible task, especially when the new land laws make it difficult for owners to allow people to squat on their land.

— ANA



REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

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Vol. 282

PRETORIA, 23 DECEMBER 1988  
DESEMBER

No. 11639

## GOVERNMENT NOTICE

### ADMINISTRATION: HOUSE OF ASSEMBLY

#### DEPARTMENT OF LOCAL GOVERNMENT, HOUSING AND WORKS

No. R. 2610

23 December 1988

#### REGULATIONS REGARDING RURAL COUNCILS

Under section 12A of the Regional Services Councils Act, 1985 (Act 109 of 1985), I, Abraham Adriaan Venter, Minister of Local Government and Housing: House of Assembly, hereby make the regulations contained in the Schedule hereto.

A. A. VENTER,  
Minister of Local Government and Housing.

#### SCHEDULE CHAPTER I

#### Definitions

1. In these regulations, unless the context otherwise indicates—

“Department” means the Department of Local Government, Housing and Works, Administration: House of Assembly;

“chief executive officer” means the chief executive officer of a local authority regardless of the designation of the post occupied by that officer;

“Head of Department” means the Head of the Department of Local Government, Housing and Works, Administration: House of Assembly;

“identity document” means—

(a) any identity document referred to in section 8 of the Identification Act, 1986 (Act 72 of 1986); or

(b) any temporary identity certificate referred to in section 9 of the last-mentioned Act;

“member” means a member of a rural council referred to in section 12A of the Act;

## GOEWERMENTSKENNISGEWING

### ADMINISTRASIE: VOLKSRAAD

#### DEPARTEMENT VAN PLAASLIKE BESTUUR, BEHUISING EN WERKE

No. R. 2610

23 Desember 1988

#### REGULASIES BETREFFENDE LANDELIKE RADE

Kragtens artikel 12A van die Wet op Streeksdiensterade, 1985 (Wet 109 van 1985), vaardig ek, Abraham Adriaan Venter, Minister van Plaaslike Bestuur en Behuising, Volksraad, die regulasies in die Bylae hiervan uiteengesit, uit.

A. A. VENTER,  
Minister van Plaaslike Bestuur en Behuising.

#### BYLAE HOOFSTUK I

#### Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

“Departementshoof” die Hoof van die Departement van Plaaslike Bestuur, Behuising en Werke, Administrasie: Volksraad;

“Departement” die Departement van Plaaslike Bestuur, Behuising en Werke, Administrasie: Volksraad;

“die Wet” die Wet op Streeksdiensterade, 1985 (Wet 109 van 1985);

“hoof-uitvoerende beampte” die hoof-uitvoerende beampte van 'n plaaslike owerheid, ongeag die benaming van die pos wat daardie beampte beklee;

“identiteitsdokument”—

(a) 'n identiteitsdokument bedoel in artikel 8 van die Wet op Identifikasie, 1986 (Wet 72 van 1986); of

(b) 'n tydelike identiteitsertifikaat bedoel in artikel 9 van genoemde Wet;

“lid” 'n lid van 'n landelike raad soos bedoel in artikel 12A van die Wet;



## Marico people in last-ditch battle

# 9 000 resist being swallowed by Bop

Star 30/12/88 271

By Jo-Anne Collinge

A last-ditch court battle is being fought in Pretoria to prevent Bophuthatswana gaining control of the 9 000-strong community of Braklaagte before the year is out.

Lawyers representing Chief Pupsey Ntsanyana Sebogodi of Braklaagte in the Marico district yesterday sought a Supreme Court order to suspend a State President's proclamation declaring that Braklaagte will become part of Bophuthatswana tomorrow.

Within 48 hours of hearing about the incorporation date, Chief Sebogodi brought his case before the court, only to find he was already too late to prevent publication of the relevant Government Gazette.

The gazette, due out today, had already been printed.

On hearing this, the chief's counsel, Mr Jack Unterhalter, asked for alternative relief in the form of a court order which would suspend the proclamation until the court could decide on the validity of the measure.

### Moutse echoes

Mr Justice Spoelstra indicated yesterday that he was in doubt whether the court had jurisdiction to suspend by way of interdict a proclamation which was, on the face of things, properly published. Argument on this matter will be heard today.

The year-end border change is reminiscent of the incorporation of Moutse into kwaNdebele on New Year's Day 1986, a move which resulted in immediate bloodshed in a previously peaceful area. Towards the middle of this year the

Moutse incorporation was declared invalid by the Appeal Court.

In the longer term, Braklaagte's lawyers are also seeking a court order declaring its incorporation into the homeland invalid.

Chief Sebogodi stated in papers that community representatives had met the Minister of Education and Development Aid, Dr Gerrit Viljoen, as recently as December 15 and presented him with a memorandum detailing "hardships and privations which will flow from incorporation".

He said Dr Viljoen had given the impression that these factors would be considered.

The reasons given by Braklaagte residents for opposing incorporation included the following:

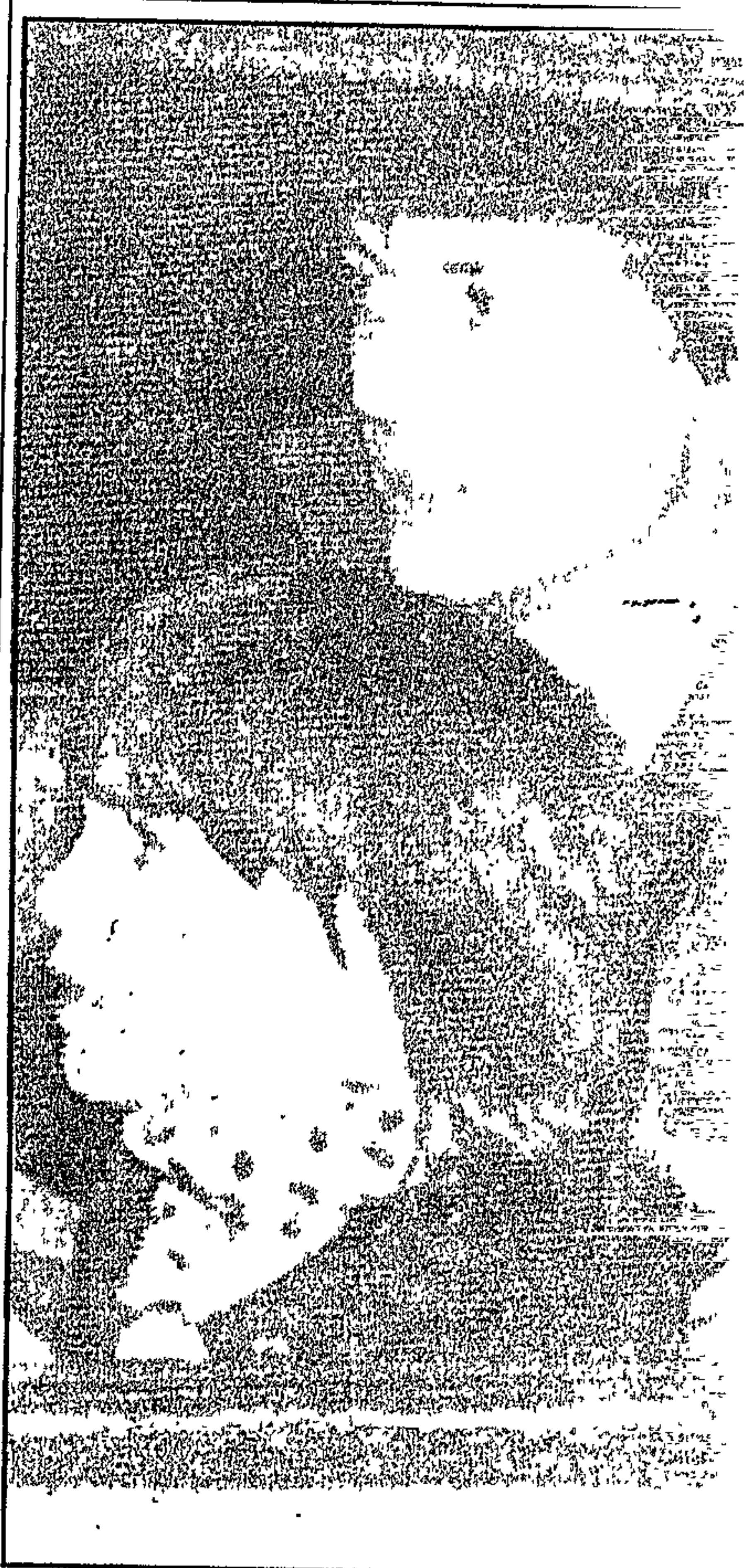
- Many took steps to regain their South African citizenship when statutory changes made this possible. Since the Bophuthatswana government was hostile to persons who did not have Bophuthatswana citizenship, they feared victimisation.

### Job market

- If they opted for Bophuthatswana citizenship, the provisions of the Aliens Act would apply to them and they would be at a disadvantage in the job market. They would have to seek jobs in the homeland, where pay was lower and social benefits were poorer.

- Since the coup attempt in Mma-batho, the homeland authorities had acted against any residents whose loyalty was thought to be in question. Braklaagte residents were known opponents of the Bophuthatswana government.

The PFP leader, Dr Zach de Beer, said today that "after the abject failure of the homelands policy during many years ... it is almost incredible that as 1989 opens the Government should yet again be forcing South Africans against their will to become inhabitants of one of these places".



Free at last ... French sisters Marie-Laure and Marseilles with their father, Mr Pascal Betille, after a week. The girls' mother, sister and four other people being held hostage.



## DEPARTMENT OF DEVELOPMENT PLANNING

No. 2634

30 December 1988

### ABOLITION OF THE DIVISIONAL COUNCIL OF HUMANSDORP AND RELATED MATTERS

1. Under the power vested in me by section 2 (2) of the Abolition of Development Bodies Act, 1986 (Act 75 of 1986), I hereby abolish, after consultation as required by section 2 (3) of the said Act, the Divisional Council of Humansdorp as from 1 January 1989.

2. I further determine, under the power vested in me by section 3 (2) (b) of the said Act, with the concurrence of the Minister of Finance, the Algoa Regional Services Council established by Provincial Notice 3 of 9 January 1987 as the public authority to which the assets, liabilities, rights, duties and obligations of the Divisional Council of Humansdorp shall pass as from 1 January 1989 in terms of section 3 (2) (b), and that such passage shall be subject to the condition that the Administrator of the Province of the Cape of Good Hope may, after consultation with the said Regional Services Council and any other public authority—

(a) transfer any such asset, liability, duty or obligation by notice in the *Official Gazette* from the said Regional Services Council to such other public authority from a date so determined by him; and

(b) in order to obtain a result which in his opinion is fair to all parties concerned, direct that compensation shall be payable when any asset or right is transferred

J. C. HEUNIS,

Minister of Constitutional Development and Planning.

## DEPARTMENT OF FINANCE

No. 2644

30 December 1988

Notice is hereby given that the transfer books of the undermentioned Local/Internal Registered Stocks will be closed from 15 January 1989 to 15 February 1989, both days inclusive, and that the interest due on 15 February 1989 will be paid to the stockholders registered at the date of the closing of the transfer books:

Local Registered Stock, 6,00 Per Cent, 1991.

Local Registered Stock, 6,50 Per Cent, 1992.

Internal Registered Stock, 10,50 Per Cent, 1992.

Internal Registered Stock, 11,50 Per Cent, 1990.

Internal Registered Stock, 12,75 Per Cent, 1999.

Internal Registered Stock, 12,90 Per Cent, 1992.

Internal Registered Stock, 13,00 Per Cent, 1992.

Internal Registered Stock, 13,00 Per Cent, 1996

Internal Registered Stock, 13,00 Per Cent, 2008.

Internal Registered Stock, 14,00 Per Cent, 1997.

## DEPARTEMENT VAN ONTWIKKELINGS- BEPLANNING

No. 2634

30 Desember 1988

### AFSKAFFING VAN DIE AFDELINGSRAAD VAN HUMANSDORP EN SAKE WAT DAARMEE IN VER- BAND STAAN

1. Kragtens die bevoegdheid aan my verleen by artikel 2 (2) van die Wet op die Afskaffing van Ontwikkelingsliggame, 1986 (Wet 75 van 1986), skaf ek hierby na oorleg soos vereis deur artikel 2 (3) van genoemde Wet die Afdelingsraad van Humansdorp vanaf 1 Januarie 1989 af

2. Voorts bepaal ek, kragtens die bevoegdheid aan my verleen by artikel 3 (2) (b) van genoemde Wet, met die instemming van die Minister van Finansies, die Algoa Streeksdiensteraad ingestel by Provinsiale Kennisgewing 3 van 9 Januarie 1987 as die owerheidsgesag waarop die bates, laste, regte, pligte en verpligtinge van die Afdelingsraad van Humansdorp vanaf 1 Januarie 1989 ingevolge artikel 3 (2) (b) oorgaan, en dat dié oorgang onderworpe is aan die voorwaarde dat die Administrateur van die Provinsie Kaap die Goë Hoop, na oorleg met genoemde Streeksdiensteraad en die ander owerheidsgesag—

(a) enige sodanige bate, las, reg, plig of verpligting by kennisgewing in die *Offisiële Koerant* vanaf genoemde Streeksdiensteraad kan oordra na so 'n ander owerheidsgesag vanaf 'n datum aldus deur hom bepaal; en

(b) ten einde 'n resultaat te verkry wat na sy mening teenoor alle betrokkenes billik is, kan gelas dat vergoeding betaalbaar is by die oordrag van enige bate of reg

J. C. HEUNIS,

Minister van Staatkundige Ontwikkeling en Beplanning

## DEPARTEMENT VAN FINANSIES

No. 2644

30 Desember 1988

Hiermee word bekendgemaak dat die oordragboeke van ondergenoemde Plaaslike/Binnelandse Geregistreerde Effekte van 15 Januarie 1989 tot en met 15 Februarie 1989 gesluit sal wees en dat die rente betaalbaar op 15 Februarie 1989 aan die effektebesitters wat op die datum van sluiting van die oordragboeke geregistreer is, betaal sal word:

Plaaslike Geregistreerde Effekte, 6,0 Persent, 1991.

Plaaslike Geregistreerde Effekte, 6,50 Persent, 1992.

Binnelandse Geregistreerde Effekte, 10,50 Persent, 1992.

Binnelandse Geregistreerde Effekte, 11,50 Persent, 1990.

Binnelandse Geregistreerde Effekte, 12,75 Persent, 1999.

Binnelandse Geregistreerde Effekte, 12,90 Persent, 1992.

Binnelandse Geregistreerde Effekte, 13,00 Persent, 1992.

Binnelandse Geregistreerde Effekte, 13,00 Persent, 1996

Binnelandse Geregistreerde Effekte, 13,00 Persent, 2008

Binnelandse Geregistreerde Effekte, 14,00 Persent, 1997.

# Braklaagte's future still in the balance

Star 31/12/88 271

JO-ANNE COLLINGE

THE State President has been ordered by a Pretoria Supreme Court judge to show cause by March 7 why his proclamation incorporating the 9 000-strong Western Transvaal settlement of Braklaagte into Bophuthatswana should not be declared null and void.

The court order was issued in Pretoria yesterday by Mr Justice Spoelstra in response to an urgent application brought by Braklaagte's Chief Pusey Ntsanyana Sebogodi.

Should the State President fail to persuade the court that his actions were legally sound, the territory will revert to South Africa.

But Braklaagte, nevertheless, became part of Bophuthatswana at midnight last night against the wishes of many residents. The community's second request to the court — that an order be issued temporarily suspending the incorporation — was turned down.

The attorney for the Braklaagte community, Mr Clive Plasket, said after the conclusion of the court hearing that he would take immediate steps to inform the Bophuthatswana government that the validity of the proclamation was in dispute.

Although a ruling by a South African court was not binding in Bophuthatswana, it was possible that if the order were served on the government at Mmabatho "it might have a restraining effect," Mr Justice Spoelstra observed in court.

He also commented that it was possible that the people of Braklaagte might be able to institute damages claims if anything to their detriment were done by officials who knew that the validity of the proclamation was in question.

During the application it was argued by counsel for Chief Sebogodi, Mr Jack Unterhalter SC, that the State President had failed to apply his mind to the present situation of the Braklaagte community and had simply "rubber stamped" its transfer to the homeland in fulfilment of a policy determined as far back as 1984.

At the time the "final" decision was taken — 1984 — the State President had not yet possessed the power to effect the border change. He only acquired it in 1986 by a Parliamentary enactment.

NEW YEAR'S EVE PARTY

A HUN



## Bid to halt inclusion of area in homeland

*Cape Times 31/12/88 (271)*  
PRETORIA. — A last-ditch court battle is being fought here to prevent Bophuthatswana gaining control of the 9 000-strong community of Braklaagte before the year is out.

Lawyers representing Chief Pupsey Ntsanyana Sebogodi of Braklaagte in the Marico district yesterday sought a Supreme Court order to suspend a State President's proclamation declaring that Braklaagte will become part of Bophuthatswana today.

Within 48 hours of hearing about the incorporation date, Chief Sebogodi brought his case before the court, only to find he was already too late to prevent publication of the relevant Government Gazette.

The gazette, due out yesterday, had already been printed.

On hearing this, the chief's counsel, Mr Jack Unterhalter, asked for alternative relief in the form of a court order which would suspend the proclamation until the court could decide on the validity of the measure.

Mr Justice Spoelstra indicated on Thursday that he was in doubt whether the court had jurisdiction to suspend by way of interdict a proclamation which was, on the face of things, properly published. Argument on this matter was heard yesterday. — Sapa

RESE TLEMENT - 1989

JANUARY — JUNE





# Barolong hope to return to their land

271  
1/1/89  
Makodi

New Transvaal removals reprieve encourages Ba Modiboa chief to seek restoration of SA citizenship

By DAN DHLAMINI

THE recent government announcement that the Mathopstad and Ga-Motlatla communities in the Western Transvaal would no longer be removed has raised the hopes of the Barolong Ba Modiboa that they may return to their land near Potchefstroom.

The Barolong were forcibly removed from their home 17 years ago.

Chief Simon Makodi said the reprieve of the two areas had raised his people's hopes of a return.

"Now that the SA government has realised that forced removals are inhuman, we would be happy to be transported back to our land - New Machavie," Makodi said.

He said his people had been uprooted in 1971 and were resettled on a farm near Rooigrond in Bophuthatswana.

He added that he had already arranged to meet President Lucas Mangope to inform him that the tribe did not want to be incorporated into Bophuthatswana.

"For 17 years we have been shunted from pillar to post. The Bophuthatswana government wants us to stay in another spot which would automatically render us Bophuthatswana subjects. We have totally rejected this," Makodi said.

He showed *City Press* copies of letters to State President PW Botha concerning the return of the Barolong to Matlwang which has been renamed New Machavie.

A letter from the Bophuthatswana government, addressed to Makodi, stated that the department was prepared to consider an alternative offer of trust land still to be incorporated into Bophuthatswana.

The department has also undertaken to provide residential sites, water, temporary housing and transport.

"We want to go back to our land of origin, nothing less. My mother is 110 years old and it is her request that she be buried at Machavie," added Makodi.



PW Botha... asked that Matlwang be returned to Barolong



Lucas Mangope... offered Barolong alternative land

Makodi... shunted from pillar to post for 17 years.

Township declared 'emergency camp'

# Oukasie's people continue to fight — now in court

By Jo-Anne Collinge

Residents of Oukasie — the Brits township where some 6 000 people are threatened with removal — are going to court to fight the proclamation of their settlement as an "emergency camp", according to the director of the Johannesburg office of the Legal Resources Centre, Mr Geoff Budlender.

A sharp increase in rent was one of the more controversial effects of Oukasie, an area settled more than 50 years ago, being declared an "emergency camp" in terms of the Prevention of Illegal Squatting Bill last year

## DEPROCLAIMED

The emergency camp provision was evoked some months after the threatened area had been deproclaimed as a black urban area.

If the court action succeeds, the new rent rates and various other regulations which came into effect as a result of the proclamation will be lifted

The application to the Pretoria Supreme Court has been made by four residents, headed by Mr Joseph Maka-

ma who has been a shopkeeper in the old township for 45 years

According to Mr Budlender, papers were served on the respondent in the case, the Administrator of the Transvaal, last week. He has three weeks in which to respond in opposing the application

The applicants are seeking a court order

- Setting aside the decision to declare Oukasie an emergency camp.
- Declaring that an emergency camp could not be established in the area.
- Declaring the regulations consequent on "emergency camp" status to be null and void.

For several years the authorities have been attempting to remove the entire population of Oukasie to Letlhabile, about 25 km from Brits. Many have moved, but at least 5 563 have refused to go

Led by the Brits Action Committee, they have fought against the closure of schools and struggled to maintain facilities in the officially doomed township.

271

Star 4/11/89



**Braklaagte tests P W**

The 9 000 residents of the western Transvaal settlement of Braklaagte last week won a victory of sorts in the Pretoria Supreme Court. But they failed in their bid to avoid immediate incorporation into Bophuthatswana. Nonetheless, by March 7 the State President will have to show cause why his proclamation of incorporation should not be declared null and void — which would clearly have a retroactive effect on the incorporation.

According to the attorney for the Braklaagte community, Clive Plasket, the issue turns on whether or not the State President can be said to have "applied his mind" to the decision to excise Braklaagte from the Transvaal. The sequence of events leading to the implementation of the decision will have to be further considered.

Knowing their probable fate, community representatives met Education and Development Aid Minister Gerrit Viljoen on December 15 and presented him with a memorandum detailing "hardships and privations which will flow from incorporation." These

included the possibility of harassment by Bophuthatswana authorities suspicious of Braklaagte loyalty, since many had taken steps to secure their SA citizenship. Their understanding was that this representation would be taken into account before any decree was promulgated.

The proclamation itself, while only published on the last day of 1988, was dated December 20. Given the public holiday and the weekend which followed the meeting with Viljoen, the decision was clearly a speedy one.

Even so, Plasket points out, the legislation in question is complex, and a challenge of this nature unprecedented in the Transvaal. While powers conferred on the State President by The Borders of Particular States Extension Amendment Act of 1986 are discretionary, no mention is made of the *kind* of considerations he should take into account before proclaiming incorporation. Government's case before the Supreme Court in March is likely to be something of a yardstick by which the process can be evaluated in future.

Ultimately the community of Braklaagte is attempting to establish the idea that the swift decision taken in the closing days of 1988 was merely confirmation of a policy adopted as far back as 1984. At that time the State President did not have the power to carry out the excision. To that end legislation was amended in 1986, clearing the way for the Braklaagte decision.

It is interesting to note a point made by Viljoen in his letter giving notice of the decision to excise. He indicated that the incorporation of Braklaagte into Bophuthatswana replaces a previous plan to have the community removed from their land. The transition from forced removal to forced incorporation is thus made with ease. ■

Opt Times 7/1/84  
**Oukasie fights  
camp status**

JOHANNESBURG

Residents of Oukasie near Brits, where some 6 000 people are threatened with removal, are going to take court action against their settlement being declared an "emergency camp". Legal Resources Centre director Mr Geoff Budlender said yesterday.

The "emergency camp" ruling came some months after the township had been de-proclaimed a black urban area. If the case succeeds, new rents, rates and other regulations which came into effect as a result of the proclamation will be lifted. — Sapa



CAC Tink 12/11/89 (271)

# Temporary relief won by squatters

Staff Reporter

THE evictions of two Western Cape squatter communities whose shacks were demolished in the past week have been temporarily stayed, following separate settlements with landowners.

At Somerset West, attorneys acting for squatters whose homes were demolished by the local municipality on Tuesday night yesterday won a reprieve for the 30-strong settlement in an out-of-court settlement.

And at Uitkyk camp near Kraaifontein, squatters who appeared in court on trespassing charges after more than 30 shacks were demolished on Friday have been allowed to occupy the site until January 31, following an agreement between attorneys and developers.

The Somerset West squatters, who lived on the banks of the Lourens River, were left homeless after municipal employees ripped down seven shelters of plastic sheeting in a "routine squatter-clearing action", town secretary Mr Paul Venter said yesterday.

The squatters yesterday took steps to apply for an urgent Supreme Court order stopping their eviction, but the application was set aside following a settlement between the municipality and a Stellenbosch attorney.

Mr Venter confirmed the settlement with attorney Mr Roger Chennels, which obliged the municipality to give the squatters new plastic sheeting and guaranteed them a "fair" notice period.

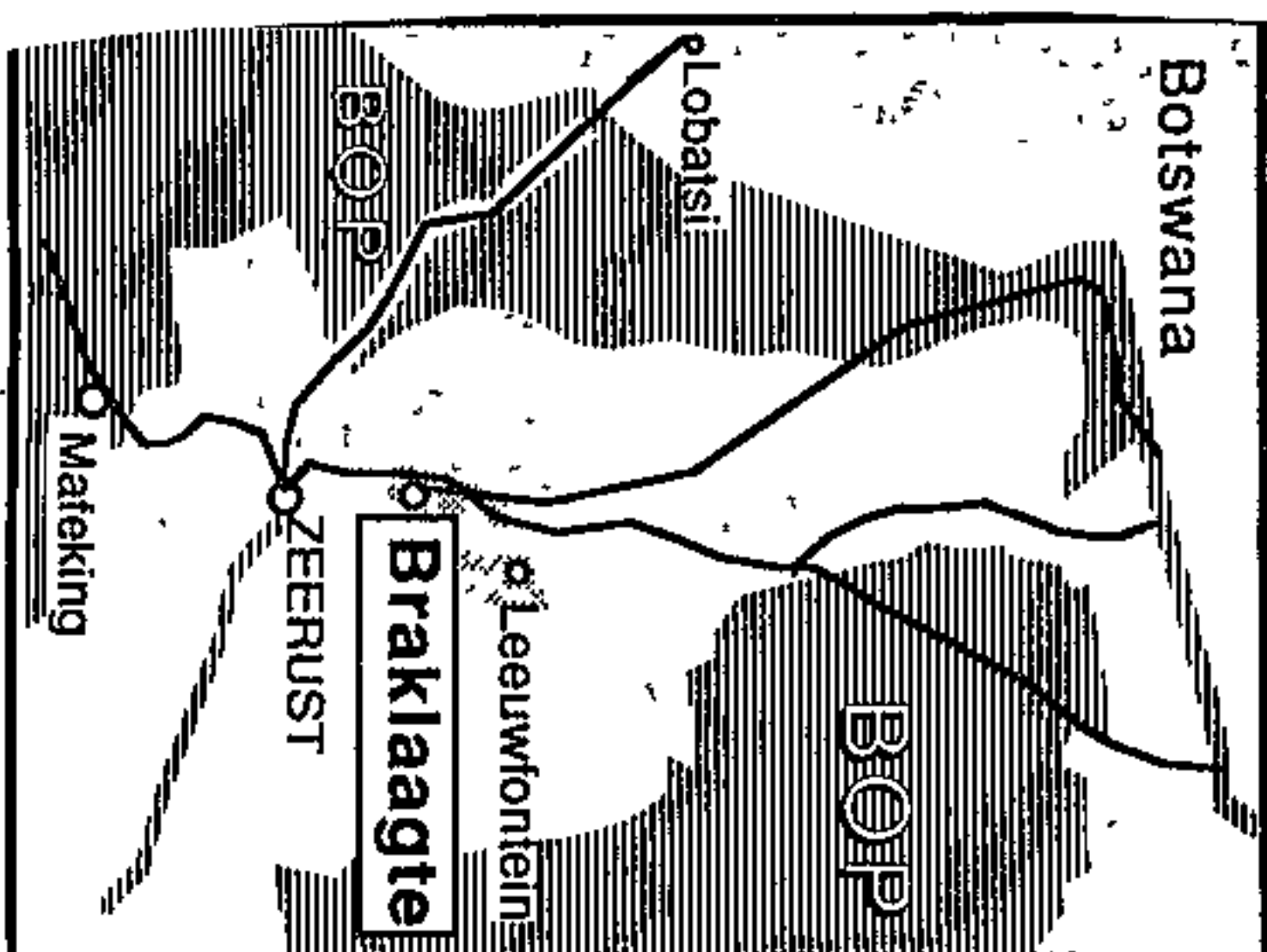
Mr Chennels added yesterday that the municipality had agreed formally to place the squatters plight on its official agenda.

The Kraaifontein squatters were this week granted permission to occupy land owned by a property-developing firm until the end of this month, after intercession by the Legal Resources Centre.

On Friday more than 30 shacks were demolished by Kraaifontein municipal employees, leaving homeless about 200 people who had moved to the nearby "Bonnybrooke" squatter camp, PFP Unrest Monitoring Group member Mrs Val Rose-Christie said yesterday.

# Rural community fears whiplash after

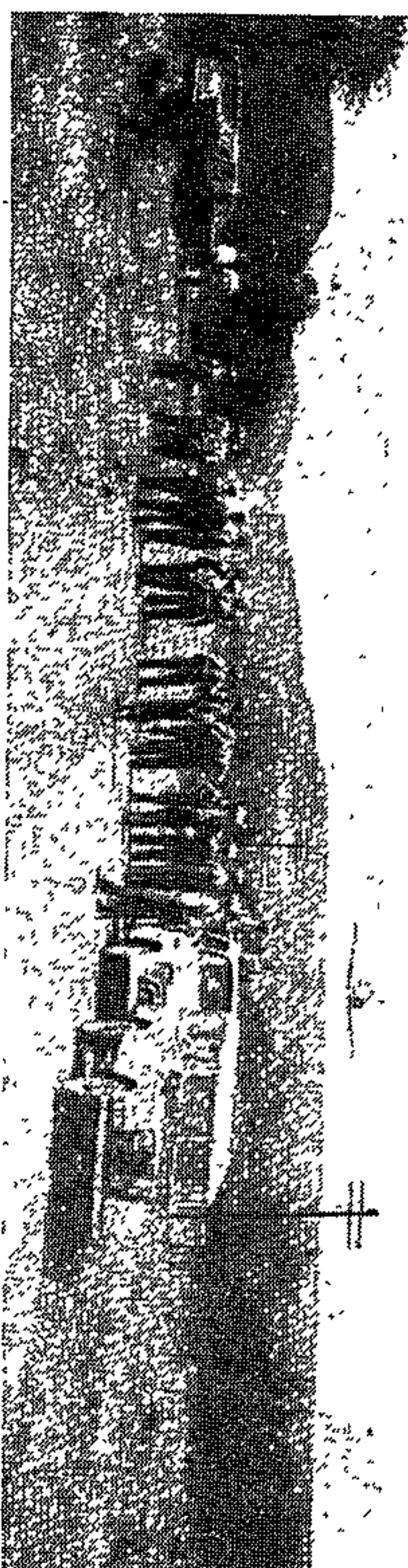
The black farm of Braklaagte near Zeerust was incorporated into Bophuthatswana on New Year's Eve by proclamation of the State President. The validity of the proclamation is to be decided in court in March. The people of Braklaagte oppose homeland rule — a position that has its roots in recent history. JO-ANNE COLLINGE reports.



To threaten the citizenship rights of the people of Braklaagte by incorporating them into the homeland of Bophuthatswana and to impose an unelected leader upon them is to touch a nerve left somewhat raw by history.

Braklaagte was one of those rural areas that was caught up in a sequence of fierce resistance and rough repression when the pass system was extended to women in the 1950s.

In the Lehurutshe area (of which Braklaagte is part), historians observed, it was impossible to separate the anti-pass campaign from the anger of the people at the deposition of Chief Abram Moliwa of Dinokana, a



The Bahurutshe resistance in 1957 . . . police head off villagers walking to Zeerust to attend a commission of inquiry into the disturbances, as Harvard aircraft "buzz" the villagers.

short distance from Braklaagte. The recent incorporation of Braklaagte into Bophuthatswana has a set of consequences not unlike those which people fought in 1957.

Just like passes, homeland citizenship will lock many out of the wider South African job market.

And incorporation is likely to mean that the elected chief at Braklaagte, Chief Pusey Ntsanyana Sebogodi, will remain unacknowledged by the authorities (as he is now). Already the community has been told by Pretoria that it is subject to Chief Joseph Godfrey Moliwa of Dinokana, who may appoint such headmen as he sees fit, and in whose hands Chief Pusey Sebogodi's formal appointment has been placed.

The sacking of Chief Abram in April 1957 was provoked partly by his refusal to order his people to take passes, partly by his opposition to the new Bantu

Authorities Act, which reduced him and all other chiefs to employees of the Native Affairs Department, and partly because he would not go along with the Government's plan to appropriate the farms of Braklaagte and Leeuwfontein and remove its people into the reserve area where most of the Bahurutshe lived.

Mention the anti-pass campaign in Lehurutshe and you stir up visions of pass burning, school boycotts and school closures. Of conservative headmen being routed from their homes. Of after-dark raids, mass arrests and mass trials.

incorporation



Of unarmed tribal people marching to a commission of inquiry — and being brought short by uniformed men with bayonets fixed to their rifles or being "buzzed" from on high by eight Harvard aircraft.

The resistance started in Chief Abram's own village of Dinokana in April 1957 and spread later to other areas including Braklaagte, where the head of the community was Chief Lekolwane John Sebogodi, father of Chief Pupsey.

At other villages of the Baphuthatshe there were chiefs who supported the pass system. One of these was Motswedi, where the ruling chief was Chief Lucas Mangope, now president of Bophuthatswana.

On Christmas Day, 1957, Manson records, "Mangope suffered an attack on his house and person and his household was forced to open fire on a mob of enraged villagers ... police responded quickly.

"At Motswedi a specially constructed court was surrounded by police while Mangope (still suffering effects from his attack) appeared in a dressing gown to impose fines for pass burning and arson.

"Twenty-three women were

allegedly beaten for refusing to pay the fines, three of whom later laid charges against the chief's bodyguard."

The effect of imposition of passes was to bitterly divide the community — to drive it into a state of virtual civil war. Thousands fled the country in the wake of repression to settle in Botswana. And eventually four villagers were killed — bringing the resistance to an end.

Critics of the homeland system recall the words of Chief Lucas Mangope on the occasion of the declaration of the regional authority.

He is reported to have told the Minister of Bantu Administration at the ceremony: "Lead us and we will attempt to crawl."

The people of Braklaagte fear their continued opposition to Bophuthatswana in the intervening years may make life difficult for them.

"The Braklaagte community has made its opposition to Bophuthatswana clear and so, if it is incorporated, members of the community fear that they will be victimised," the people wrote to Minister of Education and Development Aid Dr Gerrit Viljoen just a fortnight before their incorporation became a reality.

## Removals confusion: what about reforms?

By Jo-Anne Collinge

If political change is partly about acknowledging the right of black people to own and occupy land, then recent developments in the western Transvaal might prompt one to ask where the Government's reform strategy is headed.

Decisions taken at top level about the future of black communities in the region have been contradictory and confusing.

The precedent-setting reprieve of the "black spots" Driefontein and kwaNgema in the eastern Transvaal has been re-enacted in the west in respect of Mathopestad and Matlatla.

But this has been cold comfort for the 9 000 residents of Braklaagte, near Zeerust, who were given away on New Year's Eve — against their will — to Bophuthatswana.

It is also of little cheer to the people of Mogopa, who were unlawfully forced from their land, near Ventersdorp in 1984, and have been in limbo ever since.

In early December the people of Mathopestad in the Koster area were told by the Minister of Education and Development Aid, Dr Gerrit Viljoen, that their united opposition to removal had been heeded and they would not be uprooted.

It is understood that the community of Matlatla, a distance from Ventersdorp, has been reprieved in a manner similar to Mathopestad.

However, despite the fact that the Appeal Court has declared the Mogopa removal from its land near Ventersdorp to have been unlawful, the Government has consistently refused to allow them to re-occupy the old property.

Officials have sought out land adjacent to Bophuthatswana to offer to the Mogopa people as a permanent home.

### REFUSED

All offers so far have been refused despite Government guarantees that the new land will not be incorporated into the homeland.

Ironically, the solution which is being offered to Mogopa is the very situation which the authorities would not tolerate at Braklaagte, which is close to the Lehurutshe area of Bophuthatswana and which was made part of the homeland by a State President's proclamation in late December.

The contradiction has not escaped the Braklaagte people. "There is a precedent for an area adjacent to a homeland remaining under central government control rather than being incorporated," a memorandum submitted by Braklaagte leaders to Dr Viljoen reads.

"A Cabinet undertaking has been made to the Mogopa community that, should it accept land on the edges of Bophuthatswana, it will not be incorporated."

Braklaagte's "elected chief" Mr Pupsey Sebogodi has made it clear that incorporation into a homeland is just as unacceptable as the original plan to expropriate the farm and physically uproot the people.

The difficulties which would face residents in such a situation motivated Mr Sebogodi to go to court to challenge the validity of the decision to incorporate them into Bophuthatswana — a matter which will be finalised in the Pretoria Supreme Court in March.

The Government has suffered massive reversals in its incorporation strategy with the Appeal Court invalidating the incorporation of hundreds of thousands of people in Moutse and Botshabelo into kwaNdebele and QwaQwa respectively.

Among the court's reasons were that the act of incorporation was not in accord with the spirit of the laws in terms of which the homelands were created.

Moutse, Botshabelo and the western Transvaal experience all add force to the question: *Quo vadis* land reform?

## Bid to relocate villagers — again

By LOUISE FLANAGAN

RESIDENTS of a village forcibly thrown out of Ciskei several years ago have narrowly escaped being re-incorporated into the territory this week in terms of a move to extend the "homeland's" boundaries.

In terms of draft legislation tabled in parliament in Cape Town on Wednesday, three nominally independent homelands — Ciskei, Transkei and Bophuthatswana — are to get more land from South Africa.

One area which was originally scheduled to be incorporated into Ciskei but has now been excluded from the transfer is Need's Camp near East London.

Residents at Need's Camp, which is situated immediately alongside the

Ciskei border, originally lived across the border in Ciskei. However, some years ago Ciskei authorities claimed the community was ungovernable and trucked the group to South Africa.

They have lived at Need's Camp, originally defined as a temporary camp, ever since. They have been under continual threat of physical removal from the area and reincorporation into Ciskei.

Until last year Ciskei officials said the area was scheduled for reincorporation. However, National Party MP for East London City Peet de Pontes said Need's Camp is definitely not included in the planned transfer.

— ELN



# A breather for threatened fisherfolk

**NAMAQUALAND** community threatened with eviction from the West Coast fishing town of Port Nolloth can rest easy — for now.

A Cape Supreme Court judge yesterday dismissed, with costs, an application by the Port Nolloth municipality to evict the 500-strong community living in tents on a salt pan near the town.

Mr Justice HL Berman said the order sought could be more properly described as seeking the "mass deportation" of a relatively stable community, which would have "mind-boggling" consequences.

It would mean the removal of many women and children to be

By GAYE DAVIS

"dumped in the desert" without shelter or basic amenities.

"The removal of communities from one locality to another is a phenomenon not unknown in this country ... but in every case of this kind the deportation order ... made provision for a removal from one place to another place."

There was nothing under either common or statute law which gave a local authority the right to seek the deportation of a group of people living within its boundaries, the judge said.

An offer by the Cape Provincial Administration that alternative

land would be made available did little to alleviate the harshness of the order sought.

The CPA had noted that "different ethnic groups" were involved, implying this would dictate where people were relocated. In Justice Berman's view, the offer contemplated breaking up the community.

Mr Justice Berman simultaneously gave judgment on an application by Tentedorp resident Joseph Luwalala, who, with others, had applied for an interdict restraining the municipality from demolishing their homes.

He issued an order restraining the municipality from removing tents.

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WMHIL

13-19/1/89

# Another community falls to Group Areas

**The Argus Correspondent**

DURBAN. — A group of 97 black families living at Ntombi's Camp outside Ladysmith are to be relocated to make way for Indian housing to satisfy the Group Areas map.

Their new homes will be tents and condemned houses in a flood-prone area.

Ntombi's Camp settlement dates back to 1909.

However, the site is to be proclaimed an Indian residential area and a development company is set to build houses.

The families face prosecution if they refuse to move.

But a move takes them into an uncertain future. The only place where the Natal Provincial Administration's Department of Community Services can relocate them is land earmarked for expansion of the township of Steadville.

The NPA is hoping homes will be provided for them through a private development scheme that will eventually build 1 000 homes in Steadville.

In the interim the NPA is moving them into houses that were previously condemned and evacuated as they are in a flood plain.

The NPA is also supplying tents. Since officials are hoping that homes

will become available in Steadville as fast as people are removed from Ntombi's Camp, they are at this stage supplying only 13 tents.

Six families are to move into the houses this week.

This will be the third tent town established by the NPA in an attempt to accommodate "surplus" people. The other towns are at Vryheid and Weenen.

The NPA's settlements division has 144 squatter communities to tend to.

Mr Somaroo Pachai, member of the House of Delegates for Natal Midlands, said the House was not involved in the development.

"I have said that for as long as the people are in occupation of that land, I do not want it to be proclaimed an Indian area. I will not lay claim to land which is occupied by another race group."

But Mr Pachai said the people of Ntombi's Camp were living in poor conditions and there was no future for them as the land around them was to be proclaimed as "we need it for housing".

Mr Robin Raubenheimer, director of land usage control in the NPA, pointed out that the developers of the Indian houses had offered to make a contribution towards new homes for the displaced families.



## Bill to reclaim part of a farm

(27)  
PRETORIA The Incorporation of Certain Land in the Republic of SA Bill, tabled in Parliament yesterday, provides for land erroneously excluded from SA to be once again included in the country.

The Bill enables portion of a farm in the Molopo district, taken into Bophuthatswana on independence, to revert to SA.

The Department of Constitutional Development and Planning added the area is Portion 2 of the farm Logaging, which belongs to F Pretorius.

3/Dec/19/11/89  
It was not stated how much land was involved in the move. — Sapa.

# Zeph aids Braklaagte

Sowetan 20/1/89

1234  
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By PAUL TSHABALALA

THE Zeph Mophopeng Reception Committee this week donated R500 to the Braklaagte community — who are faced with incorporation into Bophutha-tswana — towards fighting a court order which is set for the Pretoria Supreme Court on March 7 1989.

The 9000 Braklaagte people, under the leadership of Chief Pusey Ntsanyana Sebogodi, were in December ordered that by January 1 1989 they must have settled their differences and be incorporated into Bophuthatswana.

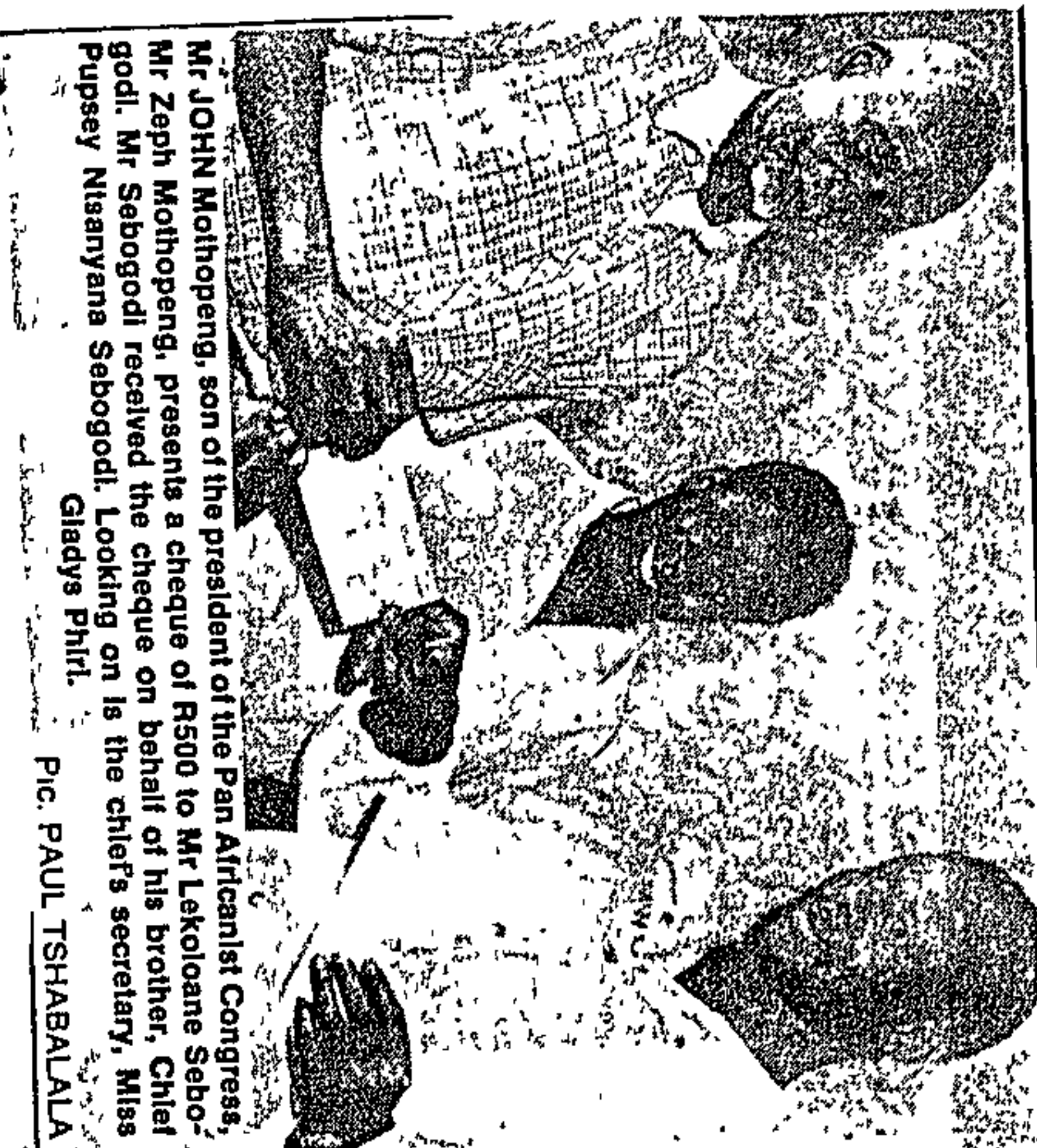
But the residents rejected this incorporation and took the matter to Pretoria Supreme Court.

## Money

Their grounds of refusal are:

- they do not want to lose their South African citizenship,
- if they are incorporated, their chances of getting employment in South Africa will be invalid because the homeland has got no money;

Some of the residents interviewed by the Sowetan claimed that their property which include goats, cattle, chickens and donkeys have been confiscated by the Bophuthatswana police.

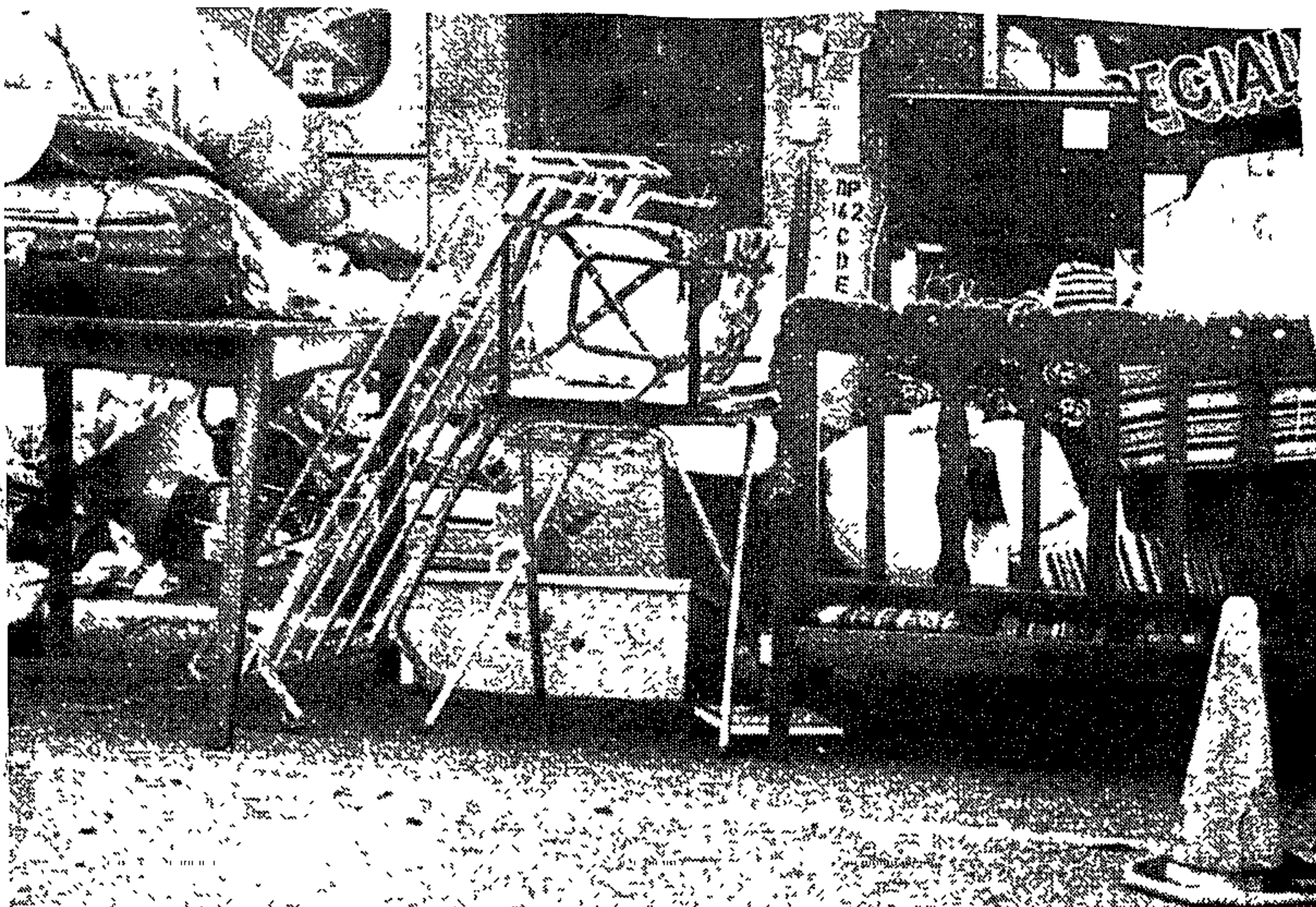


Mr JOHN Mophopeng, son of the president of the Pan Africanist Congress, Mr Zeph Mophopeng, presents a cheque of R500 to Mr Lekolane Sebogodi. Mr Sebogodi received the cheque on behalf of his brother, Chief Pusey Ntsanyana Sebogodi. Looking on is the chief's secretary, Miss Gladys Phila.

Pic. PAUL TSHABALALA

• Since the Bophuthatswana coup, Braklaagte inhabitants are victims because they are opponents of the Government.





**FLASHBACK:** No accommodation in the overcrowded townships and none in town after these black families were evicted from their Hillbrow flat last year.

# Black families face eviction from city flats

271  
C. M. M.  
29/1/89

**By HAPPY ZONDI**  
MORE than 80 black families living in flats in Johannesburg's Hillbrow and Joubert Park face immediate eviction following their refusal to pay what they claim are "exploitative" rents.  
Residents of Ritz Plaza, Claridges, Waldorf

Heights and Fairbairn Court could find themselves camped on the streets surrounded by their possessions unless they reach an agreement with their landlords over the rents deadlock.  
Cass Coovadia, spokesman for Actstop - an organisation that resists ur-

ban Group Areas removals - said that after futile attempts to talk to the landlords about problems in the buildings and "many broken promises", tenants organised themselves, and together with Actstop, took a decision to pay rent relative to the condition of the buildings.

He said the landlords had agreed three years ago to provide the flats with operating lifts, maintenance, upkeep and no major defects. In turn the tenants would be prepared to pay the required rent.  
Tenants claimed the landlords failed to keep their side of the agreement.

The tenants then called on the landlords to invest part of their rent money to provide services and improved conditions. If this was done, they would be willing to negotiate fair rents, commensurate with services and conditions.  
Reacting to this, the landlords issued eviction notices ordering the tenants to quit by this week.  
Coovadia said: "We are convinced that this crisis is the direct result of apartheid laws and their implementation."

"It is our further contention that the local government must bear some responsibility for the exploitation being perpetrated by landlords in Hillbrow, Joubert Park, central Johannesburg and other areas," said Coovadia.  
"It is our opinion that they gave these notices knowing that they could get other tenants immediately as the Group Areas Act has created a drastic shortage of accommodation in these areas," added Coovadia.



# Landmark ruling in Potsdam case

CP Correspondent

NEWS that Potsdam residents can stay in South Africa without a permit, following a landmark court ruling, has been received with mixed feelings.

There was jubilation, feelings of relief and sad memories of life under Ciskeian homeland rule last week when the Grahamstown Supreme Court ruled that three Potsdam residents could stay in SA without any permit or ex-

emption.

Although the interdict was brought by only three residents - Nellie Nozewu, Popo Ntwanambi and Velile Dasi - the ruling is expected to affect the entire community of several thousand.

Potsdam residents have been trying to escape homeland rule ever since they were forcibly moved there five years ago. They staged several unsuccessful flights from the Ciskei but were trucked back

each time 29/1/89. Said Nozewu. "We want to move (to SA) immediately. We have pregnant people who need to go to hospital soon, but it's difficult because they don't have Ciskei documents and we do not pay tax."

"One of our committee members was assaulted by vigilantes just a day after the ruling. When the schools opened there were shouts that people should not forget their Ciskei

National Independence Party cards. We don't have these, and these are some of the reasons why we want to move out of here, and very soon - even if it would mean going near the road (where the group fled previously), as long as it is outside Ciskei."

According to Nozewu, victory cannot be denied even by the local vigilante group, which was formed at Potsdam after one of the community's unsuccessful flights. - Elnews



# Ciskei watchdogs to enforce expulsion

From PAT CANDIDO, Staff Reporter

**BISHO.** — A security co-ordination committee has been established to ensure that all Transkeians are out of Ciskei by the end of March, according to Mr Headman Somtunzi, Ciskei's deputy director-general of foreign affairs.

In an interview Mr Somtunzi said his government was deadly serious about expelling Transkeians and there would be no reversal of this decision.

Though he refused to say how many people would be affected, he conceded that once they had been moved there would be thousands more homes and jobs for Ciskeians.

Asked how Ciskei was going to manage the logistics of moving thousands of people, he said that was why the committee was formed.

Asked whether Ciskei had ruled out discussions, he said his government was not interested in talking to people who sheltered those with criminal records.

If Transkei was interested in negotiation or discussion it should immediately return the former head of Ciskeian security forces, Charles Sebe, to complete his jail sentence, and his brother, Namba Sebe.

He denied that the removal of what some estimate could be 80 000 people would have a serious effect on Ciskei's economy.

He said many people who lived in Mdantsane worked in East London.

He had no doubt that Transkeians would begin moving once they realised they could not stay. Those who intended to ignore the ultimatum would be made to move.

He denied the move could be damaging to Ciskei, but admitted it would be "some problem" for Transkei and South Africa.

He said Ciskei had the labour force to replace Transkeians who were living in Ciskeian houses and holding Ciskeian jobs.

Transkeians were reluctant to return to Transkei because the standard of living and conditions were much higher in Ciskei.

Mr Somtunzi said security had not been increased since the dispute began.

● The South African government has said it does not intend to step up security in the border corridor between Ciskei and Transkei because it does not believe Transkei will attack Ciskei.

## Row over floating ads

**PARIS.** — Floating billboards advertising a radio station have appeared on the Seine river in Paris and the city is calling on the government to remove them. — Sapa-AP.

A ... oil-mill operation starts

# Govt looks at 'scrambled' land move

CP Correspondent

STATE officials meet the landless residents of Sibongile and Bhanjana resettlement camps next week about claims that about 5 000 farmers lost their fields for as little as R100 compensation.

At a community meeting last weekend, a Sibongile removals victim said the government had its priorities "scrambled".

Department of Development Aid agricultural services director John Bam has agreed to attend a meeting

next Thursday at the multi-million Makhadini/Mjindi cotton farming irrigation scheme.

The chairman of the Hlanganani Cotton Farmers Association, Mbhinjeni James Simelane, said even elite commercial farmers were heavily indebted to the scheme.

A field worker for the Association for Rural Advancement, Richard Clacey, said established farmers growing food for local consumption had been uprooted.

Cotton farming required continuous outside management because of

its high technology, marketing needs and "highly-toxic pesticides".

He said the Department of Development Aid seemed to have concentrated on production while excluding the local economy.

Meanwhile, director-general of the development aid department Gilles van der Walt and managing director of the SA Development Trust Corporation Frik Weyer have issued a statement saying the irrigation scheme drastically increased income and created thousands of job opportunities.

5/2/89  
Claus



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Mr Blignaut added that he would now make shoplifters pay for the goods on the spot.

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## Grabouw residents face removal to Khayelitsha

Staff Reporter

Area 7/2/89 271

A GROUP of Grabouw residents face removal to Khayelitsha if their appeal to remain in the area falls.

The 140 or so residents, who have lived on Klipkop Farm for nine years, have been served with eviction notices because the land is being developed for a white housing estate known as the Canadian Rockies.

However, there is no black residential area in Grabouw and at least half the community may be relocated to Khayelitsha, even though they are intermarried and some have been working there for 40 years.

The land was transferred last year to a developer who has already built the first showhouse and is evicting the residents.

At least 57 of the residents are employed in Grabouw.

The community decided in January that they were not prepared to be separated and have asked the authorities to provide them with a residential area in Grabouw.

Letters have been sent to the Minister of Home Affairs, the Minister of Local Government in the House of Representatives, the Cape Administrator and local authorities to highlight the plight of the group.

According to their attorney, Mr Roger Chennels, the community is "thoroughly mixed, non-racial and an example of how open communities can exist in this country".

Grabouw ratepayers meet tomorrow night to discuss the position of the Klipkop residents.

CNN Times 10/2/89

# Squatter controls now law

By BARRY STREET  
Political Staff

The government's controversial new squatting controls and measures legally providing for open residential areas for the first time have become law.

The Prevention of Illegal Squatting Amendment Act, the Free Settlement Areas Act and the Local Government Affairs in Free Settlement Areas Act, which have all been signed by the

State President, were published in the Government Gazette this week.

The two Free Settlement laws will only come into operation at a date to be fixed by the State President.

The Progressive Federal Party member of the President's Council, Mr Robin Carlisle, said last year that the new law "reintroduces mass imprisonment and removals and it takes us back to that most shameful period of our history."

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# Govt bid to prevent reoccupation of land

By Jo-Anne Collinge

Five years after the forced removal of the Mogopa people from their land, the Government is taking court action to keep members of the community from reoccupying the farm Zwartrand near Ventersdorp.

The community is still without a permanent home years after their removal — which the Appeal Court later declared to be unlawful.

In an action expected to be heard today in the Pretoria Supreme Court, the Minister of Agriculture and Water Affairs and the Minister of Education and Development Aid have applied for an interim order preventing the people of Mogopa from entering on to the land or from erecting structures there.

They are also seeking a permanent order:

- Ordering all Mogopa community members, except those on the farm with the permission of the Minister of Development Aid, to vacate the property and to demolish structures they have erected.
- Permitting the authorities to evict the people and demolish their shacks if they fail to do so themselves within three days of the order being issued.
- Prohibiting, for all time, the return of the Mogopa people to the land except where they have written permission from the Minister of Development Aid.

Mogopa community members Mr Daniel Molefe, Mr Matthew Mpshe, Mr Peter More and Mr Jacob More are cited as the respondents and are required to show cause why the order should not be granted.

This year Minister of Development Aid, Dr Gerrit Viljoen, notified the community's attorneys that he believed that permission "given to the Mogopa committee to visit the graveyard at Zwartrand for maintenance purposes is now being used as a smokescreen to start a process of resettlement of the Mogopa people at Zwartrand".

Dr Viljoen has agreed to meet Mogopa representatives on Saturday to discuss possible solutions to the impasse on alternative land for the community.



Flashback to February 1984 . . . one of more than 20 Government trucks used in the Mogopa removals is loaded with a Mogopa community member's goods before leaving for Pachsdraai.



Humand

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TUESDAY, 14 FEBRUARY 1989

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I have subsequently requested the South African Law commission to consider including the matter in its programme. I have also referred a copy of the second report to the President of the Law Society of the Cape of Good Hope, as well as to the Transkeian Authorities for their attention and the necessary action.

**Military service: legislative changes to provide for conscientious objection**

\*12. Mr R R HULLEY asked the Minister of Defence:

- (1) Whether any legislative changes are being considered to provide for conscientious objection to compulsory military service on the same basis as religious objection; if not, why not; if so, (a) what changes and (b) when will such legislation be introduced in Parliament;

- (2) whether any consideration is being given to reducing the period of alternative service for religious objectors; if so, when is it anticipated that changes will be introduced?

**The MINISTER OF DEFENCE:**

- (1) and (2) The honourable member is referred to my reply in this House to the written question 354 of 1988.

White City, Soweto: SADF members involved in shooting incident

\*13 Mr R R HULLEY asked the Minister of Defence:

- (1) Whether a shooting incident involving members of the South African Defence Force occurred in White City, Soweto, on or about 14 December 1988; if so, what were the circumstances surrounding the incident;

- (2) whether any persons were killed in this incident; if so, (a) what are their names and (b) by whom were they employed,

- (3) whether a board of inquiry has been established to investigate the matter; if not, why not, if so, (a) who is the chairman of the board and (b) when is the report of the board expected?

**The MINISTER OF DEFENCE:**

- (1), (2) and (3) Yes. The matter is, however,

HOUSE OF ASSEMBLY

still sub judice and further information can therefore not be divulged at this stage.

**Public service salaries: Minister informed of 15 percent increase**

\*14. Mr D J N MALCOMESS asked the Minister of Finance:

- (1) Whether he attended a meeting of the International Monetary Fund in 1988; if so, who accompanied him,

- (2) whether, prior to leaving for this meeting, he had been informed that the State President would announce a 15 per cent increase in public service salaries with effect from 1 January 1989;

- (3) whether he was consulted on the matter before his departure;

- (4) whether any members of the delegation accompanying him were so consulted, if so, who?

**The MINISTER OF FINANCE:**

- (1) Yes; the official delegation of South Africa attending the IMF/World Bank joint meetings in Berlin consisted of:

- (a) From the Ministry of Finance: an Assistant Private Secretary and a security officer

- (b) From the Department of Finance the Director-General as alternate Governor of the IMF, the Chief Executive Director: Policy and the Deputy-Director-General: Finance.

- (c) From the Reserve Bank: the acting Governor as Governor of the IBRD, a Deputy Governor as alternate Governor of the IBRD and the Head of the Economic Section.

- (d) Certain staff members of our IMF office in Washington and the Consulate General in Zurich responsible for liaison with financial institutions; and

- (e) Mr H H SCHWARZ MP, Dr S S BRAND of the Development Bank of Southern Africa and Mr L van Zyl from the office of the State President.

- (2) Yes

- (3) Yes

- (4) No

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Humewood, Port Elizabeth: land occupied by SADF

\*15. D J N MALCOMESS asked the Minister of Defence:

- (1) Whether he will furnish information on whether the land presently occupied by the South African Defence Force at Humewood, Port Elizabeth, and situated adjacent to a certain hotel, the name of which has been furnished to the Defence Force for the purpose of the Minister's reply, is of strategic importance; if not, why not; if so, why is the land of strategic importance;

- (2) whether any representations regarding the land have been received by the Defence Force; if so, (a) from whom and (b) what was (i) the purport of and (ii) his response to each of these representations;

- (3) whether any rates on the land are paid to the local authority; if so, how much per annum?

**The MINISTER OF DEFENCE:**

- (1) and (2) The land is not of strategic importance. The SA Defence Force, the Department of Public Works and Land Affairs and the City Council of Port Elizabeth are at present conducting negotiations about the land.

- (3) Yes. R23 525,82 in the current fiscal year.

Mathopestad: decision regarding future status

\*16 Mr P G SOAL asked the Minister of Education and Development Aid:

- Whether, with reference to his reply to Question No 180 on 7 March 1988, he has reached a decision regarding the future status of Mathopestad, if not, why not; if so, what are the relevant details?

**The MINISTER OF EDUCATION AND DEVELOPMENT AID:**

Yes. The Government decided that the community of Mathopestad will no longer be settled elsewhere. The leaders of the community were informed of the decision on 2 December 1988.

Illegal striking: Black workers arrested

\*17. Mr P G SOAL asked the Minister of Law and Order:

How many Black workers were arrested for striking illegally in 1988?

**The MINISTER OF LAW AND ORDER:**

From time to time the South African Police are requested to take action against persons participating in illegal strikes. Persons were not arrested in terms of the Labour Relations Act, 1956 (Act 28 of 1956) because they were on strike illegally, but on account of strike-related crimes such as public violence, malicious damage to property, intimidation, assault, etc. However, separate statistics to indicate whether a specific crime is strike-related or not, are not kept. The information which the hon member requires can therefore not be furnished

**Emergency regulations: detainees**

\*18. Mrs H SUZMAN asked the Minister of Law and Order:

Whether he will furnish information on the number of persons detained in terms of the emergency regulations in 1988; if not, why not; if so, (a) what total number of persons were so detained and (b) how many of these persons were below the age of 18 years?

**The MINISTER OF LAW AND ORDER:**

No, because I do not consider it to be in the public interest to furnish this information. With reference to the number of persons who are detained in terms of the emergency regulations, the requirements of section 3(4) of the Public Safety Act, 1953 (Act 3 of 1953) are complied with. In terms of these requirements a list of names of persons in detention for longer than 30 days is tabled regularly in Parliament.

Neither the Government nor the South African Police is in favour of detaining people at random. To place the matter further in perspective, I wish to point out to the hon member that the number of persons detained in terms of the Security Emergency Regulations varies from day to day. The merits of each person's detention, as well as other possible alternatives, are considered with circumspection. Only those persons whose actions endanger the public safety, the maintenance of law and order and the termination of the state of emergency and whose detention is imperative, are detained.

HOUSE OF ASSEMBLY



# State eviction threat

## Youth choir needs singers

TWO Pretoria music directors, Professor Cornelius Marivati and Miss Erica Swart, will launch a Pretoria Youth

Choir this weekend in preparation for a music competition scheduled to be held in Australia.

Professor Marivati said they were looking for students in Stds 6 to 9.

Interested persons, who should be accompanied to the auditions at least by a parent or legal guardian to provide written consent, are invited to attend meetings on Friday at 4pm or the following day at 10am at the Pretoria College of Education, Rissik Street, Sunnyside (behind All Normal college hall). Further details can be obtained at (012) 44-6892 during office hours or 375-5210 (after hours).

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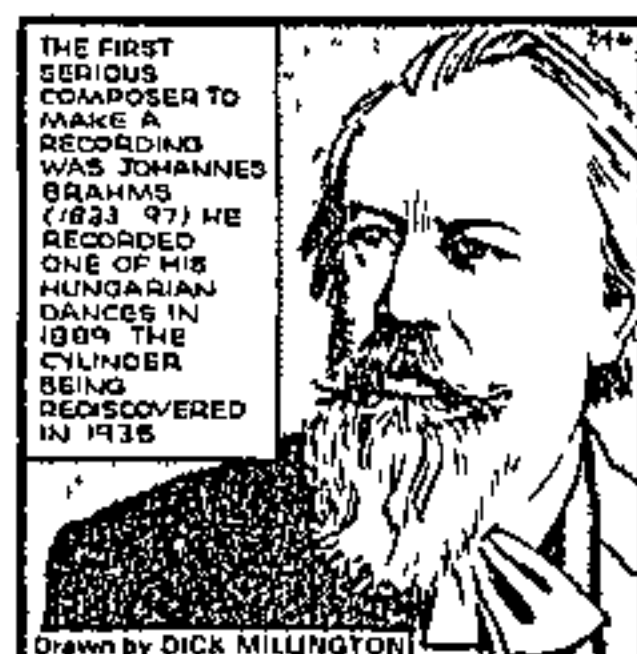
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## FACTFILE - by Norris McWhirter



IN 1808 THE WORLD'S FIRST AMPLIFIED (KNOWN AS AN INTENSIFIER) WAS PATENTED BY SIR CHARLES PARSONS. ALTHOUGH IT COULD BE USED TO INVENTION INDIRECTLY TO THOMAS EDISON



KING GEORGE V (1865-1936) RECORDED AN EMPIRE DAY MESSAGE FOR HMV ON 28 MARCH 1923 AT BUCKINGHAM PALACE THE EARLIEST SURVIVING RECORDING BY A REIGNING BRITISH MONARCH

## I INVITE

ALL THE SANGOMAS FOR A MEETING AND A SANGOMA DANCE  
on February 24, 1989, at 11pm

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(012) 386-0418 office hours  
S 23361



**SAVUKA'S** leader Jonathan Clegg in fiery mood during his dancing partner Dudu Zulu's Ukubonga ceremony in Espongweni, Natal, at the weekend. Zulu, who is also Savuka's percussionist, was celebrating the completion of two houses for his two wives and five children

Pic PAUL TSHABALALA

## Savuka's Clegg gets down with the Zulus

**MEMBERS** of the Umkomas Traditional Dancing Team march to a clearing about seven blocks from Dudu Zulu's homestead, where they, together with the Amabutho, Zulu's team, danced from noon until sunset, oblivious of the constant drizzle.



## Documents taken by SB in raid on Azapo

Sowetan 15/2/89

By JOSHUA RABOROKO

asked other people in the office to produce their identity books

He said that the police took several pamphlets, including those dealing with a memorial service held in honour of the late Dr Asvat, Azanian Students Movement and letterheads of Azapo and the National Youth Co-ordinating Committee

The raid comes in the wake of a warrant of arrest which was issued by the Rand Supreme Court judge against a former senior member of the organisation, Mr George Wauchope

It also comes after a prominent community leader who was a member of Azapo, Dr Asvat, was killed in his surgery in Soweto recently.

By MONK NKOMO

**THE** Government yesterday brought an application in the Pretoria Supreme Court seeking an order to evict scores of Bakwena ba Mogopa families staying on the farm Zwartland in the Western Transvaal

The application before Mr Justice Human was brought by the Minister of Agriculture, Mr Greyling Wentzel and Dr Gerit Viljoen, Minister of Education and Development Aid

In the application, both Ministers sought an order to evict about 70 people from the farm with effect from February 28, 1989. Both applicants submitted that the farm belonged to the State and was under control of the Minister of Agriculture. The Ministers also asked the respondents to give reasons why they should not remove these families from the farm except those who had written permission from Dr Viljoen

Both Ministers sought an order that they be given powers to remove all the leaders of the tribe and their possessions from the farm

Hundreds of people were evicted by the Government following a court order in 1983, and many were resettled in Pachtadrai near Zeerust and Bethany near Brits - most of them against their will. The eviction order was later set aside by the Appeal Court in Bloemfontein

The farm, which has been owned by the Bakwena ba Mogopa tribe since 1912, was then expropriated by the Government and hired out to Koster and Ventersdorp District Agricultural Unions who now have the right to use the farm for emergency grazing

The application by the Ministers is being opposed. Scores of members of the tribe packed the courtroom yesterday to hear the fate of what they described as "our fatherland"

The applicants asked the first three respondents to pay the costs of the application

Mr Sam Maritz SC, who appeared for the applicants, told the court that Mogopa "has a long and unfortunate history" which had resulted in a negative publicity for South Africa abroad

Judgment will be handed down tomorrow

The respondents are Mr Daniel Molefe, Mr Matthew Mphye, Mr Peter Chief More and Mr Jacob More. They were represented by Mr Gilbert Marcus, instructed by Johannesburg firm of attorneys, Cheadle Thompson and Haysom



# Govt's urgent court move is contested

By Jo-Anne Collinge

Embarrassment caused to the Government by the forced removal of the Mogopa community "must rank as a novel ground" for the courts to treat as urgent an application for an order preventing them from re-occupying Zwartrand farm, near Ventersdorp.

This was submitted by Mr Gilbert Marcus yesterday when he asked for the application to be struck off the roll as there were no grounds for treating it as urgent.

He was appearing for two of four respondents, members of the Mogopa community living on the Reef and in the western Transvaal, before Mr Justice Human in the Pretoria Supreme Court.

The four were cited by the Minister of Agriculture and Land Affairs and the Minister of Education and Development. An interim order preventing any additional Mogopa people from entering Zwartrand.

The applicants also seek a final order authorising the demolition of shacks and the ejection of their occupants.

Mr Marcus said the Appeal Court had declared the removal unlawful on a technical point and the removal had been carried out while a decision on the right of the community to an Appeal Court hearing was still awaited.

Judgment has been reserved until tomorrow.



# Mathopestad wins 8-year battle to stay

By BARRY STREEK  
Political Staff

*Mr. Timp's*  
16/2/87

informed of this decision on December 2 last year.

THE people of Mathopestad, once regarded as a 'black spot' in the Magaliesberg area of the Transvaal, have won an eight-year battle against their enforced removal.

The Minister of Education and Development Aid, Dr Gerrit Viljoen, confirmed in the House of Assembly yesterday that the government had decided the community of Mathopestad "will no longer be settled elsewhere".

Dr Viljoen, who replied to a question on the matter from Mr Peter Soal (PFP, Johannesburg North), said the leaders of the Mathopestad community were

Mr Soal said he wanted to congratulate Dr Viljoen "on reaching a humane and sensible decision".

Mr Soal added: "For eight years, nothing has been done in Mathopestad because there has been a threat of removal hanging over the heads of the people."

"Now they can get on with living their lives in security."

"The government should now give them urgent assistance to make up for the backlog after all those years of neglect."

He said Mathopestad was even refused a single telephone line

for many years until the then Minister of Communications, Dr Lapa Munnik, agreed to provide a telephone there.

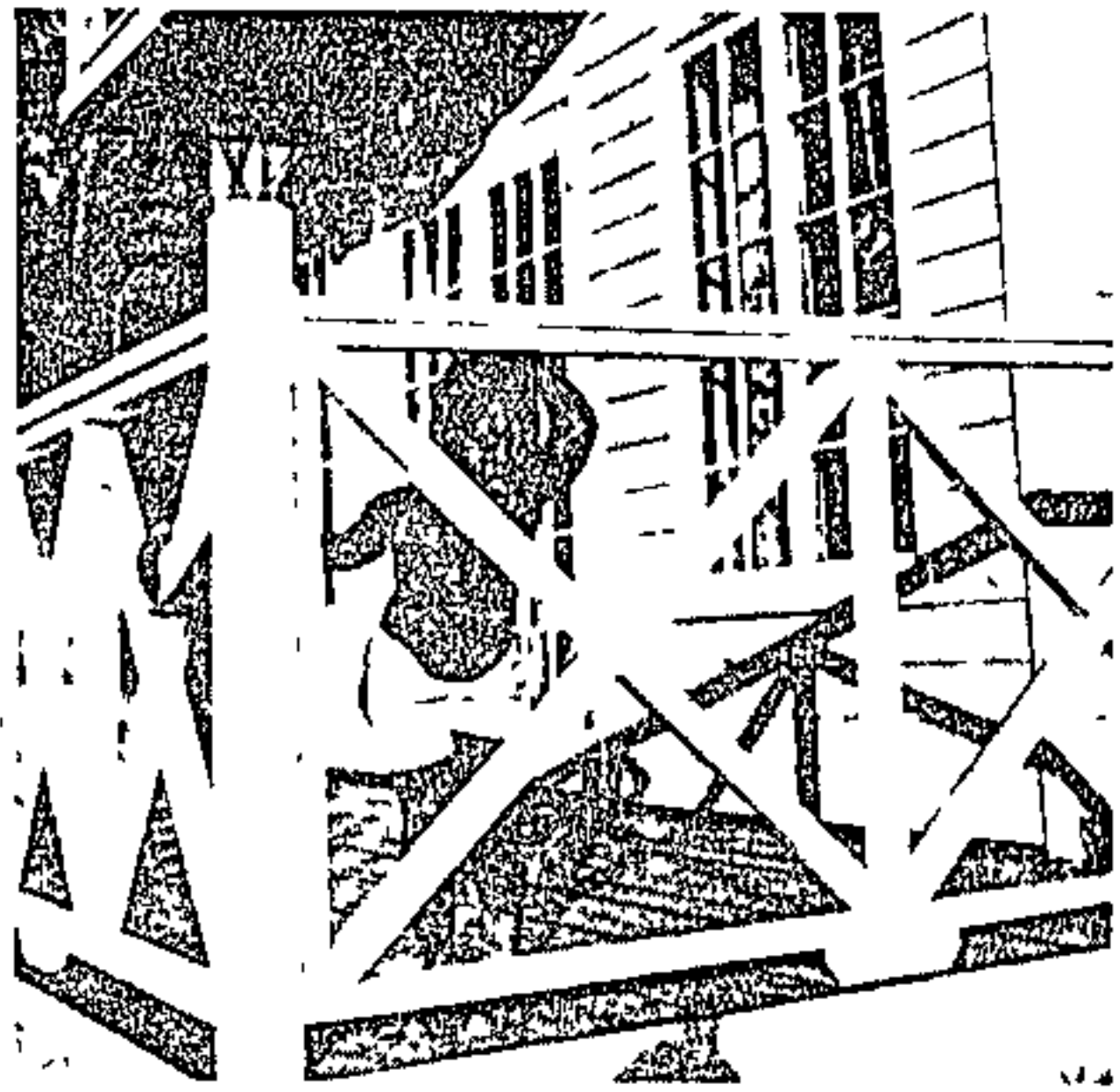
"I visited the Methopestad area two weeks ago and the people there are thrilled at the removal of the uncertainty."

The people of Magope, another 'black spot' in the Western Transvaal, were removed forcibly five years ago.

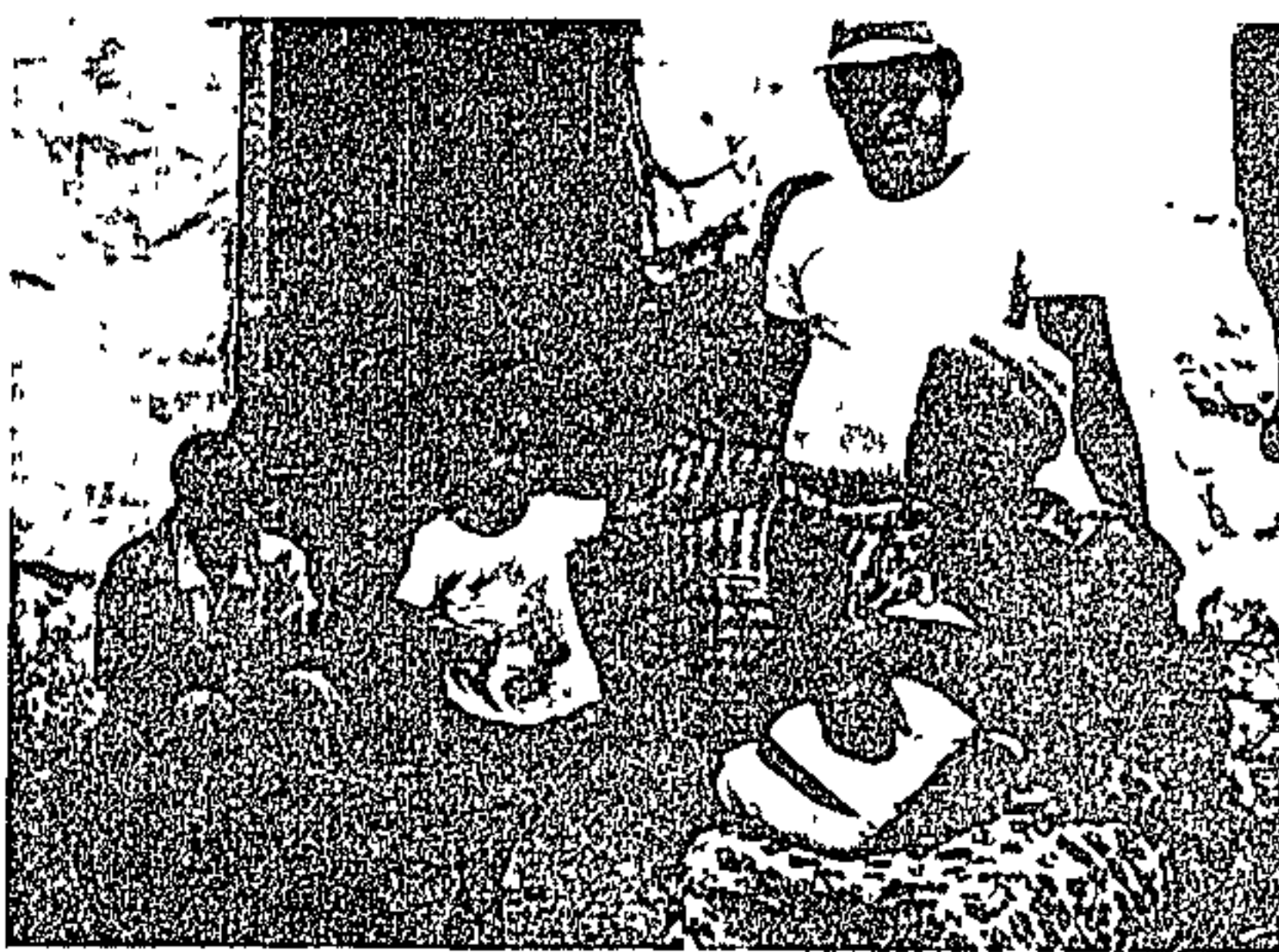
"They want to go back to the land they have owned for many generations."

"Surely, Dr Viljoen can apply the same foresight to Magope as he has done to Mathopestad," Mr Soal said.

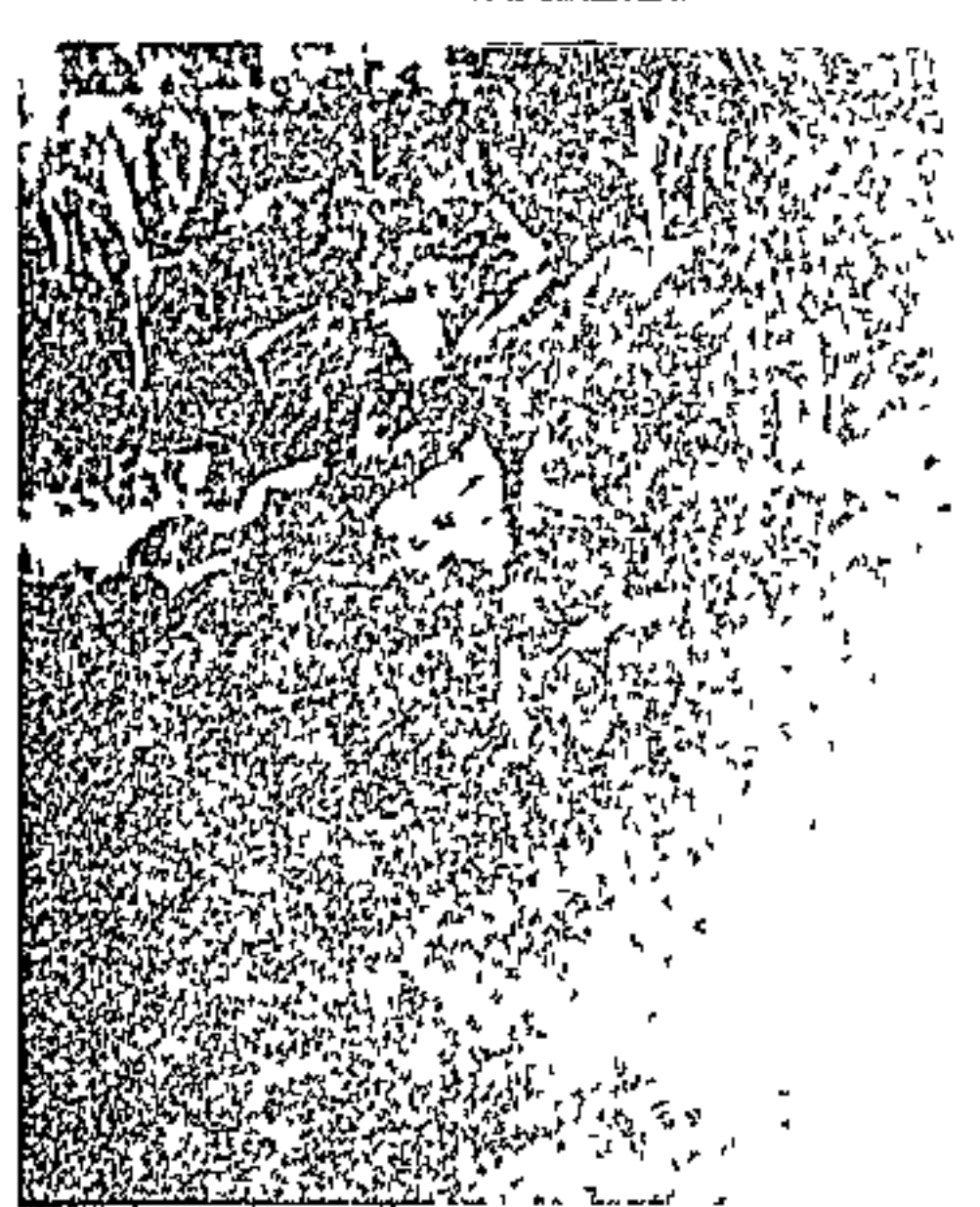




David Willemse, 6, at the Canadian Rockies showhouse



Violet Mbungi, family matriarch, cannot imagine life away from Grabouw



Residents still carry water from taps

# A 'kingdom unde



July Mbungi, 66, has lived in Grabouw for almost 50 years



Benjamin Mbungi and Helmiel Conradie with their daughter Berenita, 2. The family will be split as Mbungi will have to move to Khayelitsha

By CHIARA CARTER

Pics. YUNUS MOHAMED  
IN Klipkop, on the outskirts of Grabouw, John Mbungi is called king

Grabouw has been home to John and his brother, July, since 1941

For the past ten years the woodcutter brothers and their extended family have lived at Klipkop, a settlement of stone houses deep in the woods outside the Grabouw suburb of Pineview

But now John's kingdom is to be demolished

Klipkop was sold to a property developer last year and the land has been earmarked for a rustic village development of thatched houses for white occupants

Bulldozers have already begun levelling the stony ground and the Mbungis, like others in Klipkop, have been told their houses are going to be demolished and they must move to Khayelitsha

The closely-knit community of about 130 "coloured" and African people faces being split because there is no provision made for Africans to live in Grabouw

According to the Grabouw municipality the Africans cannot live in the town as there is no land allocated to them

But the community will not accept this and has vowed to fight against being fragmented

"We are a close group. There is no such thing as coloured or African here. Our children all attend the same school. We work together and have married each other. Now we are going to be separated," said John Mbungi

"They want us to go to Khayelitsha. But there are no trees there. We have worked all our lives in these woods. We are not rich but we want for nothing

"If we are forced to leave Grabouw we will have no work. We will be far away from the people and place we know"

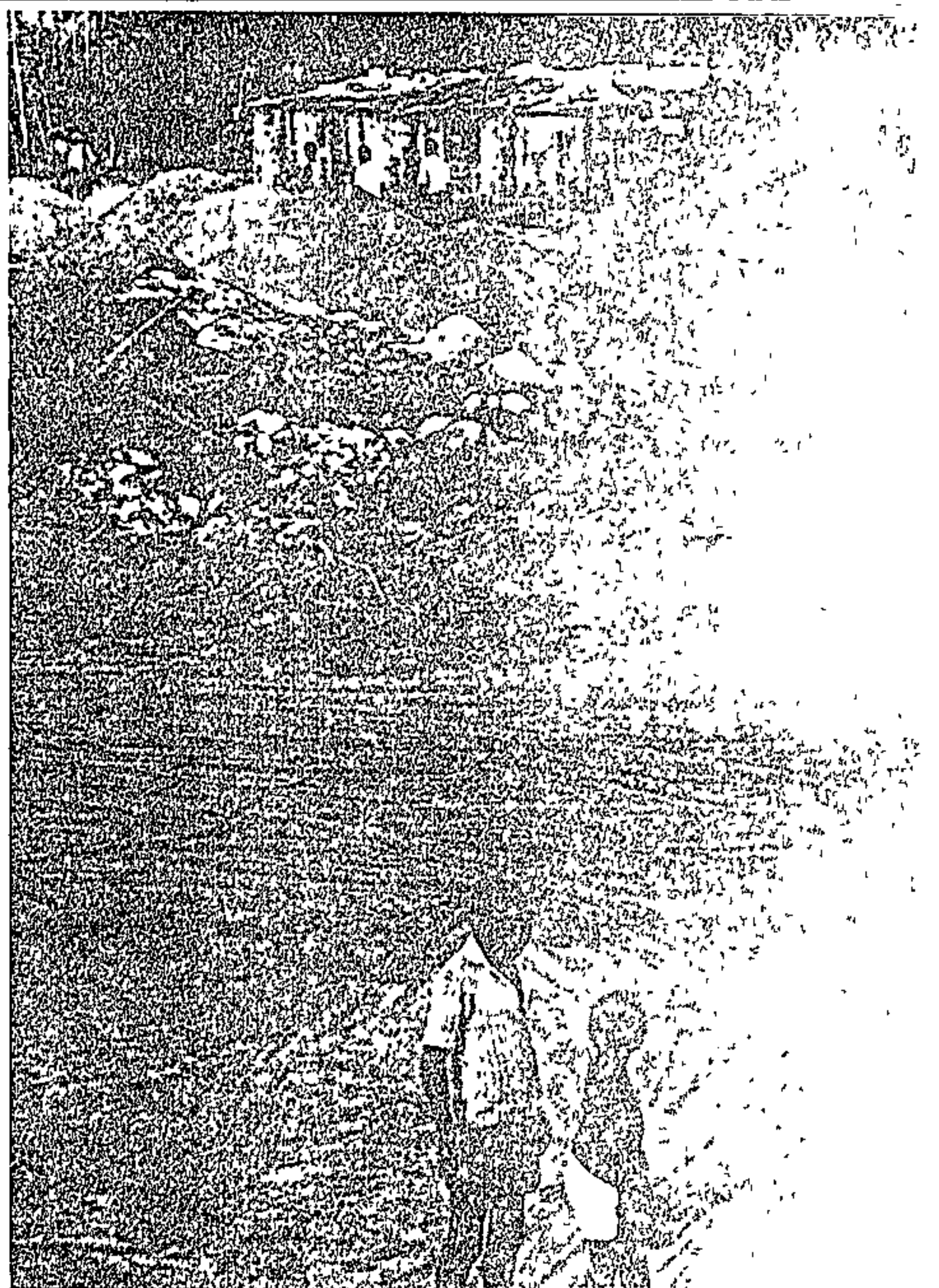
Many of the men in the community cut wood for John. The wood is sold to saw mills. Some of the women work in the export apple co-operatives. Others get seasonal work on the apple farms or work in the town

John's nephew, Gerald Mbungi, has started his own woodcutting business

"Like my father before me I am a woodcutter. Woodcutting is in our family. Now after all these years we must move. How can my father and mother adjust to life in a Cape Town township?" he asked

"There is not much we can do about the land being sold. Although some of us have lived here for 17 years, we have no choice but to leave Klipkop

For 17 long years African and "coloured" families have lived together in a rustic development for whites. The families will now be split with "coloureds" to Khayelitsha, the nearest African town



A bulldozer dwarfs one of the three

All we ask is that the authorities house us elsewhere in Grabouw"

Elsie Blaauw, 50, has lived at Klipkop for about ten years. She and her husband were moved there by her husband's boss, a farmer in Grabouw

"After a while, the farmer got sick of fetching my husband every day. He made him move to the farm but there was no room for me and the children. So I continued to live here. My husband found another woman on the farm. I have lived alone here ever since

"It's a good enough life here. We visit each other in the evenings. There

is never any violence or crime. What we have we share. And we manage to have some fun. At Christmas or birthdays we all dance until the dust flies. Now that is all over. Leaving here feels like losing a parent"

Fruit trees surround the house of old-age pensioner Frank Williams. The orchard is Williams' pride and joy. The frail, grey-haired 72-year-old labours there all day

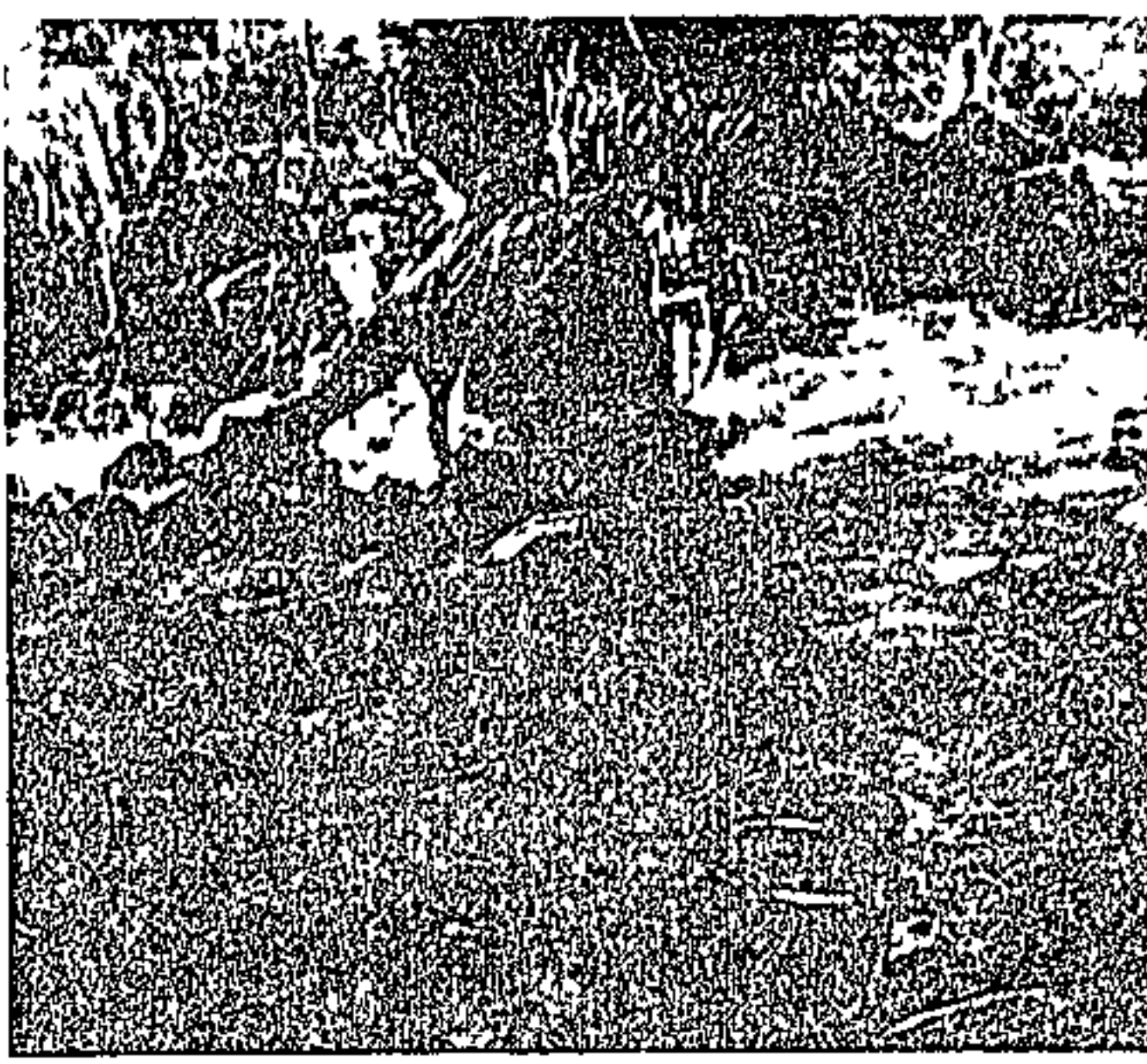
"I plastered the walls of this house myself and I planted the trees," he said

"There are 13 peach trees and six plum trees here. Every evening I sit





matnach, cannot imagine life away from Grabouw



Residents still carry water from taps to their houses



Washday at the nearby river

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For 17 long years African and "coloured" families have lived together in Klipkop, near Grabouw — until they were told to make way for a rustic development for whites. The families will now be split with "coloureds" being housed near Grabouw, while Africans will have to move to Khayelitsha, the nearest African township able to accommodate them



A bulldozer dwarfs one of the threatened Klipkop houses

All we ask is that the authorities house us elsewhere in Grabouw"

Elsie Blaauw, 50, has lived at Klipkop for about ten years. She and her husband were moved there by her husband's boss, a farmer in Grabouw.

"After a while, the farmer got sick of fetching my husband every day. He made him move to the farm but there was no room for me and the children. So I continued to live here. My husband found another woman on the farm. I have lived alone here ever since."

"It's a good enough life here. We visit each other in the evenings. There

is never any violence or crime. What we have we share. And we manage to have some fun. At Christmas or birthdays we all dance until the dust flies. Now that is all over. Leaving here feels like losing a parent."

Fruit trees surround the house of old-age pensioner Frank Williams. The orchard is Williams' pride and joy. The frail, grey-haired 72-year-old labours there all day.

"I plastered the walls of this house myself and I planted the trees," he said.

"There are 13 peach trees and six plum trees here. Every evening I sit

on this stoep, watching the children play under the trees and thinking of days gone by."

"Now they say we must go. No one knows where. I was told this house is going to be demolished. But I can't believe that anyone would chop down such fine fruit trees. Maybe they will build around them."

Directly opposite Williams' house is the Canadian Rockies showhouse. Its thatched roof and sparkling white walls are a far cry from the rough-hewn homes of the Klipkop people.

Designed to blend with the tranquil surroundings, the house is a city

dweller's ideal of rural living. With its open-plan design and chintz curtains, the house represents a lifestyle alien to the woodcutters of Klipkop.

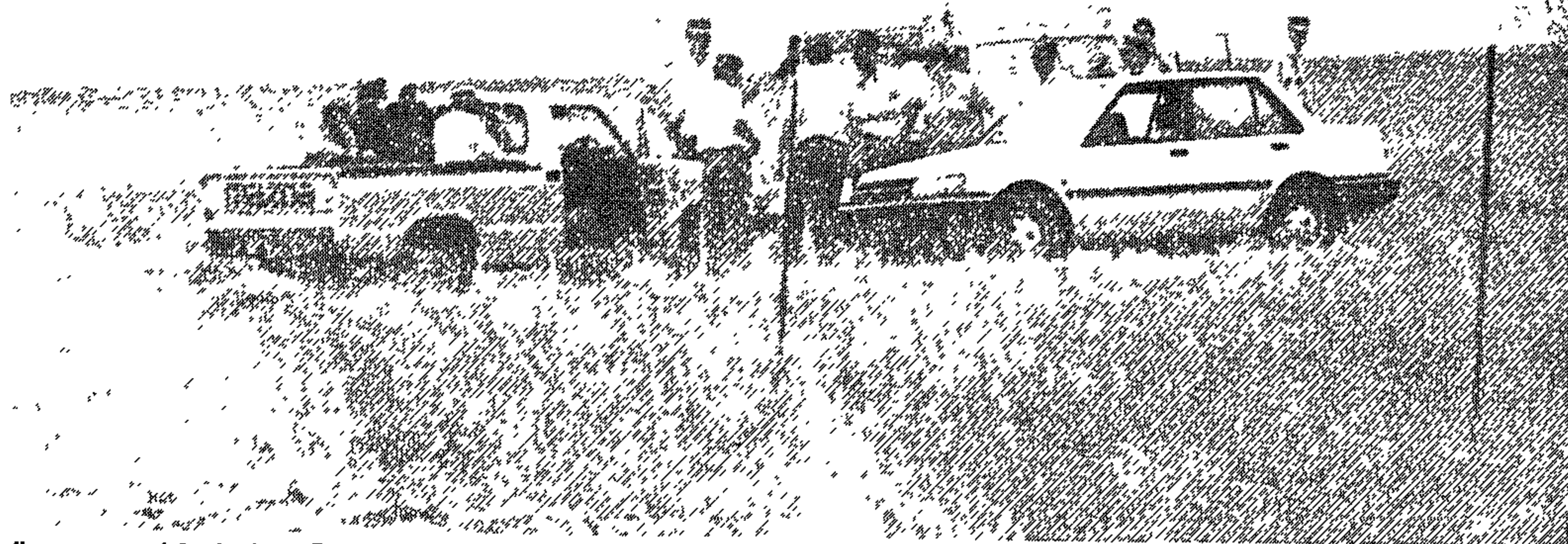
"The farmers of Grabouw owe their wealth to the people who have worked the land. The least they can do is provide them with somewhere to live," said Roger Chenells, the community's attorney.

The community will hold a public meeting this week at which Independent MP Jan van Eck will speak. They will also be meeting with Archbishop Desmond Tutu in the hope that he will be able to assist them.



W. Mail (271)

17-23/2/89.



Police vans and Agriculture Department vehicles block the entrance of Mogopa farm to prevent anybody from entering

Picture: GIL de Vlieg, Afrapix

THE people of Mogopa, evicted from their farm in one of South Africa's most controversial forced removals five years ago, are again faced with expulsion from the land.

This week the government launched an application in the Pretoria Supreme Court for the eviction of scores of people who have returned to the farm to tend to a cemetery where members of the community are buried.

The first shot in Pretoria's latest attempt to clear black people off the farm, owned by the Bakwena BaMogopa tribe since 1912, was fired on February 14 — exactly five years after the first removal from Mogopa.

Development Aid Minister Gerrit Viljoen and Agriculture Minister Greyling Wentzel asked Mr Justice Human for an interdict barring members of the Mogopa community, now dispersed over three settlements in the Western Transvaal, from joining a group of grave cleaners who live and work at Mogopa.

## On the fifth anniversary of Mogopa, a new attack

By EDDIE KOCH

Judgement in this week's court proceedings, expected late this week, is to be followed by a hearing at the end of the month in which the ministers will try to obtain an order to evict some 70 people from the farm.

A small settlement of shanty dwellers sprang up among the ruins of Mogopa after Viljoen last September gave written permission for members of the community to live on the farm and maintain the graveyard.

The government's legal action follows a swoop by security forces on the farm at the beginning of this month in which all access routes to Mogopa were blockaded and the

grave cleaners told to leave the area.

During subsequent negotiations Viljoen turned down a bid by the Botshabelo Trust, which administers funds donated to the people of Mogopa, to buy the land back. "The proposal," said the minister, "cannot be considered favourably in view of the cabinet's decision that the (people of) Mogopa may not return to these farms."

He added that a provisional undertaking by the government not to sell the farm, made in December 1985, would be rescinded and steps be taken to "dispose of the land".

The community, which contested the application this week, will argue during the month-end hearing that the

minister does not have the legal right to evict people from the farm.

But the government's tough stance against shanty dwellers at Mogopa — probably motivated by the fact that the farm is in the middle of a district dominated by the Conservative Party — signals an intention to push ahead with the removal.

Some 4 000 people were expelled by force from Mogopa on February 14 1983 and the land leased to local white farming unions. One of the farmers, who now grazes his cattle on the land, is said to be the brother of Afrikaaner Weerstandsbeweging leader Eugene TerreBlanche.

Since the removal Mogopa's people have been dispersed throughout the Western Transvaal and segments of the community forced to live at Pachsdraai near Zeerust, Bethanie near Brits and Onderstepoort near Rustenburg.

A bitter struggle to regain the right to live on the land followed. In 1985 the Appeal Court in Bloemfontein ruled the removal was illegal because parliament had failed to specify an alternative place for the community to live. But Viljoen then used alternative powers to arbitrarily expropriate the land and prevent people from returning to the farm.

The minister has since made various offers of land to the community but these have been rejected as vastly inferior to the rich farmland at Mogopa.

In September 1987 Mogopa's people, exasperated by their long diaspora, threatened a defiant march back to their land. This was called off after the government undertook to guarantee that future sites for the community would be held in freehold and would not be incorporated into any "homeland".

A meeting between Viljoen and the community is due to take place at the end of the month where the minister is likely to make a final offer of alternative land. It is expected the community will urge him to reconsider the offer to buy back the farm they call their "fatherland".



## Mogopa judgment due

on Friday, February 24.

JUDGMENT in the application by the government to evict a number of black families of the Bakwena ba Mogopa tribe — a move described as an embarrassment for the State — will be delivered in the Pretoria Supreme Court

Mr Acting Justice Human yesterday said although he had promised to give judgment yesterday, pressure of work has forced him to postpone the matter until next week.

## No judgment yet in bid to evict tribe

*27/1/89* Pretoria Correspondent (271)

Judgment in an urgent application heard in the Pretoria Supreme Court yesterday, where the State asked that an eviction order be granted against 70 members of the Mogopa tribe, was postponed to February 24.

Mr Acting Justice Human said that because of work pressure he was unable to pass judgment yesterday as scheduled.

The applicants, the Minister of Agriculture and Water Supply and the Minister of Education and Development Aid, earlier this week asked the court for an order to enable Ventersdorp police to assist them in evicting the tribe members — living on the Zwartrand farm in the Western Transvaal.

The application was brought against Messrs Daniel Molefe, Matthew Mpshe, Peter Chief More and Jacob More, who according to the applicants, represent the various Mogopa tribes.

Pending the eviction order, a temporary order was requested that all members of the tribe, except those presently on the farm, be restrained from entering the farm, and that no structures be put up.

In court papers, the Ministers claimed that the 3 839 hectare farm belongs to the State and is under the control of the Minister of Agriculture and Water Supply.

The tribe opposed the application, claiming that the farm was originally theirs before they were forcibly removed in 1983.



# Integrated Mafikeng prospers

MAFIKENG — Driven by economic necessity to join a black homeland, this previously all-white community has prospered since becoming part of SA's first integrated city.

Mafikeng, the former railroad crossing once known as Mafeking and site of a key battle in the Anglo-Boer War, was incorporated into Bophuthatswana in 1980. In nine years since, its white population has grown from an estimated 6 000 to 7 000, and a number of blacks have moved into or closer to the town. With all this, Mafikeng's economy has blossomed, even without apartheid laws to protect white privilege.

"I moved here because of the commitment to a non-racial future," said Carmen Nathan, a white law professor at the University of Bophuthatswana who arrived from Johannesburg in 1983.

"I didn't come here on a charity mission. I came because I think this place works."

Mafikeng now is part of Mmabatho, Bophuthatswana's capital. There are integrated neighbourhoods, schools, hospitals and swimming pools.

The golf pro at the Mafikeng Golf Club is a black man who spends his afternoons teaching white matrons how to straighten their drives. Black and white students at Mmabatho High School mix easily in the schoolyard by day and at the local ice cream parlour by night.

When Bophuthatswana was designated as independent in 1977, Mafikeng was allowed to remain an SA enclave with apartheid laws, although the town and Mmabatho are an intertwined community.

Mafikeng's white businessmen quickly felt the economic pinch when black shoppers started buying in Mmabatho, where they did not have to pay sales tax.

On September 19 1980 Mafikeng agreed to join Bophuthatswana and became, in effect, a suburb of Mmabatho, which has some 60 000 residents.

## Cushioned

Whites (in Mafikeng) are learning that people mind their own business and choose their own friends, and that you don't need apartheid laws," said Pat Mokhobo, a black doctor whose clinic is in Mafikeng.

However, Mokhobo said Mafikeng's whites still are "protected and cushioned" by an "economic apartheid" that allows them to live in the better neighborhoods and own businesses.

Economically, Mafikeng has experienced a mini-boom since it joined the homeland. Mmabatho's rapid growth has created a housing shortage, and homes in Mafikeng are worth 50% more than similar houses in nearby towns. — Sapa-AP.

# One notice signals the end of old Kabah

A NEWSPAPER notice issued by the Department of Development and Planning has reopened old wounds in Kabah near Uitenhage.

The area is in Langa, where 21 people were shot dead by police on March 21 1985 and nearly another 50 000 people were forcibly removed 19 months later. It could become a group area for white and/or coloured and/or Indian occupation.

On March 15, the Group Areas Board will sit to decide the fate of the area, where about 90 black families are still living. They refuse to move.

A government notice under the Group Areas Act which appeared in the local press this week invited people to submit their opinions on the future of the area in order to advise the minister.

The irony of the situation is after

By MICHEL MULLER

months of negotiation, it was agreed some years ago that Langa would be upgraded. However, when the June 1986 State of Emergency was declared, community leaders were detained and the fate of Langa was placed in the hands of the local joint management centre.

In a matter of weeks, the removals began.

It took four months to move 50 000 people. At the time, opposition representatives described the removals as the biggest piece of social engineering ever undertaken in South Africa.

Andrew Savage, Progressive Federal Party member of parliament for Walmer, said: "The resettlement has taken place without violence or even

serious protest. Indeed, the white population of Port Elizabeth and Uitenhage is almost unaware that it has occurred."

One person who witnessed the forced removal was Kabah resident Virginia Bana. "It was like a war here," she said. "Trucks came at all hours of the night to move people. If you didn't move they just put a big chain around your zinc house and pulled."

Bana said Tyoksville, in kwaNo-buhle, where the 50 000 were moved, was very unhealthy.

"Many of my friends have died since moving there. In winter it is damp and windy," she said.

"Tyoksville is far from town and it is overcrowded there. It is much better in Kabah. There are no tsotsis here and life is much safer." — PEN

Wamc 24/2 - 2/3/89.



# Potsdam

people

W/E News 28/2/89

'trapped'

in Ciskei

by LOUISE FLANAGAN  
Weekend Argus Correspondent

**EAST LONDON.** — The people of Potsdam, near King William's Town in the Eastern Cape, may have won the legal right to live in South Africa, but they cannot find a home outside Ciskei.

The Supreme Court in Grahamstown recently granted three Potsdam residents the right to live in South Africa and the ruling is likely to apply to the rest of the 4 000-strong community.

However, while the court granted the right of residence, it did not set aside a specific piece of land for the group.

While South African officials have yet to respond to the group's desperate need for land, the government has responded to the landmark court ruling by filing an application for leave to appeal against the judgment.

If an appeal is granted, it could take more than a year to be heard and observers fear South African officials may refuse to grant any land until after the case is finalised.

The case followed a struggle lasting several years by the group to leave Ciskei. They were forcibly removed from South Africa to Ciskei in 1983 and have unsuccessfully fled the territory twice since then.

## Backlash fear

In spite of the court ruling, the group are still trapped in Ciskei. They are now living in fear of a backlash from the territory's authorities in the wake of the judgment.

An additional problem is that the group cannot regain their South African citizenship until they are again permanently resident here. Without citizenship, their access to South African facilities such as hospitals and pensions is severely limited.

The Potsdam community now feel that since the court ruling, South Africa is under a moral obligation to provide them with land.

Last week, Potsdam residents appealed to East London mayor Mr Donald Card for help. He telexed the Minister of Foreign Affairs, Mr Pik Botha, and the administrator of the Cape, Mr Eugene Louw.

Neither Mr Botha nor Mr Louw have yet responded to the appeals.

In a visit to the mayor's parlor, Potsdam representatives outlined their position to Mr Card. They were accompanied by a lawyer and representatives of the Border Council of Churches, the World Vision, the Black Sash and the Grahamstown Rural Committee.

The same day, Mr Card received over a dozen letters from officials, community and church groupings in the United States city of Milwaukee, all calling on him to help Potsdam.

## Twinned with US city

Last year, Milwaukee "twinned" with Potsdam in an attempt to throw international attention on the community's plight.

The letters called on Mr Card to give meaning to the court ruling by helping the group find a permanent home in South Africa.

After their meeting with Mr Card, the Potsdam group said they were "appealing to him as a human being to use his office to help us".

They explained that they needed Mr Card's visible support to persuade the rest of their community to stay in Potsdam until a piece of land became available, as most of the community were desperate to leave.

"If the authorities don't respond to the appeal for land, they are going to have a crisis on their hands," said World Vision's Mr Tim Wiggley. "The Potsdam people are trying to avoid a crisis by approaching the officials".

Mr Card acknowledged the urgency of the situation and the need for land, but said he did not have much power over the group's future.

"All I can do is pass on their message," he said.

"It's a very serious problem. The courts ruled that what happened there is illegal, so some land must be found. If none is found, we will have a massive squatting problem."

# Kabah declared another group area

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## 50 000 in shacks moved to make way for mixed housing

### CP Correspondent

THE Department of Development and Planning has dropped a bombshell on residents of Kabah in Langa near Uitenhage, where 21 people were shot dead by police in March 1985 and 50 000 were forcibly removed 18 months later.

The area has recently

been declared a group area "for white and/or coloured and/or Indian" occupation.

The government notice invited people to submit their opinions on the matter "in order to advise the minister" under the Group Areas Act of 1986.

What will happen to the 50 or 90 African families

still living in Kabah is unknown, but the Group Areas Board will sit on March 15 to decide the fate of the area.

But residents refuse to move unless they are provided with brick houses to live in.

Virginia Bana, an old Kabah resident, said she had escaped one eviction

and would not budge.

"My husband - who is now 96 - built the house with his own hands. Unless they give me a decent house with seven rooms, I will not move."

Bana said she escaped the 1986 mass removals because she got permission to stay.

"If you did not move,

they just put a big chain around your shack and pulled."

Bana said Tyoksville, KwaNobuhle, where the 50 000 people were moved to, was very unhealthy.

"Most of my friends have died since they moved there. There were cruel when they moved the old people."

"It was winter and damp and windy. I'm sure my husband would have died too."

The irony of the situation is that in 1986, after months of negotiation, it was agreed that Langa would be upgraded. However, with the June 1986 state of emergency, community leaders were detained and the fate of Langa was placed in the hands of the local Joint Management Committee.

In July that year, the removals began. It took four months to move 50 000 people.

Andrew Savage, PFP MP for Walmer then, said "the resettlement has taken place without violence or even serious protest. The white population of Port Elizabeth and Uitenhage is almost unaware that it has occurred". - Pen



# Group Areas threatens to split community of 137

by ANDREA WEISS  
Staff Reporter

A COMMUNITY of 137 Grabouw residents may be split down the middle if an answer to a Group Areas problem is not found.

The residents, who live on a farm called Klipkop adjoining the town, will soon have to vacate the old stone houses they have lived in for the past 10 years to make way for a new housing development.

The black members of the community face a move to Khayelitsha as Grabouw has no residential area for blacks.

For the coloured members, the only option is to go on to a waiting list of 2 000 or to be, literally, "farmed out" to farms in the area where housing is already an acute problem.

One of the older residents of the community, Oom John Mbangi, 64, spoke for everybody when he said, "We will not hear of Khayelitsha."

He and his elder brother, Oom July Mbangi, 66, have lived and worked in Grabouw since the 1940's. As private contractors they chop and sell wood.

Many residents of Klipkop work for them.

Ironically, this will be the first time the brothers will be faced with a Group Areas removal.

All their long lives they have lived in mixed communities.

As a woodcutter, Oom John Mbangi fails to see what work opportunities exist for him on the extensive sand flats of Khayelitsha.

His sentiments were echoed elsewhere, particularly by his nephew's coloured wife, Sophia Plaatjies, who is nine months pregnant.

She said: "People live well together here. I can't understand that they want to spread us out. We will not be able to work."

Fear of Khayelitsha weighs heavily on the minds of this rural community.

Although their homes can hardly be called luxurious, without running water or sanitation, there is the surrounding beauty of the mountain village and space to keep a few chickens.



Oom John Mbangi

OwaOwa 11 138  
 Lebowa 103 138  
 Gazankulu 47 303  
 KwaZulu 247 362  
 KaNgwane 33 468  
 KwaNdebele 15 706  
 TOTAL 458 115

(b) 789 270

Information as on 01 03 1988

The 1989 enrolment is not yet available

Greater Cape Town: White/Coloured/Indian residents

62. Mr C W EGLIN asked the Minister of Home Affairs:

What estimated number of (a) Whites, (b) Coloureds and (c) Indians resided in the Greater Cape Town area as at 31 December 1988?

B162E

The MINISTER OF HOME AFFAIRS.

Information for 1988 on the basis as required by the hon member is not available in my Department Population numbers are obtained by means of population censuses. The latest available information therefore, is that in respect of the 1985-Population Census. In this regard I refer the hon member to my reply to Question No 548 of 11 March 1988 which appeared under his name on the Question Paper.

Self-governing territories/independent Black states: land excised

126. Mr J J WALSH asked the Minister of Education and Development Aid.

Whether any land made available for occupation by Blacks since 1936 has subsequently been excised or is to be excised from self-governing territories or independent Black states, if so, (a) what area of land, (b) which such territory or state was involved, and (c) when, in each case?

B279E

The MINISTER OF EDUCATION AND DEVELOPMENT AID

Yes The required information, however, is

HOUSE OF ASSEMBLY

not readily available. No special record in the form of a register is kept in this connection and the required information cannot be ascertained without performing a considerable volume of work, which is deemed unjustified.

Self-governing territories/independent Black states: land incorporated

127. Mr J J WALSH asked the Minister of Education and Development Aid.

Whether any land made available for occupation by Blacks since 1936 has subsequently been incorporated or is to be incorporated into self-governing territories or independent Black states; if so, (a) what area of land, (b) which such territory or state was involved, and (c) when, in each case?

B280E

The MINISTER OF EDUCATION AND DEVELOPMENT AID.

All the required information is not readily available as no special record in the form of a register is kept in this connection. The present total extent of the independent states and self-governing territories given hereunder, includes land which was set aside for occupation by Black people in terms of the Black Land Act, 1913 (Act 27 of 1913), as well as land released in terms of the Development Trust and Land Act, 1936 (Act 18 of 1936), which belongs to individual Black people, Tribes, the South African Development Trust and the various Black Governments.

Transkei	4 287 000 Ha.
Bophuthatswana	4 214 737 Ha.
Venda	708 897 Ha.
Ciskei	794 827 Ha.
KwaNdebele	239 958 Ha.
Gazankulu	796 789 Ha.
OwaOwa	90 276 Ha.
KaNgwane	505 615 Ha.
Lebowa	2 527 697 Ha.
KwaZulu	3 239 522 Ha.

Irrespective of the abovementioned areas of land already included into the areas of jurisdiction of the various states as indicated, the Government is also engaged in the systematic addition to the different states of a further ±2 300 000 hectares consisting of properties of the South African Development Trust, Tribal owned land and land belonging to individual Black people

# INTERPELLATIONS UNDER NAME OF MEMBER

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CME Trib 15/3/89 (271)

## Farm part of Bophuthatswana

PRETORIA. — The Braklaagte farm and its residents — who are all South African citizens — will be incorporated into Bophuthatswana, the Supreme Court has ordered here.

An application to have the government's decision to incorporate the Western Transvaal farm into Bophuthatswana declared invalid was dismissed with costs by Mr Justice Van der Merwe.

The application was brought by Chief Pupsey Sebogodi of the Braklaagte tribe, questioning the validity of proclamation Number 220 ordering that from December 31 last year "the farm in the Marico district ceased to be a part of South Africa".

In court papers, Mr Sebogodi said the validity of the proclamation affected two fundamental concerns, namely under what state and system of law he and his community were to fall and the important consequences with regard to citizenship. Dual citizenship is prohibited under Bophuthatswana law.

The Braklaagte community had earlier said they feared the possibility of persecution by the Bophuthatswana authorities.

In April 1986 a new chief was installed in their area by Bophuthatswana officials and their chief, who had ruled them since 1949, was deposed.

This was however challenged because the farm was still on South African soil, but following the Supreme Court order, the farm residents will not be able to oppose this any longer. — Sapa



## cape educational computer society

P.O. Box 24427  
Lansdowne,  
7780

Tel: 6370563



CECS is an independent, non-racial, democratic organisation in the Western Cape which aims to encourage and develop the appropriate and progressive use of computers in education in South Africa today.

We invite applications for the following full-time posts from people who can work in a democratic environment, are community oriented, and wish to make a relevant contribution in the field of education. The posts will be available from April 1989.

### Project Centre Administrator

This post will involve:

- administering our Project Centre, scheduling its use
- setting up and maintaining stock and library systems
- some financial administration
- generally overseeing daily operations
- effectively delegate and follow-up admin tasks
- work closely with the Project's Co-ordinator in the organisation of a National Computers in Education Conference to be held later this year.

### Qualifications:

Administrative and organisational experience and the ability to delegate and co-ordinate activities are important. Confidence with basic accounting helpful. Computer experience not vital as training can be given.

### Skills Training Co-ordinator

This post will involve:

- conducting computer skills training on IBM-compatibles
- research and development in major application software
- technical trouble-shooting, software installation etc.
- servicing the needs of CECS

### Qualifications:

Teaching experience helpful. The applicants need not be highly proficient as intensive training can be given.

APPLICATIONS SHOULD BE MADE IN WRITING TO CECS, PO BOX 24427, LANSDOWNE, ACCOMPANIED BY A FULL CV AND REFERENCES SHOULD REACH US BY 24 MARCH 1989.

FOR ENQUIRIES PHONE  
021-6370563.



## ECONOMICS CO-ORDINATOR (CAPE TOWN)

We wish to appoint an Economics Co-ordinator at our Cape Town campus. The position involves teaching the first-year Economics course and related administrative duties. In addition, the appointee will be expected to contribute to the further development of the course. Applicants should indicate other areas of interest and competence.

Starting date negotiable, but preferably May 1 1989. A minimum of an Honours degree is required; relevant teaching experience will be a strong recommendation.

Khanya College is an independent initiative to provide quality tertiary-level education to meet the needs of academically capable South Africans with limited options for university study. The college aims to develop an educational model informed by the ideal of a unitary, democratic South Africa.

The successful candidates for this position will accordingly be committed to an innovative and democratic environment and to contribute to the development of a new and exciting project.

Applications, including a full curriculum vitae, the names and addresses of three referees and copies of academic certificates should be addressed to: The Project Co-ordinator, Khanya College, 3 Anson Road, Observatory 7925.  
CLOSING DATE: 3 April 1989  
ENQUIRIES: (021) 47-4719

# Preparing for the

MXOLISI MBANDANA could find his way to work blindfolded, his work is that close to his home in Kraaifontein.

But from Khayelitsha or anywhere else it would be a different story.

"I wouldn't know how to get to work other than by walking," he says worriedly.

Mbandana's anxiety reflects one of the biggest headaches confronting communities threatened with removal - the great distances most new settlements are from places of work.

Mbandana, his wife Lena and their three children have lived in Bloekom-bos since 1986.

Mbandana and three other squatters are employed at the Cape Provincial

Administration depot - a slow 50-metre stroll away from their homes.

"We are happy here and we don't want to move," says 36-year-old Lena Mbandana, who has lived in the district all her life.

The problems facing the Bloekom-bos squatters are not unique. Squatter communities scattered throughout the Peninsula are confronted with the same uncertainties.

Bloekom-bos squatters have faced constant harassment by local authorities, have been arrested for trespassing and have been victims of early morning raids in which their shelters have been destroyed.

Khayelitsha - one of the areas they were initially told they would be moved to - is a daunting 10 kilometres away.

Living without a water supply and

proper sanitation, they have waged constant battle for survival.

Like other squatter communities in the Western Cape, they have repeatedly attempted to move them from an area where many of them are employed.

What makes Bloekom-bos different is that in a few weeks the 127 residents from this small community become the first squatters in the country to be prosecuted under newly passed Prevention of Illegal Squatting Act.

As soon as the Act became law, Kraaifontein municipality wasted little time in serving the residents with eviction notices and immediately sought a court order to make the action legal.

The case was postponed to April to allow residents time to file responding affidavits giving reasons



She's too young to understand the uncertainty

## 40 face eviction

ABOUT 40 contract workers face eviction this week from their hostel on a farm in Hermon near Wellington.

The Paarl Regional Services Council has told the owners, Mr Evert Kotze and Mr W Verdyn, that the workers must vacate the premises by Wednesday because the building is an illegal structure.

The workers are employed at Witstaalverspreiders, a galvanised wire factory in Hermon.

Last year, they were evicted from the hostels by Kotze, Verdyn, his brother and three foremen after being dismissed for joining the South African Allied Workers' Union.

Several workers' possessions were destroyed and a worker's dog was killed and roasted in the incident.

The Supreme Court issued an interdict restraining the men from further assaults and the workers were subsequently reinstated by the industrial court.

Kotze then claimed he was unable to provide them with accommodation but was forced in terms of a subsequent court ruling to house the workers.

A spokesperson for the Paarl Regional Services council confirmed that the workers would have to leave the hostel.

He said the structure was illegal and there were no sanitary facilities for the workers.

There was no provision made for blacks to live in Hermon and they would have to leave the area unless the factory owner could provide suitable alternative accommodation.

The spokesperson confirmed that the RSC was applying in the Supreme Court for an eviction order to remove about 34 dismissed workers who have been squatting on RSC land since November.

The workers were evicted from their hostels after being fired from Paarl Brickfields last year.

# Living in of remo

MORE than 8 million people are living in the shadow of forced removals following the passing of the Prevention of Illegal Squatting Act last month.

The act is an ambitious attempt at social engineering which provides the authorities with tight control over informal housing.

This includes wide-reaching powers to evict squatters, demolish structures and prevent the growth of squatter settlements.

The National Committee against Forced Removals has warned that the implementation of these measures coupled with the severe housing crisis which has forced thousands of people to squat, is "a recipe for violence".

The act provides for three methods of preventing squatting - criminalisation, demolition and administrative removal.

It makes squatting a criminal offence with the onus on the accused to prove his innocence. If convicted, a squatter faces a fine of up to R10 000.

The presiding magistrate or judge has to order the removal of a convicted squatter even if there is no alternative accommodation for him. An appeal cannot halt this ejection process.

The Act removes control of the eviction and demolition process from the courts.

Shacks can be demolished without a court order and the courts cannot stop a demolition once it has begun, even if the demolition is unlawful.

The only way a demolition can be stopped is if it can be proved that it is in bad faith, something which, according to the NCR, is almost impossible to prove.

A magistrate can order the removal of squatters if a local authority, landowner or the legal occupier of the land can prove that people are on the land without permission.



In areas without a local authority, the administrator can appoint committees which have the power to evict squatters. Squatters can also be evicted by the courts.



## FORCED REMOVALS

# unknown

why they should not be evicted.

When the matter comes up in the Bellville Magistrates Court the proceedings will be closely followed by civil rights groups, who view the new act as a "draconian piece of legislation which heralds a return to influx control".

The Kraaifontein municipality bought the land on which Bloekombos is situated from the Department of Public Works and Lands in 1987.

Besides being illegal, says the municipality, the squatter settlement constitutes a health threat.

Farmers in the area have accused the squatters of stealing their water and crops - an accusation vigorously denied by the squatter community.

Living in a cluster of 17 shacks situated about 100 meters from the Old Paarl Road, the Bloekombos squatters are dreading being forced to move

from a place they have made "home". "We don't have water and we don't have toilets, but we are happy here," says 30-year-old Freda Kruger.

Bloekombos is an integrated community of African and "coloured" families, with many of them having lived in the area since 1983.

Twenty-two-year-old Marie Willemse, who has an 11-month-old baby, is "afraid" of what the future holds in store for this closely-knit community.

"We have all become friends in Bloekombos and I have grown close to many people here," she says. "No one wants to leave here."

In years past, the squatter community would at this time of the year be bracing themselves for a cold and bitter Cape winter.

Now they are preparing for the unknown.



Mrs Lena Mbandana, 36, with a list of people facing eviction

## Families face removal

From MICHEL MULLER  
PORT ELIZABETH. —

The Group Areas Board meets this week to decide the fate of Kabah, near Uitenhage.

This area in Langa, where 21 Africans were shot dead by police on March 21 1985 and nearly another 50 000 people were forcibly removed 18 months later to Kwanobuhle, could become a group area "for White and/or Coloured and/or Indian occupation".

What will happen to the 50 or 80 African families living in Kabah is unknown.

Representations to the Board close this Friday.

Meanwhile, a police investigation is underway regarding allegations of fraud involving millions of rands during the removal.

According to an auditor's report, payment was allegedly received for the construction of 3 000 iron houses. However, an inspection revealed that only 2 000 have been built.

The fraud allegations also relate to the acceptance of remuneration from transport contracts during the removals.

It has been said that trucks sold like hot cakes in Uitenhage and nearby Despatch and many people made "fortunes" during the four months of upheaval.

Those remaining in Kabah are adamant that they will not move unless they are paid out for their homes and get brick houses to live in

### Detained

The irony of the situation is that in 1986, after months of negotiation, it was agreed that Langa would be upgraded.

However, when the June 1986 state of emergency was introduced, community leaders were detained and the fate of Langa was placed in the hands of the local Joint Management Centre

It was only a matter of weeks before the removals began.

It took four months to move 50 000 people. At the time, Opposition spokespersons described the removals as the largest example of social engineering ever undertaken in South Africa.

Mr Andrew Savage, the then PFP MP for Walmer, said: "The resettlement has taken place without violence or even serious protest. Indeed, the white population of Port Elizabeth and Uitenhage is almost unaware that it has occurred."

One person who witnessed the whole forced removal was Mrs Virginia Bana.

"It was like a war here," she said. "Trucks came all hours of the night to move people."

"If you did not move they just put a big chain around your zinc house and pulled."

"I'm not worried about being kicked out of my house now. I will just refuse to leave until I get a new one."

Bana said conditions in Tyoksville, Kwanobuhle, where the 50 000 were moved, were unhealthy.

Mrs Violet Fatman, a mother of three, also said she would not move to Tyoksville.

"It is much better here. The weather is better, too. There is very crime and life is much safer." — PEN



Mrs Marie Willemse, 22, and Pat 11-months, bracing themselves for the unknown

percent of these living on farms in South Africa are farmworkers. This means about 3-million people face removal from farms throughout the country.

Last year, the SA Agricultural Union urged farmers to report the presence of squatters on their farms to the police and the NCR fears a "blitz" on farmworkers.

The act allows for the authorities to expropriate land where squatters are living. Such areas then become "transit camps" under the control of the local authority.

The administrator may also expropriate land and control what happens in such a "designated area".

"Taken as a whole the act is a draconian piece of legislation which heralds a return to influx control," said a Surplus Peoples Project spokesperson.

Critics see the removal of recourse to the courts as one of the most disturbing aspects of the act.

"The act represents a serious undermining of the rights of the courts to review administrative decisions and does away with almost all legal protection," said Chris Albertyn, co-director of the Centre for Socio-Legal Studies at the University of Natal.

Albertyn, who submitted recommendations about the act when it was in draft form last year, said it deprived the courts of the right to consider if alternative accommodation was available when making decisions about eviction of squatters.

"Both these provisions of the act reflect a lack of sympathy for the plight of those forced to resort to squatting through no fault of their own," he said.

Serious reservations were expressed about the act by the President's Council last year.

There were strong rumours that the act was passed as a trade-off for holding back with the Group Areas Act.

It was first tabled in parliament in June last year and retabled with slight amendments in August. The House of Assembly passed it in September but it was rejected by the House of Representatives and the House of Delegates.

In October the bill was submitted to the President's Council, after which it was signed by the State President.

*The implementation of the Prevention of Illegal Squatting Act is "a recipe for violence", according to the National Committee against Forced Removals. CHIARA CARTER and HENRY LUDSKI report on what some organisations describe as a draconian piece of legislation which heralds a return to influx control.*

*HENRY LUDSKI also took the pictures*



The entire community at Bloekombos face removal under the new law

a landowner refuse, he is liable to a R10 000 fine and this decision cannot be contested.

The act also applies to the 3,5 mil-

lion people living on farms throughout South Africa.

Only those employed on farms have the right to live there. Their families

The NCR estimates that only 17 and retired farmworkers are classified squatters and can be removed from the farm.



# Two detained after meeting ambassador

CP Correspondent

TWO members of the Nkqonkqweni Residents' Association were detained by the Ciskei security police at the weekend following a meeting of Peelton and Postdam residents with Canadian Ambassador to SA, Ronald Maclean.

Nkqonkqweni was incorporated into Ciskei last August against the will of the residents.

Attorney Mike Smith this week confirmed the detention of Mongezi Hlanganiso and Mfukuka Jente. Smith said the Ciskei police had not confirmed the detention.

He said a court order was granted restraining Ciskei forces from harassing Peelton residents. A contempt of court order would be investigated by his office. - Veritas

Chen  
271  
19/3/89



# Langebaan mayor denies 'racist' label

By MONICA GRAAFF

THE mayor of Langebaan — whose council has decided to evict blacks from the town — said last night he was "not a racist, but a pragmatist".

Mr André Groenewaldt was responding to an article which appeared in Wednesday's Cape Times, in which it was said that the Langebaan Town Council last week decided — at the request of the town's coloured management committee — to evict blacks as soon as the nearby Mykonos development came up with alternative accommodation.

It quoted Mr L Benjamin, chairman of the coloured management committee, as saying "that (township) residents were opposed to blacks living in their backyards because they were 'too forward with their daughters' and that a fight had once broken out in the street".

Mr Groenewaldt complained that the article presented him "as a racist" and as the person "responsible" for the decision. He added that he was "merely a tool in the hands of his coloured neighbours".

Mr Groenewaldt added that Langebaan was not "a Boksburg or Carletonville", and that "anybody who is civilised" was welcome in the town.

The Cape Times yesterday quoted Mr Groenewaldt as saying that "the town council was acting on a request from the town's coloured management committee which did not want 'black people of lower cultural standard' living in the coloured township".

The blacks, he said, mainly migrant workers from the Transkei, would be "gradually phased out of Langebaan" as accommodation near their place of employment became available.

Officials have blamed Mykonos contractors for employing blacks without providing accommodation, as there is no township for blacks serving the towns of Langebaan, Saldanha, Vredenburg and Veldrif.

PAGE 6

CITY PRESS, March 26, 1989

# Residents dismiss CP plans for Bophelong



# 'Old-hat policies have no place in the present-day South Africa'

By STAN MHLONGO

PLANS by the CP-controlled Vanderbijlpark Town Council to move 22 000 residents of Bophelong township and turn the place into a "white area" is wishful thinking, according to one of Bophelong's oldest residents.

"The winds of change are blowing too fast, and old-hat policies such as those of the CP have no place even in apartheid South Africa in this time and age," Jeremiah Tsolo said this week.

Ironically, Tsolo said, the 41-year-old township would survive threats by the CP "because of apartheid."

"Bophelong residents in particular can thank the Afrikaner for bringing in the discriminatory apartheid system, because it has united us in the struggle for our total liberation."

"It will also unite locals against removals from Bophelong."

Tsolo, who claims to have witnessed the founding of Vanderbijlpark next to Bophelong in 1948 by Hendrik van der Bijl, said the township was created so residents could live close to their work.

"Suggestions by the CP that Bophelong be moved is merely the last kick of a dying horse, offered by the advocates of apartheid at a time when the government is talking of reform."

"To be militant against inhuman policies such as removals is a just cause. The evil apartheid system has forged unity among blacks - something that was missing among our people in the past," said Tsolo.

Said another long-time resident, April Tsolo: "Bophelong means life, and I have found life in this place. Where does the CP expect me to go, old as I am?"

Added businessman Johnny Morena: "I have built myself a shop."

"Will the CP pay me back if I am forced to move from this area? If they do, I'll be willing to move."

When the issue of Bophelong's removal was raised in 1985, it was said the aim was to provide housing for 79 000 whites.

The Lekoa Town Council then estimated the cost of moving Bophelong residents to Sebokeng at R40-million.



Jeremiah Tsolo: 'Winds of change blowing too fast.' ● Pic: BP SETUKE.

March 26/89



# Braklaagte

chief, people

GP 1-1-13 29/3/89  
detained

JOHANNESBURG. —  
Braklaagte leader Chief  
Pupsey Sebogodi, who  
led his village's fruitless  
battle against incorpora-  
tion into Bophuthats-  
wana, has been detained  
under the homeland's  
Internal Security Act  
along with an estimated  
50 residents of the area.

A spokesman for the  
Transvaal Rural Action  
Committee said the de-  
tentions were seen as a  
bitter fulfilment of pre-  
dictions that the home-  
land authorities would  
take revenge on Brak-  
laagte, a community of  
some 9 000 people, for its  
resistance to incorpora-  
tion.

Bophuthatswana  
police spokesman Colo-  
nel David George said he  
was unaware of the de-  
velopments but would  
investigate.



# Braklaagte: living in the twilight zone

By MARTIN NTSOELENGOE

THERE seems to be no end to the twilight life of the Braklaagte community — South Africa does not want them and, in turn, they do not want to be incorporated in Bophuthatswana.

On March 10 they lost their case challenging incorporation into the homeland. And 13 days later a large contingent of Bop police and army personnel entered Braklaagte and set up a camp in the middle of the village.

A roadblock was also set up at the entrance of the village.

When schoolchildren came home from Zeerust one evening, their bus was stopped at the roadblock and they were ordered off the bus and made to stand in two lines.

They were asked individually if they supported Bop or South Africa.

All those who said they were South Africans, were beaten by soldiers with rifle butts. The beatings were so severe that their blood-soaked shirts stuck to their backs.

Because of the assaults, tensions ran high and acting Chief Popsy Sebogodi called a meeting with the commanding officer.

It was agreed that the assaults on the schoolchildren were uncalled for and should not be repeated. There was also agreement that soldiers would remove the roadblock. However, this was not done.

When *City Press* spoke to Col David George of the Bop Police, he said he was not aware schoolchildren had been assaulted. He said police and army personnel were there to maintain law and order.

George declined to say anything about

the arrest of Rev George Mogosi, 55, and subsequent assaults on him.

It is believed that Mogosi was assaulted to such an extent that when Sebogodi and 63 others went to court, he (Mogosi) was taken to the Lefurutshe Hospital.

He had been severely beaten with sjamboks. His back was criss-crossed with welts and bleeding sores. While the beating went on, the detained people were not given food.

When lawyers acting for the community wanted to see their clients, permission was refused, although the Criminal Procedures Act gives people that right.

He declined to comment about the arrest of Sebogodi and 63 others, saying they were in the hands of the Bop prison authorities.

George said they were facing charges of public violence, arson and malicious damage to property.

The situation is said to be so tense that many villagers — some more than 70 years old — are hiding in the bush, and some are said to be on their way to the Reef.

Things came to head over the Easter weekend, when returning migrant workers sought to find out what was happening in their village. They were teargassed, sjambokked and had dogs set on them.

Chief Lucas Mangope has made it clear that communities who refuse to join Bop are traitors.

This is why the Braklaagte community fear they may be harassed and persecuted. The community's main fear is that the chief will be replaced by someone favoured by Mangope.

# Victims of the 'toothpaste' syndrome

DURBAN. - Beauty Msibi got up early on Tuesday and took the bus into Durban, where she was treated for sugar diabetes.

By the time she returned to Luganda, a semi-rural community founded in the mid-1850s near Marianhill, her home had been crushed by a bulldozer.

Msibi and others were evicted from their homes to make way for a planned Indian suburb with residences costing R40 000 each.

According to Clive Forster of the University of Natal's Built Environment Support Group (BESG), Msibi is a victim of the "toothpaste tube" syndrome.

"If you squeeze people out on one side, they will just pop up somewhere else," explains Forster. "We have to break away from this business of moving out everyone who's poor and the wrong colour."

Regina Hlongwane, 71, now sleeps in the bush after her parents' house, where she was born at the end of World War I, was demolished by the bulldozer last week.

And Paul Shezi, 56, says he has to "sleep like a rabbit" after his two stone homes, sheltering 25 people and possessions such as a TV, radio,

stove and furniture, were flattened before Christmas.

Despite the destruction of 36 homes, the 1 000-odd Lugandan residents are considered luckier than other "toothpaste tube" victims.

Bad publicity has forced Comhousing to suspend their R80-million House of Delegates development scheme for a month.

In the meantime, though, the Natal Provincial Administration (NPA) is hastily preparing resettlement plots on a nearby hill for approximately 1 000 people.

Both the House of Delegates (HoD) and NPA participation in the removals has come under attack.

The 1985 census tables show that half the Marianhill population, constituting 20 000 blacks, lived on 8,3% of the land, while the Indian third of the population had over half the land.

The white fraction (0,58%) had more than double the land allocated to blacks.

Trevor Bomhomme of the Durban Housing Action Committee (DHAC) has lambasted the HoD for "paying lip service to the Group Areas Act while implementing it to the hilt".

But Dr J N Reddy, the incoming head of the HoD's Minister's Council,

which carries with it the housing portfolio, has denied responsibility for the removals and said Comhousing "acted on their own initiative".

Reddy said he regretted moving people but while the Group Areas was law, it had to be obeyed.

Comhousing general manager Jan Joubert has admitted that the NPA's housing and welfare chief, Martin van Zyl, is among Comhousing's dozen directors, but says a conflict of interest has "never up to now" arisen.

Claiming Comhousing was losing R1 500 a day, Joubert said the firm could not "provide land/homes for the indigent, although it has gone out of its way to persuade the NPA to provide for the squatters".

Ken Ellis, a Comhousing security company "freelance", who called in dozens of police to circle his rented bulldozer, said the correct procedure of eviction notices and warnings had been followed.

Angry community leader Protas Madlala, from nearby St Wendolins, vowed to "sacrifice" their upgrading scheme by the same developers.

"We'll kick you out," he told Ellis. PFP MP Roger Burrows said a backlash could force Comhousing "to wash their hands of black housing".

- DURBANNEWS.

271 Smith  
5-12/4/89



When Pretoria handed the Western Transvaal settlement of Braklaagte over to Bophuthatswana, a whole community of South African citizens became exiles without moving an inch.

Since Braklaagte residents lost the court case in which they opposed incorporation, they have discovered that South African citizenship is meaningless when the land under foot changes its "nationality".

Says Braklaagte Chief Pusey Sebogodi: "You cannot enjoy the rights of a South African citizen if you live inside Bophuthatswana. Particularly since the homeland is opposed to dual citizenship."

If British Chief Justice Earl Warren was right in his assessment that "citizenship is man's basic right. For it is nothing less than the right to have rights", then the position of Braklaagte — a community of some 9 000 — is precarious indeed.

Events surrounding the recent arrest of scores of community members together with their chosen chief highlight this.

The President of Bophuthatswana, Mr Lucas Mangope, said the "actions of the force were a routine maintenance of law and order" arising from certain acts of arson and public violence.

## Houses attacked

But those arrested allege that they were subjected to days of assault by policemen at the Motsvedi Police Station.

Nobody denies that four houses were attacked at Braklaagte on Thursday March 23. The simple arrest of persons linked to violence is justified in law. And it is for the courts to determine their guilt or innocence.

But there is substantial evidence to suggest that the actions of the forces went well beyond these essentially legal steps. A host of questions begs to be answered.

● Why did the Bophuthatswana military pitch a camp at Braklaagte more than 24 hours before any arson or stone-throwing occurred?

"We moved in there with the Bophuthatswana Defence Force in anticipation of events occurring," says the homeland's police spokesman Colonel David George. "We were there in a peace-keeping role." Residents say that the first action of the soldiers when they arrived was to set up a roadblock at the entrance to the village, to halt the school bus, to line up the school children near the bus and to assault

# Exiled, but they never moved from Braklaagte

By JO-ANNE COLLINGE

Events surrounding the recent arrest of scores of Braklaagte residents highlight the precarious position in which this community exists.

them with sjamboks and rifle butts.

President Mangope has denied this took place. Lawyers are in possession of statements by witnesses and alleged victims which detail the event.

● If the arrests on the Thursday night were "normal maintenance of law and order", why do those held allege they were assaulted and subjected to torture by police at Motsvedi for days after they were apprehended?

It is beyond doubt that the prisoners held at Motsvedi police station were severely assaulted. The open wounds left by severe lashing and bruises left by lesser beatings are evidence of this.

Apart from alleging that they were sjambokked by police, punched and kicked, many prisoners said they had to lie on the ground while police trampled them.

Some were allegedly beaten with a rod on the back of the neck. One of the group was admitted to hospital.

Colonel George said that these allegations of assault were being investigated.

● Why do many of those who allege they were assaulted claim that the assaults were a consequence of them maintaining that they were South African (rather than Bophuthatswana) citizens and that their leader was their elected Chief Sebogodi (rather than Mr Edwin Mollwa, who is a known supporter of

the homeland authorities)?

● The school children claimed that an unsatisfactory answer to the citizenship question caused them to be assaulted, while those held at Motsvedi say the question of chieftainship was frequently put to them as they were beaten.

● Why were attorneys not given immediate access to their clients as they were entitled to in law? Why did they have to threaten Supreme Court action before they were allowed into the cells (a full week after arrest) to interview their clients?

All these events have left Braklaagte residents with a feeling that an erosion of their rights has accompanied incorporation. They say the rule of law does not apply to them and the authority of the chief they elected last year is in jeopardy.

As South African citizens their land rights in Bophuthatswana are actually endangered by the homeland squatting law. As a community with a tradition of peasant farming, their land is almost holy to them.

## Inhospitable

"This fight is about our land," says Chief Sebogodi. "And we will continue to struggle for it. We are not going to give up at six o'clock in the morning." He says legal action at Appeal Court level has not been ruled out.

History does not hold particular comfort for the people of Braklaagte. Bophuthatswana has been inhospitable to non-Tswanas and non-citizens.

The huge Free State settlement of Botshabelo was created a decade ago as a place of refuge for Sotho people from the Bophuthatswana area of Thaba Nchu. And huge tracts of kwaNdebele were populated by non-Tswana people fleeing from harassment in the Bophuthatswana area north of Pretoria.

The Transvaal Rural Action Committee (Trac) says the Braklaagte situation calls to mind the conflict when Moutse was made part of kwaNdebele (a decision later reversed by the Appeal Court).

● "In many ways we have felt as if we were back in Moutse in January 1986. We have seen many people flee their homes and live in the bush — both children and the very old. We have seen the shock and trauma of the victims of assault."

Trac warns that violence could become endemic in Braklaagte and insists "only the reversal of the incorporation will bring things back to normal".

P.T.O. for Pictures

# Govt under attack for trying to dodge courts

274 Political Correspondent

CAPE TOWN — The Government has been slammed for new legislation which opposition politicians say is aimed at circumventing court decisions overturning the incorporation of areas into homelands.

The Alteration of Boundaries of Self-Governing Territories Bill tabled in Parliament yesterday makes it clear that "no court of law shall be competent to inquire into or pronounce upon the validity of any proclamation issued" by the State President.

The Bill would also retroactively validate any previous proclamations adding to or subtracting from national states's territories.

The incorporation of the Moutse area into the kwaNdebele homeland is specifically excluded from this last provision, a memorandum to the Bill says.

Mr Ray Swart, the Progressive Federal Party's constitutional spokesman, said last night the Bill was "clearly a move to prevent courts from challenging the incorporation of territories into homelands".

It was aimed at cases such as Moutse where courts had overturned the Government proclamation on the grounds that the Moutse people were not of the same ethnic group as the kwaNdebele.



# SPIRIT OF OUKASIE

AT FIRST glance it might appear as if the people of Oukasie are obstinate and foolish. A drive through Lethlabile — the new area almost 25 kms away where the state has offered to move them to — reveals all the basic comforts and more.

Luxury German cars stand in the driveways of sprawling mansions with manicured lawns. There is a scattering of doctor's rooms, the roads are paved, the place is electrified and comfortable, multi-storied school buildings, sports fields, shops, service stations and a regular bus route make Lethlabile totally self-sufficient.

The people of Oukasie's obduracy finds its origins in the sole utterance of an adolescent attending an impromptu collection point for funds to build an additional room at the local creche.

"Sophiatown!" rang the cry, not loud nor threatening, more like "take heed, we won't be moved against our will, we are people." A cry that no-one needs reminding of.

Since it was deproclaimed as a township by Minister of Constitutional Development and Planning, Chris Heunis on October 17, 1986, Oukasie and its people have had to witness severe deterioration both in its community and its structures.

## No funds

The town council at Brits stopped funds and the State moved in with trucks loading people for Lethlabile. "It was great for some people, as the trucks came and took them away," tells Jonathan Mabilu, representative of the Brits Action Committee and a shop steward for Numsa.

"How these people couldn't see that here (Oukasie) we are five to ten minutes on foot from our jobs, and where they were taken to would cost them



LUNCHTIME at Oukasie's single-roomed creche. Another room will be ready soon despite a regulation which prohibits building of any new structures.

Pic ISMAIL LAGARDI

## Defiant ones staying put

By ISMAIL LAGARDIEN

reduce the register. "They told us that Bophuthatswana residents would not longer be enrolled."

"We're just ignoring them," tells Mabilu. "According to them we're not allowed to bury our dead here, but in Lethlabile. We've devised a strategy. They're trying every trick in the book, but we've always got a plan."

From a 10 000 strong community in 1986, the population has dwind-

led to around 6 000 people. They're slowly starting to rebuild the town. At the moment the action committee is steering the expansion of the local creche.

"Last year they stopped financial aid to the creche," says Mabilu. "We're building an extension and maintaining it ourselves."

The township was recently declared an Emergency Camp. With this declaration came an order which restricts the expansion of existing structures and erection of new

The only services the local council still offer are, the removal of garbage and buckets. "We have only 50 taps for more than 5 000 people." But, says Mabilu, "We're not going anywhere. We were not consulted then and nobody is talking to us now."

"John Mavuso came here a couple of months ago. He appeared sympathetic, but avoided the crucial issues. He discussed the elderly and the rent issues. They increased our rent from R22 to R37,50, while people in Lethlabile are paying as little as R6."

Dangling a carrot in front of the remaining residents is futile. They're digging in.

transport, is bizarre, he mumbles. And then full of energy: "They are going to be incorporated into Bophuthatswana!"

The fears of incorporation are justified. The bus service between Lethlabile and Brits is run by the Bophuthatswana government. And the homeland is a mere stonethrow from the new settlement.

The township is badly in need of funds to rebuild the roads and for electrification and sanitation. In January the DET tried to have "aliens" expelled from the local schools to



# Threatened communities call for Bill to be scrapped

The Argus Correspondent

JOHANNESBURG. — Representatives of eight communities which have been subjected to or threatened with forced incorporation into various homelands have called for the scrapping of the Alteration of Self-Governing Territories Boundaries Bill.

In a joint statement, representatives of these communities declared: "If passed, the Bill will mean that our communities can be incorporated into non-independent homelands against our will and without any recourse to a court of law."

The Bill was tabled in Par-

liament last week.

Court action has been vital to the resistance of communities to incorporation. But if the Bill was enacted "victories such as that of Moutse will not be possible in the future," community representatives said.

Court rulings nullified both the incorporation of Moutse into Lebowa and Botshabelo into QwaQwa. The reasons for declaring these incorporations invalid differed and the proposed legislation poses a far greater threat to the population of Botshabelo.

If enacted, the Bill would nullify the court ruling which invalidated the incorporation of Botshabelo into QwaQwa, it was pointed out in the state-

ment, and it would render academic the outcome of the government's appeal against the existing judgment.

Representatives from the areas opposing incorporation met in a national workshop. The relevant areas are Braklaagte, Moutse, Leeuwfontein and Matjekaneng in the Transvaal, Botshabelo in the Free State, and Thornhill, Potsdam and Peelton in the Eastern Cape.

Participants declared that they were "resolute to use all peaceful means to overcome forced incorporation".

They said they were "on the receiving end of harsh treatment because of our opposition to incorporation," explaining: "Many of us have been beaten

up by vigilantes, who in many instances have the open support of the state or homeland authorities."

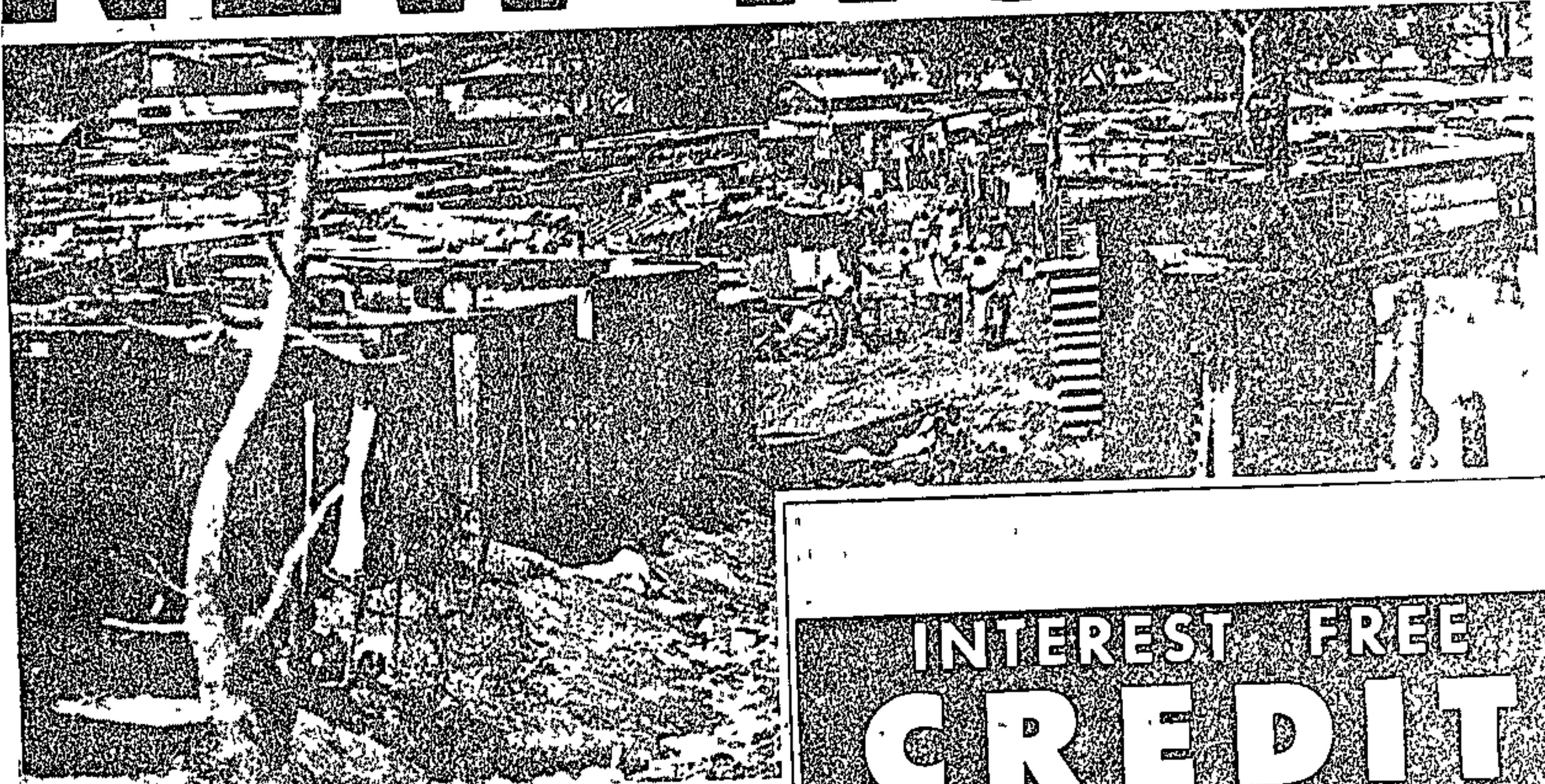
In Peelton residents had resorted to court action to restrain the Ciskei police from harassing and unlawfully arresting them, it was stated.

In Braklaagte, where 65 people were arrested at Easter, people were "brutally tortured for refusing to identify themselves with a chief imposed by the homeland government and for maintaining that they are South Africans".

Representatives urged that land be given to the Potsdam people so that they could leave the Ciskei and resettle in South Africa.



# NEW HOME



MSHENGUVILLE ... golf course will be restored after squatters are moved. *Soweto 14/4/87* *271*

## Squatters go to Zuurbekom

THE Soweto City Council yesterday disclosed plans to resettle the more than 30 000 residents of the Mshenguville squatter camp in Mofolo, Soweto.

Soweto mayor, Mr Sam Mkhwanazi, said Mshenguville residents will be resettled at the Orange Farm and Zuurbekom on the outskirts of Soweto. If the installation of water taps and provision of toilets proceeds faster than the resettlement programme may start before the end of this year.

But Mr Mkhwanazi said he still had to hold meetings with Mshenguville residents to find out



SOWETO mayor Sam Mkhwanazi.

if they were willing to move to the serviced sites at the two areas

### Go ahead

"The Government has given us the go ahead I am negotiating for money to fund the servicing of the sites. We can accommodate all the families at Mshenguville but some may not be willing to be moved," said Mr Mkhwanazi. Mshenguville was "not

suitable" for building houses as the area was on swamp ground. Shacks were flooded during rainy days in February this year.

"The two areas identified for Mshenguville residents are planned for people who cannot afford to buy houses costing R40 000. We are negotiating with the government to fund the servicing of the sites because the majority of Soweto residents cannot afford high cost housing," Mr Mkhwanazi said.

He said those moving into the serviced sites at Zuurbekom and Orange Farm would build their own shacks while saving money to build decent homes. Most would be able to build decent houses for R15 000 if the South African Housing Trust granted them loans.

**Deputy mayor took bribe commission is told — See Page 4**

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## Vow to fight Bill on incorporation

VARIOUS communities facing incorporation into homelands yesterday rejected the proposed Alteration of Self-Governing Territories Boundaries Bill, tabled in Parliament last week.

The communities of Braklaage, Moutse, Leeufontein, Matjakaneng, Botshabelo, Thornhill, Peelton and Postdam have called for the scrapping of the Bill which, if passed, will allow for the incorporation of the communities into non-independent homelands without recourse to the courts.

In a statement issued by the Transvaal Rural Action Committee, the communities said: "Our communities are at the receiving end of harsh treatment because of our opposition to incorporation."

They said many of them had been beaten up by vigilantes, and cited instances of harassment.

They said Bophuthatswana police had detained 65 Braklaagte residents two weeks ago.

The communities expressed their resolution to use all peaceful means to overcome forced incorporation into homelands.

— Sapa.



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# LP, DP slam new self-govt Bill

Political Staff

THE Labour Party and the Democratic Party have slated government moves to deny courts the right to pronounce on attempts to alter the boundaries of self-governing homelands.

The Alteration of Boundaries of Self-Governing Territories Bill, which was tabled in Parliament last week, denies courts the right to inquire into or pronounce on the validity of incorporation or any similar actions involving homelands.

It is expressly aimed at trying to force the 500 000-strong community of Botshabelo, near Bloemfontein, to be incorporated into the neighbouring QwaQwa homeland, despite a Supreme Court ruling last year overturning an earlier attempt.

Labour Party National PRO Mr Peter Hendrickse said the party rejected all attempts to balkanise the country to suit the ethnically-based ideology of the NP. The Bill was another instrument of this policy, he said.

Mr Peter Soal (DP Johannesburg North) said the Bill was a shoddy attempt by the government to circumvent the courts.

At a time when new NP leader was making "verligte" noises all over SA, this was an attempt to inflict Verwoerdian-type legislation on the country, he said.

## Sus for

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# New strategy 'more violent'

Cape  
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18/4/89

By PETER DENNEHY

INCORPORATING rural communities into homelands had been a more violent process than the former policy of forced removals, Transvaal Rural Action Committee fieldworker Ms Aninka Claasens said yesterday.

Delivering a paper on rural land struggles in the 1980s at a UCT conference on Forced Removals and the Law, Ms Claasens said successful struggles against removals all around the country had preceded Mr Gerrit Viljoen's 1985 announcement suspending the forced removals policy.

The announcement had been made during a period of political challenge by the unions and the United Democratic Front, when "popular mass action was the order of the day".

Since Magopā in 1984, there had been no forced removals of black land-owning rural communities, she said.

## 'Over 300 tortured in Moutse'

"The state has a new strategy for dealing with these areas. They are to be incorporated into one or another bantustan. This does not involve the physical removal of people, rather the redrawing of homeland boundaries to include their land."

However, all the recent incorporations (Moutse, Botshabelo and Braklaagte) had been much more violent than mass forced removals. Bantustan authorities moved in, rounded people up and "viciously assaulted them", she said.

People were told to shout pro-bantustan slogans and were assaulted if they refused.

"In Moutse over 300 people were tortured in this way on the night of the incorporation (New Year 1987) and over 20 died

"In Braklaagte, over 100 people were seriously assaulted over the Easter weekend of 1989."



## LAWYERS CONDEMN INCORPORATION BILL

271



THEO RAWANA

1 Day  
18/4/89

LAWYERS and constitutional experts have condemned the Alteration of Boundaries of Self-Governing Territories Bill, calling it most regrettable.

The Bill, tabled in Parliament last week, denies the courts the right to inquire into or pronounce on the validity of the incorporation of land into a homeland.

Prof Marius Wiechers of Unisa's constitutional law department said yesterday the Bill made a mockery of the concept of self-governing territories.

Lawyers for Human Rights' national chairman Jules Browde said: "From experience the Minister wants to oust the jurisdiction of the courts only in cases where he feels the courts would find what he has done to be unreasonable."

Prof Johan van der Vyver of Wits University said the exclusion of the courts was regrettable.

...ment between management and the National Union of Mineworkers (NUM).

Anglo American and the NUM are now negotiating for a code of conduct to prevent similar incidents at the company's mines.

## 'GOVT BLOCKED FREE SETTLEMENT BID'

3104 19/4/89  
AN ATTEMPT by Indian residents of Pageview to have the suburb declared a Free Settlement Area had been blocked by government, it was disclosed yesterday. (27) (SPA)

Save Pageview Association (SPA) chairman M F Varachia said yesterday Deputy Constitutional Development and Planning Minister Roelf Meyer had refused to support an application to the Free Settlement Areas Board.

Varachia said the SPA had asked President P W Botha last month for a

PETER DELMAR

Free Settlement Areas Board investigation into Pageview's future status. Botha referred the matter to Constitutional Development and Planning Minister Chris Heunis, who handed it to Meyer.

According to a letter released by the SPA yesterday, Meyer decided the Pageview application could not be supported after conferring with House of Assembly Local Government and Housing Minister Amie Venter and interested bodies.



# Mabuza calls for Bill to be rejected

THEO RAWANA

THE Alteration of Boundaries of Self-Governing Territories Bill was just another instance of disregard for the rule of law and the jurisdiction of the courts, KaNgwane Chief Minister Enos Mabuza said.

Calling for the Bill to be rejected, Mabuza said yesterday "In terms of this Bill, the courts will be powerless to test whether the President has acted *ultra vires* or irregularly in altering boundaries of a self-governing territory."

## Deprive

The Bill, tabled in Parliament last week, denies the courts the right to inquire into or pronounce on the validity of the incorporation of land into a homeland. A government attempt to incorporate Botshabelo into QwaQwa was overturned by a Supreme Court ruling last year.

Mabuza said "To deprive the Supreme Court of its right to review decisions of the President and to empower him to validate through legislation, proclamations previously declared nul and void by the courts is another violation of the rule of law in SA. This Bill should be rejected."

"At the very least, the power to include or excise land from a self-governing territory should be possible only with the agreement in writing of the Cabinet of the self-governing territory concerned. Such consent should be ratified by means of a referendum with the people affected by such a proposal."

# mixed feelings about the removal slum's

wounds after a clash with the police who tore down my shack in 1986. I fought them not because I love this place, but because it is all I have. We need low cost houses not another shanty town.

"I have never heard of Zuurbekom or Orange Farm. We have children who attend school here. We will not have money to transport them to school or even to go job hunting. I cannot afford to buy new corrugated irons for a shack," he said.

On visiting the slum camp one is met with "I love a clean Soweto" stickers pinned on dilapidating walls. Although the area lacks any tarred streets, a few residents built stoeps at their doors and keep them shiny.

For the children of Mshenguville life goes on normally. They play games, tease each other, dance and greet strangers. Half of them do not wear warm vests on their young bodies as the grey, unhealthy smoke from the chimneys and braziers blanket the town built by Soweto's ex-mayor and top businessman, Mr Tshabalala.

Mshenguville, a home to about 30 000 of 320 000 Soweto's squatters, mushroomed three years ago and has since been a controversial point in town council meetings.

It has been torn down by the police a number of times. The former deputy Minister of Health, Mr



**MR JOHN MADONSELA, a father of four ... "It's a miracle an epidemic has not broken out."**

Michael Veldman, once described it as "a health hazard and totally unacceptable".

Mofolo residents have sent delegations to the council to protest about the camp and to ask for it to be resettled.

Even Mr Tshabalala recently told the camp residents' committee: "Your place stinks, it is dirty and is a fertile ground for criminals."

The camp, erected on a swampy area, is riddled with streams carrying excrement. The streams also act as a sewerage system for the blocks that

are far from the rented toilets.

"There is no good day at Mshenguville. On hot days it stinks and on cold and rainy days we have water up to our knees inside our shacks," said Mr John Madonsela, a father of two. "After heavy rain one cannot eat because of what we sweep out of our houses."

"It is a miracle that an epidemic has not broken out. Our children's health and lives are at risk. There is nothing we can do. We do not have jobs to uplift our standard of living."



April 21/89/ (27)



**THE children of Mshenguville seem oblivious to the suffering and poverty that surrounds them as they play their games with smiles on their faces.**

# Lawyers slate the 'Boundaries' Bill

By Jo-Anne Collinge

The Alteration of Boundaries of Self-Governing Territories Bill is "nothing short of constitutionally subversive", says Lawyers for Human Rights national chairman Mr Jules Browde.

His comment was one of a range of harsh criticisms levelled by lawyers against the Bill, which is to be considered by a parliamentary committee this week.

The Bill gives the State President unfettered powers to incorporate communities into self-governing homelands and expressly provides that the courts may not pronounce on the validity of any proclamation by which the State President seeks to carry out these powers.

Mr Browde explained why his organisation viewed the measure as constitutionally subversive. "It exposes as a lie the Government's professed respect for legality and the rule of law," he said.

"More particularly it violates sacred principles long established by our courts and, indeed, by courts the world over.

"First, it is the essence of any civilised legal system that all legal power must have legal limits, otherwise there is dictatorship. Secondly, and equally fundamental, is the principle that no person may take the law into their own hands."

Mr Browde observed that various Cabinet Ministers had boasted of the independence and standards of the South African judicial system. Yet, in this Bill, the Government was "seeking a mandate from Parliament to act in defiance of the law, unhindered by the 'inconvenience' of judicial control".

Lawyers for Human Rights called upon the Government to withdraw the Bill in its entirety.

Mr Geoff Budlender, Johannesburg director of the Legal Resources Centre, said that the Bill sought to "legalise previous unlawful conduct" on the part of the State President.

The National Association of Democratic Lawyers noted that the Bill accorded the State President powers to incorporate areas into homelands merely "if he deems it expedient".



## **'Let Mogopas return home'**

**DAVID BRAUN**

WASHINGTON — The United States has renewed its call on Pretoria to allow the people of Mogopa to return to their ancestral land.

A State Department spokesman said the US strongly opposed eviction of the people from their ancestral land in 1984.

"We are disturbed by reports that the Government intends to evict those who have returned on their own to the land where they lived in peace for 70 years."

JOHANNESBURG.  
— Friday is D-Day for the residents of Mogopa, victims of a forced removals drama which has dragged on for five years.

The Pretoria Supreme Court is expected to rule on an application by Agriculture and Water Affairs Minister Greyling Wentzel and Education and Development Aid Minister Gerrit Viljoen to have about 70 tribesmen evicted from the farm they had re-occupied after the community of 4 000 had been forcibly removed five years ago.

Judgment in favour of the ministers would mean a serious blow to the Mogopa community.

Judgment against the ministers could see a mass return to the land the residents had lived on since the beginning of the century.

#### Trespass

Earlier this year Mr Acting Justice Human granted a temporary order stipulating that no members of the tribe, except those presently on the farm, may trespass on the land and no structures may be erected.

Human said the farm belonged to the government and the Mogopa tribe had no right to it.

In their defence, counsel for the 70 tribesmen told a packed court that the expropriation of land on which the Mogopa tribe had lived for several decades was not valid in terms of the Development Trust and Land Act.

The urgent application was brought against the tribe's leaders, Daniel Molefe, Matthew Moshe, Peter Chief More and Jacob More.

The applicants asked the Supreme Court to order the Ventersdorp police to assist them in evicting the tribe and their possessions within three days of a final



DETERMINED NOT TO MOVE, Daniel Ndefe, 64, speaking at a meeting at Mogopa

# D-Day for tribesmen

order being granted.

They argued that although the Mogopa tribe previously owned the farm Zwartland and the neighbouring farm Hartbeeslaagte — which they purchased in 1916 and 1931 respectively — the government is now the owner, having acquired it by expropriation.

Zwartland is presently leased by the Department of Agriculture and Water Affairs to the Koster and Ventersdorp District Agricultural Unions.

But, removals' watchdogs believe, the government's tough stance against the shanty dwellers at Mogopa was probably motivated by the fact that the farm is in an area dominated by the Conservative Party.

Mr Jules Browde, appearing for the tribesmen, told Mr Justice WJ van der Merwe the government refused to sell the farm to the tribe, even if they were prepared to pay the highest price.

He argued that the expropriation "was effected in bad faith and for an ulterior motive".

But, removals' watchdogs believe, the government's tough stance against the shanty dwellers at Mogopa was probably motivated by the fact that the farm is in an area dominated by the Conservative Party.

Browde said no valid reasons for expropriation were given, except for an affidavit made by Mr Dirk Minnaar, the assistant director (finance) of the Department of Agriculture and Water Affairs, who said he had been informed "the situation at Zwartland had become explosive".

Some tribesmen told SOUTH they would appeal if they lost the case.

"If we win, we will all return to our land," they said.

They, however, suspect that the government would try other attempts to eject them.

Legal experts on forced removals said the alternative to the court saga was a "political solution".

They claimed the incorporation strategy of the government was a total failure and that "the only way is negotiation".

The original removal from Mogopa and the expropriation of the land was

one of the most serious indictments of the forced removal policy, said a spokesman for the Transvaal Rural Committee (TRAC)

Some 4 000 tribesmen were forcibly removed from Mogopa in February 1983 in the face of world condemnation and the land leased to local white farming unions.

Since the removal, residents have been dispersed throughout the Western Transvaal. Segments of the community now live at Pachsdraai near Zeerust, Bethanie near Brits and Onderstepoort near Rustenburg.

In 1985 the Appeal Court in Bloemfontein ruled that the removal was illegal because parliament had failed to specify an alternative place for the community to live.

But Viljoen used alternative powers to expropriate the land and prevent people from returning.

**AFRICAN**

**WORKER**

office to services of

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VACANCY

## CENTRE LIBRARY CO-ORDINATOR

The Sached Trust, an independent non-racial educational institution has a vacancy in the library and information service department at its Cape Town centre





Elias and son Lazarus Morontshe survey 'their' Evaton plots.

Pic: GIDEON NHLAPO

## Vaal family fights to get back 'expropriated' land

By STAN MHLONGO

A VAAL father and his son started a campaign this week to recover two "illegally expropriated plots" — on one of which a school has been built.

However, should Elias Morontse and his son Lazarus succeed in recovering ownership of the land, about 1 000 Imfundo Lower Primary pupils will be without a school.

A Mr Swanepoel of the Evaton City Council told *City Press* this week that all properties expropriated in Evaton by the now defunct administration board automatically came under the control of the council in 1987.

"We have no record of how and from whom the two properties were bought," said Swanepoel.

He said the Morontses could trace the history of their properties from the deeds office in Pretoria to establish to whom and for

how much their properties were sold.

Attorney Bongani Ngwenya said a memorandum protesting against the expropriation of privately owned plots in Evaton had been written to Education and Development Aid Minister Gerrit Viljoen.

"The Minister said no plots had been expropriated in Evaton, but we know that a number of plots have been," said Ngwenya.

According to the lawyer private land in Evaton has been expropriated for various reasons ranging from the deaths of previous owners, construction of roads and upgrading of services in the area.

The properties which the Morontses claim are theirs are plots 18 and 9 in Evaton Road.

Plot number 9 was registered in the name of the Evaton Council on March 12, 1975, according to a team of attorneys employed by Morontse.

Plot number 18 was registered in the council's name in 1987.

"The most confusing aspect is that plot number 9 was transferred to the council — according to investigations by my lawyer — in 1975, two years before the council came into power," said Lazarus Morontse.

Elias Morontse produced one of the title deeds this week to show that he was justified in fighting for the return of his plots.

One of the stands was bought by his father, Elias, on November 18, 1931 for five pounds.

The plot was later transferred to the joint estate of Elias and Anna Morontse (Lazarus's mother) on June 24 1963.

"Today we are tenants on somebody's property when we have two plots," grumbled Lazarus Morontse.

"I won't rest until they are returned to us — the rightful owners."

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## **Hope for Mogopa tribe after appeal to Pik**

BRUSSELS — The 12 European Community nations hope South Africa's Mogopa tribe will not now be displaced. 27

They appealed to Foreign Minister Mr Pik Botha about the tribe which has been threatened with its second removal in five years.

EC foreign ministers were cautiously hopeful after the failure of Government bulldozers to appear by Saturday night. — The Star's Foreign News Service.



## 'Let Mogopas return home'

DAVID BRAUN

WASHINGTON — The United States has renewed its call on Pretoria to allow the people of Mogopa to return to their ancestral land.

A State Department spokesman said the US strongly opposed eviction of the people from their ancestral land in 1984.

"We are disturbed by reports that the Government intends to evict those who have returned on their own to the land where they lived in peace for 70 years."

# Europe sends a stinging diplomatic rebuke over Mogopa

By EDDIE KOCH

TWELVE European governments yesterday delivered a joint démarche — one of the sternest forms of diplomatic protest — to the foreign ministry in a bid to stall government plans to evict black villagers forcibly from the Western Transvaal community of Mogopa.

The unusual protest by European Community members was presented to Foreign Minister Pk Botha's office in Cape Town late yesterday afternoon by the Spanish ambassador, Federico Garayalde.

This follows a Supreme Court decision last week to grant the government an order to evict between 60 and 70 people who have been living on the Mogopa farm and restoring their ancestral graveyard.

It was feared the court's ruling would open the way for a repeat of the forced removal of February 1984 in which some 4 000 Mogopa residents were trucked out of their farm.

This week a number of embassy officials and human rights activists visited Mogopa to express their solidarity with the threatened group.

Peter Ruthman, first secretary at the German Embassy in Pretoria, said: "The destruction of the Mogopa village in a clandestine night raid showed clearly how the South African government treats peace-loving people who had lived on their land for more than 70 years. It's cynical and inhuman. It's an eradication of human rights."

Yesterday's démarche was initiated by the West German government.

Meanwhile lawyers for the Mogopa community, who have appealed against the court ruling, this week failed to obtain an assurance from the government that they would not evict the grave cleaners until the appeal was heard.

"Instead of trying to redress the harm done to the Mogopa people by their unlawful action (in 1984), the government seems determined to head into another conflict situation," the Black

●To PAGE 2

## Threat to move Mogopa angers the Europeans

●From PAGE 1

Sash's Transvaal Rural Action Committee said last night.

"Mogopa as a symbol of forced removal is again becoming a symbol of international outrage. A simple undertaking by the government not to interfere with the people until the legal process has taken its course would have taken the heat out of the present crisis."

In court papers to support its application for an eviction order, the government claimed the grave-cleaners had abused official permission for a small group of villagers to live on the land and restore the cemetery. Development Aid Minister Gerrit Viljoen said the agreement had been used by the community to stage a "methodical reoccupation" of the farm.

Community leader Daniel Molefe asked the court not to grant the eviction order because the original expropriation of the Mogopa people's farms in 1984 was invalid. Molefe claimed that:

- Viljoen was also the trustee for the community and by removing the people from their land he had breached his legal responsibility for their welfare.

- The removal was so unreasonable and carried out in such an arbitrary manner that it suggested the minister was acting in bad faith or with ulterior motives.

"Over the years the Bakwena baMogopa developed into a stable self-supporting community. Members of the tribe built homes, schools and churches on the two farms ... During the Second World War, the tribe raised £600 which it donated to the Union government to assist in the purchase of an aircraft and members of the tribe served in the South African armed forces," said Molefe.

"It is cold comfort that the second applicant (Viljoen) professes that he has suspended the policy of forced removals and that he has allowed other tribes to reside on their land in otherwise white areas."

Since their removal Mogopa's people have been dispersed throughout the western Transvaal. Segments of the community now live at Pachsdraai near Zeerust, Bethanie near Brits and Onderstepoort near Rustenburg.

Mogopa community leaders have offered to buy back the farm with money they raised since the removal. This has been refused by the government, which wants the villagers to accept an alternative piece of land.



## Mogopa - stay of eviction

THE group of die-hard residents of Mogopa, who some months ago re-occupied the Ventersdorp farm from which they were unlawfully removed in 1984, have won a reprieve from eviction. *271 30000*

In terms of a Supreme Court order issued last week, the group — numbering between 50 and 70 people — could have been evicted any time after midnight on Tuesday. *Sowetan 11/5/87*

Yesterday a spokesman for the office of the Minister of Development Aid indicated that the eviction would not take place before the legal process had run its course.

# NW Cape residents to move for SADF

JOHANNESBURG. —

People living and farming in the Khosies area, between Kuruman and Postmasburg in the north-western Cape, will be resettled under better conditions because the Defence Force needs the area for training purposes, the SABC reports.

Replying to an interpellation in the House of Representatives, the Deputy Minister of Defence, Mr Wynand Breytenbach, said no other known sites were suitable for Defence Force training purposes.

It was dangerous to the present inhabitants because of grenades, missiles and other weaponry which might be lying around in the training area. He said the matter was being handled with the greatest circumspection and if any of the inhabitants suffered any losses as a result of this resettlement, they would be sufficiently compensated.

Mr Jac Rabie of Reiger Park said the people of Khosies were happy with their living conditions and accused the Defence Force of trying to lure them away to nearby urban areas.

— Sapa



for an interview with President Bush in order to present their proposals to him. US sources say the meeting has been confirmed.

There is no hint that the sanctions have reversed their stance on sanctions, but the indications are that this issue will be played down next week.

## Mogopa: State action feared

star 12/5/84 By Jo-Anne Collinge

Formal representations concerning the people of Mogopa were made to Foreign Minister Mr Pik Botha in Cape Town yesterday by the Spanish Ambassador, acting on behalf of all 12 member states of the European Economic Community.

The first secretary at the Spanish Embassy, Mr Alfonso Sanz Portolis, confirmed that a communication had been delivered to Mr Botha. He would not disclose details of it.

### CONCERN

The diplomatic initiative came amid fresh concern for the security of some 50 Mogopa residents who have re-occupied the Western Transvaal farm from which they were unlawfully removed in 1984 and against whom the Department of Development Aid has obtained an eviction order.

Attorneys acting for the Mogopa people yesterday received a telex from the State Attorney denying the accuracy of press reports which stated that

the authorities would refrain from acting against the Mogopa residents until legal proceedings — including a possible Appeal Court hearing — were complete.

At the time of going to press The Star was unable to clarify the contradiction in the statement released to it by a spokesman for the Ministry of Development Aid and the position taken by the State Attorney.

A spokesman for the Transvaal Rural Action Committee, which maintains close links with the Mogopa community, said: "We are very concerned that the State Attorney is denying press reports that no steps will be taken against the Mogopa people while the appeal application is pending."

"His stand makes us fear a repeat of the 1984 tragedy when the removal took place notwithstanding the fact that the Mogopa lawyers had lodged a petition for leave to appeal."

"Their appeal was finally heard and upheld by the full Bench. But this vindication could never undo the suffering caused by the forced removal."

Protection

## Mogopa — envoy delivers demarche

The Argus Correspondent

JOHANNESBURG. — Formal representations on the people of Mogopa were made to Foreign Minister Mr Pik Botha in Cape Town by the Spanish ambassador, acting on behalf of all 12 member states of the European Community.

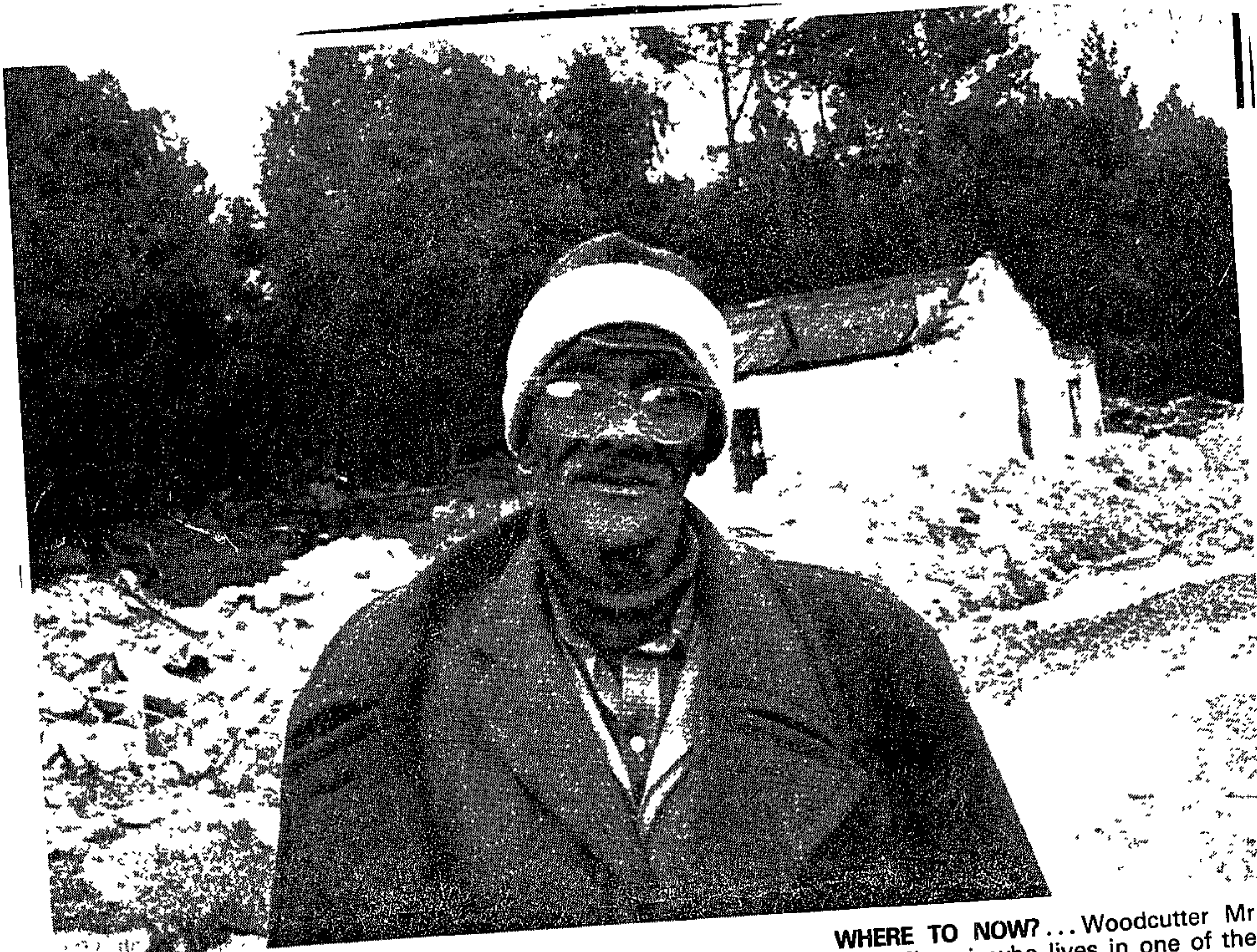
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The diplomatic initiative came amid fresh concern for the security of about 50 Mogopa residents who have reoccupied the Western Transvaal farm from which they were unlawfully removed in 1984 and against whom the Department of Development Aid and the Department of Agriculture have obtained an eviction order.

A spokesman for the State Attorney's office said today that staff were conducting negotiations with attorneys for Mogopa and that no action would be taken while these negotiations were under way.

The spokesman said the outcome of the talks should be known later today.





# Church intervenes in row over land

*Cape Times 11/5/87 271*

By PETER DENNEHY

A HIGH-LEVEL Anglican church delegation intervened yesterday in a dispute between the residents of Klipkop farm, just outside Grabouw, and the landowners who are developing a series of luxurious mountain chalets there.

The Dean of Cape Town, the Very Rev Colin Jones, said afterwards that the delegation had met with both the past and present owners of the farm and with the Klipkop committee.

Mr Jones said that the 150 present residents would remain in their solid rustic stone-and-brick homes on the farm while a short-term solution, on which he would not elaborate, was formulated.

A long-term solution apparently

eluded the negotiators yesterday, but the delegation was full of hope.

The integrated Klipkop community, which lives by farming the land and woodcutting, fears that it will be split up, categorised as "coloured" and "black", and that the black people will be forcibly removed to Khayelitsha.

An advice office worker explained that occupation rights had been granted to workers on the farm more than 60 years ago. In the '60s, a group of residents from the Klipkop cottages had been relocated to Pineview nearby, but others had immediately moved into the vacated houses.

Mr Jones said it was heartening to see the willingness of the Lewis brothers, who recently bought the land, to negotiate and seek a humane solution.

**WHERE TO NOW? ...** Woodcutter Mr July Mbangi, who lives in one of the rustic cottages on Klipkop farm in a beautiful forest setting, fears displacement to Khayelitsha now that new roads and up-market mountain chalets are being built there. Picture: PETER DENNEHY



## SA gives land to Ciskei refugees

Argus Bureau *Argus 21/4/89*  
EAST LONDON. — South Africa has granted land to refugees from the Ciskeian community of Potsdam.

A spokesman for the Department of Development Aid, Mr Clyde Attwell, said the offer applied only to 2 000 former residents of Blue Rock in South Africa who were removed to Ciskei six years ago.

"Action will be taken against any people not from Blue Rock settling in the area," said Mr Attwell. The lawyer acting for the refugees was to provide a list of people entitled to move to the farm.

But support organisations working with the refugees said the decision appeared to be an attempt to divide the community.

"We are concerned that the government is talking about a figure of only 2 000," said the Black Sash, the Grahamstown Rural Committee, the Border Council of Churches, World Vision and the Catholic Justice and Peace Commission in a joint statement.

Press reports at the time of the forced removal from Blue Rock in 1983 talked of at least 600 families, a population that has grown to nearer 5 000.



News in Brief

**Mogopa court outcome**

PRETORIA. — The Mogopa tribe has lost its legal battle to stay on the farm it has occupied since 1911. Mr Justice Van der Merwe yesterday confirmed an interim order in the Supreme Court here in terms of which tribe members without written authorisation to be on Zwartrand farm in the Western Transvaal have seven days to leave.

## Sanctions: no quick effect, says envoy

CAPE TOWN — Sanctions had not achieved a quick, dramatic effect and only time would tell whether they were worthwhile, Canadian ambassador to SA Ronald MacLean said yesterday.

Speaking to the Cape Town Press Club, he said he would not comment on whether the speeding up of the reform process had gone hand in hand with sanctions.

"I won't comment whether it has been cause and effect; that remains to be seen," he said. It had never been argued that sanctions were perfect, "but we felt that the plus side outweighs the down side".

MacLean spoke broadly on Press censorship and said a monopoly over broadcasting services made a free Press so much more important.

For this reason Canada supported particularly the "alternative" Press, which included publications such as South, Vrye

Weekblad and Weekly Mail.

The country sponsored study at the journalism school at Rhodes University, and in-house training at alternative newspapers because it believed "post-apartheid SA will need trained journalists".

MacLean said it could not be argued that human rights in Canada were sufficient nor could the country be portrayed as the perfect model to follow. "We do not, however, accept that our own record being imperfect precludes us from speaking out on human rights violation."

Canada was aware of the pros and cons of sanctions and there had been a protracted debate before it took action.

"We think the jury is still out on whether they will work in the economic sphere. I do not suppose they will achieve a dramatic effect so quickly. Indeed they haven't." — Sapa.

## Mogopa tribe loses battle to stay on farm

PRETORIA — The Mogopa tribe has lost its legal battle to stay on the farm it has occupied since 1911.

Mr Justice van der Merwe yesterday confirmed an interim order in the Supreme Court, in terms of which tribe members without written authorisation to be on Zwartrand farm in the western Transvaal have seven days to vacate the farm.

He authorised the Ventersdorp police to assist in "removing" tribe members if necessary. The respondents in the case were the Minister of Education and Develop-

ment Aid and the Minister of Agriculture and Water Affairs.

The tribe's lawyer, N Haysom, said an urgent application for leave to appeal might be lodged. He was awaiting the tribe's decision.

The State expropriated the tribe's land in 1983 and the tribe was "relocated" to Pachsdraai in the Groot Marico district.

J Browde, counsel for the tribe, said the expropriation of their land had been one of the most flagrant acts of human rights violations conceivable. — Sapa

Anglo believes mining



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~~Analo believes...~~

# QwaQwa moves spark boycott

QwaQwa Times 5/5/89

(271) Own Correspondent

JOHANNESBURG. — Fears that QwaQwa is gradually taking over the running of Botshabelo, despite last year's Supreme Court ruling against which a government appeal is pending, triggered a four-day school boycott in the Bloemfontein township last week.

Church, labour and youth leaders' fears are compounded by proposed legislation which would cut off residents' recourse to the courts against attempts to effect the incorporation.

Botshabelo residents said the stayaway, involving all 50 primary and 24 secondary schools, started early last week, and caused the collapse of a two-day trade fair the QwaQwa government was holding.

A marked "kitskonstabel" presence in the area this week was evidence of official concern.

While Botshabelo's 500 000 residents await the outcome of the appeal, they are paying a R10 levy to the QwaQwa revenue fund, their R44 motor licence fees to the QwaQwa Justice Department, and the homeland has taken over the running of their schools.

One resident said a car licence could be obtained only after production of a QwaQwa levy receipt, which was stated to be "the levy of a special tax for the benefit of QwaQwa's revenue fund".

Students complained that the takeover of education resulted in the replacement of Botshabelo teachers with under-qualified QwaQwa personnel, and that the whole inspectorate and most principals were members of QwaQwa Chief Minister Kenneth Mopedi's Dikwankwetla party.

They said all student efforts to meet principals and education authorities over the issue had failed.

An SA Council of Churches field worker in the area says recent research has shown that more than 70% of the population is under 30 years of age and against incorporation, and more than 50% of the remaining over-30s are also against the move.

Labour leaders are concerned that incorporation will restrict their activities since the government holds that it is illegal for unions to organise people in homelands like QwaQwa.

The Alteration of Boundaries of Self-Governing Territories Bill would deny courts the right to inquire into or pronounce on the validity of the incorporation or any similar actions involving other homelands.



Boycott has emptied Botshabelo township schools

# QwaQwa takeover fears

THEO RAWANA

FEARS that QwaQwa was gradually taking over the running of Botshabelo, despite last year's Supreme Court ruling to the contrary, triggered a four-day schools boycott in the Bloemfontein township last week.

The SA government is appealing against the Supreme Court's reversal of its plan to incorporate Botshabelo into QwaQwa, 300km away. Government has undertaken not to move before the appeal is heard.

Church, labour and youth leaders' fears are compounded by legislation pending in Parliament, which would cut off residents' recourse to the courts against attempts to affect the incorporation.

An air of uncertainty, anxiety and anger hangs over Botshabelo.

Residents said the stayaway, involving all 50 primary and 24 secondary schools, started early last week, and caused the collapse of a two-day trade fair the QwaQwa government was holding.

A marked "kitskonstabel" presence in the area this week was evidence of official concern over the situation.

While Botshabelo's 500 000 residents await the outcome of the legislation and legal appeal, they are paying a R10 levy to the QwaQwa revenue fund, their R44 motor licence fees to the QwaQwa Justice department, and the homeland has taken over the running of schools in the township.

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Students complained that the takeover of education resulted in the replacement of Botshabelo teachers with under-qualified QwaQwa personnel, and that the whole inspectorate and most principals were members of QwaQwa Chief Minister Kenneth Mopedi's Dikwankwetla party.

One student said: "With the inflow of unqualified teachers, we fear a high failure rate this year. This is aggravated by the fact that while under SA's administration, books were given free and the fees were low. But now books have to be bought and were not available until late in the year — and fees are high."

## Research

He said all student efforts to meet principals and education authorities over the issue had failed.

An SA Council of Churches field worker in the area says recent research has shown that more than 70% of the population is under 30 years of age and against incorporation, and more than 50% of the remaining over-30s are also against the move.

Labour leaders are concerned that incorporation would restrict their activities

since government holds that it is illegal for unions to organise people in homelands like QwaQwa.

Numsa Northern Cape and Free State regional organiser Mongezi Radebe says: "Government says it is illegal for unions to organise in QwaQwa and it is bent on making Botshabelo a *laissez faire* area where no representatives can go."

"We foresee a flight of companies to Botshabelo, where they would have a free hand with the workers — not bound by agreements under the Labour Relations Act. Already we are being told not to organise in Botshabelo."

"But we will defy the curb since it is only in education that QwaQwa can claim jurisdiction in Botshabelo. We will defy moves to declare 'laissez faire' areas where union activity is curtailed."

The Alteration of Boundaries of Self-Governing Territories Bill would deny courts the right to inquire into or pronounce on the validity of the incorporation or any similar actions involving other homelands.

Says a white Lutheran priest in the area: "The courts were an avenue people pursued, trusting justice would be seen to be done. With this Bill, that avenue will be closed. They have been looking for non-violent means, if this door is closed, what now?"

Comment from the QwaQwa government was unavailable yesterday.

**Clinging to failure**

In the late Seventies the then Deputy Minister of Land Affairs, Hennie van der Walt, solemnly announced in parliament that the policy of homeland consolidation could not be achieved. Good thinking. However, undeterred by the courts, the acrimony and international condemnation generated by removals and loss of citizenship provoked by the policy, government is at it again.

The Alteration of Boundaries of Self-Governing Territories Bill, introduced recently, intends giving the State President the supreme right to alter the boundaries of any black area in accordance with homeland policy.

At the centre of the outcry around the Bill is the ouster clause, Section 2(3), which states: "No court of law shall be competent to inquire into or pronounce upon the validity of any proclamation issued under sub section (1)". That subsection gives the State President powers to incorporate and excise black areas.

The Bill clashes violently with government's reformism, and has been widely criticised. It is unlikely that the Labour Party or the Democrats will support it.

Ironically, the Bill comes at a time when the policy as originally enacted has come to the end of the road. Since the heady days of Sixties-style grand apartheid, 3,5m black people have been moved, causing loss of life, the destruction of communities, loss of land, and the wastage of cattle and resources.

Recent court rulings have successfully prevented government from incorporating certain areas under homeland rule. The Bill is motivated by two successful cases in which residents of Moutse and Botshabelo successfully opposed their incorporation into the self-governing areas of KwaNdebele and QwaQwa, respectively.

For now, government will be contemplating hard-hitting comments such as the editorial published by *Beeld* recently. The Afrikaans daily said that if the Bill is passed Botha is likely to reverse an earlier court ruling on Botshabelo and incorporate its 500 000 inhabitants into QwaQwa.

"In a democratic country," *Beeld* added, "all opinion cannot rest in the hands of one person, especially when a question as emotional as land allocation and ownership is concerned." The Botshabelo plan is a strong reminder of the unhappy events of the past when coloureds' direct access to parliament was simply taken away. "SA cannot afford a repeat of such a fiasco," *Beeld* observed. ■



## Tribe appeals against order to move on

LAWYERS representing the Bakwena-ba-Mogopa tribe are to lodge an appeal against the pending removal of the 70 families living on the Zwartland farm in the Western Transvaal. Members of the Mogopa tribe, who are due to be forcibly moved following a Supreme Court order, have been

given until today to leave the farm. The order against them was issued last week after the Ministers of Agriculture and Water Affairs and of Education and Development Aid applied for their eviction.

The tribe was given seven days to move failing which the government would evict them. The police have also been given permission to assist the authorities if the need arises.

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A spokeswoman for the Transvaal Rural Action Committee (TRAC), said lawyers representing the tribe have been battling to lodge an appeal since the day the order was made. She said lawyers have not been provided with a date yet and that the situation was "critical".

Unlawfully removed five years ago, will they be evicted again?

Star 9/15/8

# Mogopa residents await court action

By Jo-Anne Collinge

About 70 Mogopa residents who have re-occupied the farm from which they were unlawfully removed five years ago are sitting tight to see whether they will be uprooted from this land for a second time tomorrow.

The period of grace which the Pretoria Supreme Court set last week for them to leave the farm near Ventersdorp will expire tomorrow. If they do not leave officials will be entitled to evict them.

But lawyers for the community are hoping to secure an agreement that the authorised eviction will not go ahead on deadline.

"We have noted an application for leave to appeal against last week's Supreme Court judgment," said Mr Nicholas Haysom, attorney for the community.

No date had yet been set for the hearing of the appeal application, he said. "In the interim we are trying to get an undertaking from the Departments of Agriculture and Development Aid that the eviction order will not be executed," said Mr Haysom.

"We are concerned that the authorities should not act precipitously, as they have done in the past."

Minister of Development Aid Dr Gerrit Viljoen would not disclose his department's reaction to possible legal initiatives by the community.

Mr Haysom's reference to "precipitous action" relates to the fact that about 300 Mogopa families were forcibly removed in February 1984, while the Chief Justice was still considering whether to grant an appeal against a judgment which had declared the removal order was valid.

## Removal illegal

More than a year after the removal an Appeal Court Bench unanimously declared the removal order defective — and the removal therefore illegal.

But the land had already been expropriated by the Government and all attempts by the community to negotiate a return have fallen on deaf ears.

Last year, however, Dr Viljoen allowed a small section of the community to return to the Mogopa farm to repair the ancestral graveyard on the property. They were allowed to stay on the farm for this purpose.

But early this year — it was disclosed in court — the authorities became suspicious that the repair of the graveyards was simply a pretext for a return to the land, which the Government had hired out as grazing to farmers in the area.

Permission for them to be there was then withdrawn and an eviction order sought. Many of the 70 people affected by the order are old men.

Dr Viljoen made it clear yesterday that he viewed the manner in which the men had occupied Mogopa as a breach of "an agreement which I made to the community on negotiating for an acceptable permanent home and in the meanwhile allowing limited access to clean and maintain the cemetery".



AT 84, Ephraim Poee is thin and grizzled and he wears a tattered brown bonnet pulled low on his head as a protection against the chill of the approaching Southern Hemisphere winter.

He does not look strong, but for three days this week Poee went into the mountain behind his little tin shack to fast and pray for a cause that is dearer to him than life.

His prayer, as he expressed it in the simplest of language, was that his little Mogopa tribe would win a court action they are engaged in and that "the Boers will be chased from our land" — the Boers being the Afrikaner-dominated white government of South Africa which expropriated the tribe's land five years ago.

The tribe was forcibly removed amid a blaze of international publicity. Bulldozers flattened the houses, clinic, churches and schools that the little community had built for themselves in the 78 years they had lived there.

Their water pumps were removed, and the people themselves were loaded in trucks with their few sticks of furniture and transported to a place called Pachsdraai (250km) away which they hated.

### Drifters

After five years of misery, during which they have moved three more times trying to find a place more to their liking where they can settle and raise their families, some have drifted back to Mogopa farm — where they now face the threat of a second forced removal.

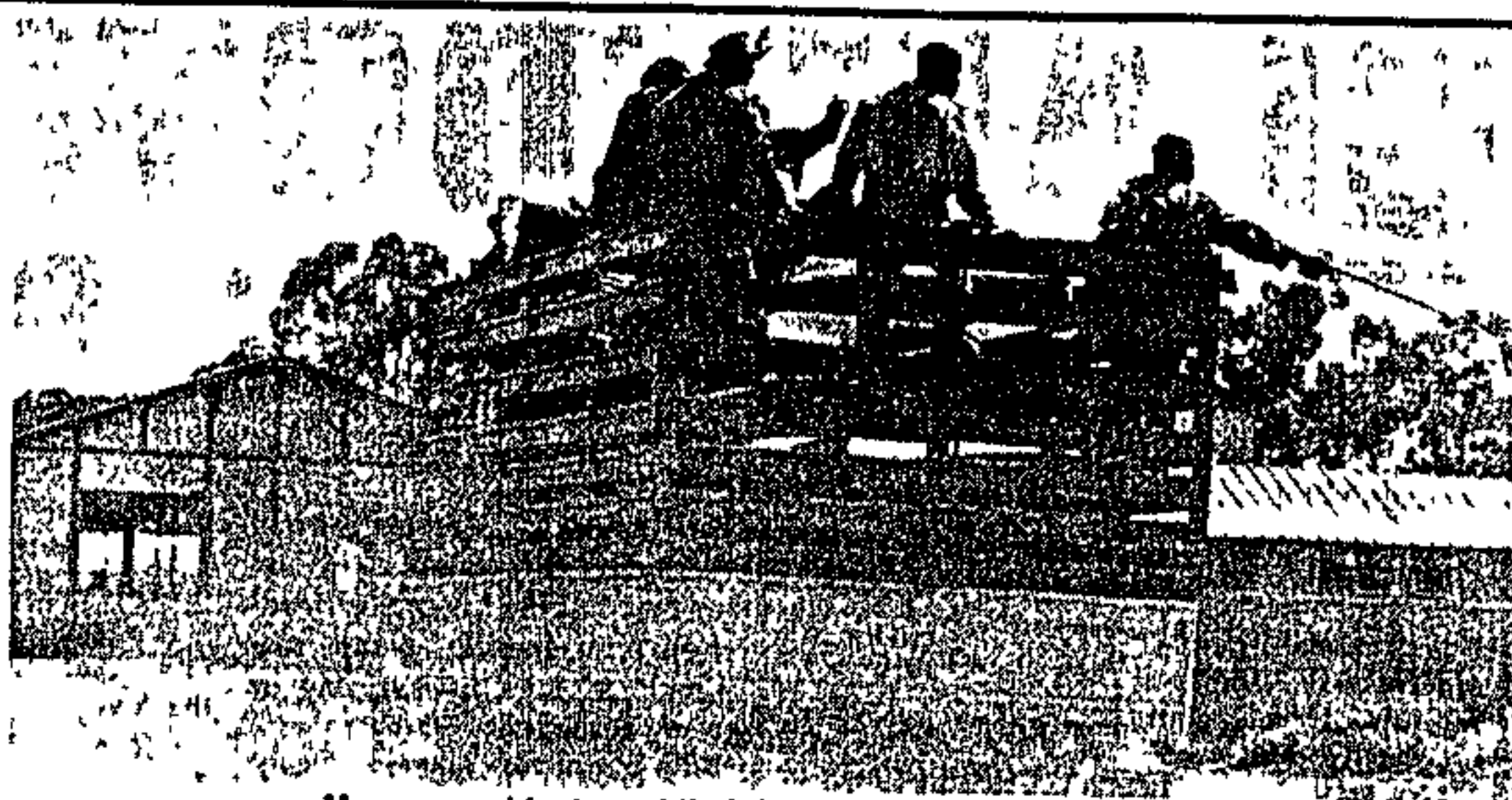
They sought and were granted permission by the Government to send

a small group back to clean the overgrown graveyard where their ancestors are buried.

That was last September. In three weeks, the work was almost done, but the pull of "home" began to get to them and the rate of their work slowed to a crawl.

Others joined them until there were between 60 and 70 people there. They went back, like homing pigeons, each to the spot where he had lived before and built a corrugated iron shanty amid the ruins of his old home.

Some took cuttings from the fruit trees that had been theirs, a slip



Mogopa residents and their belongings were loaded on to trucks.

# PEOPLE OF MOGOPA RECLAIM THEIR HOME

## FOCUS

**A SOUTH African tribe, forcibly moved from their land under a blaze of international publicity five years ago, have attempted to reclaim their home. The tribesmen now face charges for ignoring Pretoria's edict. ALLISTER SPARKS**

**reports on "one of the most flagrant violations of human rights conceivable."**

For three days this week, members of the tribe packed the court-house in their tattered clothing, with their gnarled hands and creased peasants' faces, listening intently to the white lawyers and the white

judge engaging in technical legal arguments about the rights of possession and the law on spoliation which none of them understood but on which they knew their future hung.

Poee, meanwhile, was on his mountain praying. He is the tribe's priest and he left seven coloured candles burning in his tin shanty to lend strength to his prayers.

The tribe's lawyer is Jules Browde, president of an organisation called Lawyers for Human Rights, and he told the court the Mogopa tribe were the victims of "one of the most flagrant violations of human rights conceivable."

Tracing the history of what happened to the tribe, Browde noted that their removal was intended to eradicate a "black spot" in what is regarded as a "white" area to consolidate homogeneous ethnic "homelands" in accordance with the Government's apartheid policy.

But under the law, when a tribe refuses to move voluntarily, the matter is supposed to be debated by parliament before there is a forced removal. **Illegality**

This was not properly done. The tribe sought a court order to stop its eviction on these grounds, but the Government expropriated the land under another law before the Appeal Court delivered its judgment in the tribe's favour.

This was a "ruse" to get around its own illegal action which meant the expropriation was invalid, Browde argued. So the land still belonged to the Mogopa tribe.

The State, of course, is contesting this, and the judge, Mr Justice Willem van der Merwe, will decide the issue next week.

But in a sense it is a case the Government cannot win.

As the Mogopa people filed out of the court they made it clear they would not move whatever the verdict.

So either Pretoria will lose its ill-gotten land and have the cursed "black spot" return, or it will have to call in the bulldozers again and uproot people while the world looks on in disgust.

London Observer Service.

LITY COALCIL'S  
POSSIBLE CORRUPTION  
ARITIES  
RMER  
GOOD  
ED  
CIL!



Political comment in this issue by Aggrey Klaaste and Sam Mabe. Sub-editing, headlines and posters by Sydney Matlhaku. All of 61 Commando Road, Industria West, Johannesburg.

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## Mogopa residents win reprieve

By Jo-Anne Collinge

The group of die-hard residents of Mogopa, who some months ago reoccupied the Ventersdorp farm from which they were unlawfully removed in 1984, have won a reprieve from eviction.

In terms of a Supreme Court order issued last week, the group — numbering between 50 and 70 — could have been evicted any time after midnight last night.

Yesterday a spokesman for the office of the Minister of Development Aid indicated the eviction would not take place before the legal process had run its course.

"Should the people be granted the right to appeal, we will be awaiting the outcome of the Appeal Court hearing and will do nothing until then," he said.

The announcement has defused a tense situation, with residents bracing themselves for yet another eviction and foreign interest in the issue mounting.

At least two foreign diplomats visited the residents yesterday and foreign journalists have been there this week.

A spokesman for the Transvaal Rural Action Committee said a court date for the application for leave to appeal had not been set.





## 'Exile without removal': bid to curb courts

RURAL black communities are no longer faced with forced removals. Instead, Pretoria re-draws "homeland" boundaries to incorporate them. And a new Bill published last week aims at excluding any court challenge to this policy.

This is the opinion of fieldworkers and legal experts who attended a conference in Cape Town this week on "Forced Removals and the Law".

Court actions brought by communities faced with incorporation have presented key challenges to the government's new strategy.

Now the Alteration of Boundaries of Self-Governing Territories Bill, tabled in parliament last Friday, seeks to close down this avenue.

Among other things, it states: "No court of law shall be competent to inquire into or pronounce upon the validity of any proclamation issued" by the state president.

Another clause seeks to validate re-

spectively all proclamations issued under the National States Constitution Act or any other law for the alteration of an area.

In the opinion of Kate O'Regan of the University of Cape Town's Labour Law Unit, the Bill appears a direct response to court decisions overturning government proclamations incorporating Moutse into kwaNdebele and Botshabelo into QwaQwa.

This means that if the Bill becomes law, court decisions preventing the incorporations of Moutse and Botshabelo will no longer have force.

Transvaal Rural Action Committee fieldworker Aninka Claassens told the conference incorporations were attended by even more violence than forced removals had been.

"Invariably, the 'bantustan' authorities have immediately moved in,

### By GAYE DAVIS, Cape Town

rounded up people and viciously assaulted them.

"In all cases, people are told that they must now realise that they are under the 'bantustan', they are told to shout pro-'bantustan' slogans and when they refuse they are tortured."

The decision to incorporate Moutse's more than 110 000, mainly North Sotho-speaking people into the underdeveloped, overcrowded Ndebele "homeland" in 1986 was reversed by the Appeal Court.

It found the purpose of the National States Constitution Act was to unite people of similar ethnic groupings and that the state could not hide behind the excuse that it was incorporating the community for "administrative reasons".

A similar argument was used in the successful court challenge brought last year against the attempt to incorporate Botshabelo, which lies 55km from Bloemfontein, into tiny, impoverished QwaQwa, more than 330km away.

Here the argument rested on the differences in background and development of the two areas. Again, the court examined the policy behind the National States Act.

The most recent legal challenge to incorporation came from residents of the Western Transvaal settlement of Braklaagte, who opposed incorporation into Bophuthatswana under the Borders of Particular States Act.

They lost — and a community of some 9 000 people was effectively exiled without being moved.

The community's lawyer, Johan-

nesburg attorney Clive Plasket, told the conference it was difficult to challenge proclamations issued under the Borders of Particular States Act. No objective criteria had to be met, which made the Act less open to judicial scrutiny and thus more difficult to attack.

Legal challenges to incorporation usually boiled down to a desperate last stand, said Plasket. If the new Bill is enacted, even this will no longer be possible.

● The new Bill provides for retrospective validation of Moutse's incorporation into kwaNdebele from the date of the proclamation up to March 28 last year, the date when the Appeal Court set it aside.

The Bill's memorandum states this has been done so as not to anticipate the findings of the Rumpf Commission of Inquiry, which is investigating Moutse's political and constitutional future.



# Mshenguville residents have

**Some welcome the move, others question it** MSHENGUVILLE, Soweto's worst slum area, is nearing its end after three years of being a health hazard and an eyesore to Soweto residents.

It has also been an embarrassment to its "father", Mr Ephraim Tshabalala and the authorities.

The Soweto City Council's decision to resettle the 30000 squatters in better serviced areas in Zurbekom and Orange Farm was met with mixed feelings by the slum camp residents.

Some of the residents welcomed the change to be moved to "a place with decent conditions, normal-sized streets and yards and ablution facilities". However most people expressed disappointment at being moved from "a zozo to a zozo".

"I have spent more than half of my life living in tin shacks," said Mrs Peggy Baloyi, a sangoma who shares a two-roomed shack with 10 members of her family including a three-month-old baby.

"I am tired of being moved from a zozo to a zozo. Before I came here I was at MacDonalds Farm and it was not any better there. If I move to a new place I will not afford to buy the site and pay for a decent house."

"The council is aware that most of us are unemployed and we will not be able to build our own houses," said Mr Nimrod Thwala of Block 3.

"I spent days in hospital with five bullet



MR NIMROD THWALA ... "I got five bullet wounds for this." Mr Thwala was shot during a clash with police. In the background is Mshenguville with its daily blanket of smoke hanging over it.



ALEXANDRA

FREE HOLD  
SECTIONAL

TITLE

7 4'S



Govt. ruling  
on Potsdam  
welcomed

THE National Committee Against Removals (NCAR) welcomed the South African government's "belated decision" to grant former residents of Blue Rock in the Eastern Cape a permanent place to settle in South Africa.

50 "After years of struggle against forced incorporation into the Ciskei, the community of Potsdam (originally removed from Blue Rock) took it upon themselves to find an alternative place in South Africa," an NACR spokesman said.

"At the time of the forced removals from Blue Rock six years ago reports referred to 600 families.

"It is presently estimated that the Potsdam community has a population of at least 5 000 people," the NACR said.

— Sapa



(27) (10)

# Bill hangs over heads of waiting 500 000

Special Correspondent

A CONTENTIOUS Bill, aimed at incorporating Botshabelo and its 500 000 inhabitants into QwaQwa, was tabled in Parliament this week.

It is highly unlikely that the Bill will be approved by all three houses of Parliament and it is therefore expected that it will eventually be submitted to the President's Council.

The Bill contains a clause which, when enacted, will prevent decisions taken by the government concerning the borders of self-governing states from being declared null and void by the courts.

The Supreme Court recently declared a government proclamation - which determined that Botshabelo, considered to be South Africa's second largest black city, be incorporated into QwaQwa - null and void. The Bill will now confirm this proclamation.

The approval of the Bill will also mean the government can incorporate any area into a self-governing state, while those who object will not be able to contest the decision in court.

Known as the Alteration of Boundaries of Self-Governing Territories Bill, it has been tabled by Constitutional Development and Planning Minister Chris Heunis.

The objective of the Bill is to authorise the State President to change the areas where legislative assemblies for self-governing areas have been instituted, to confirm certain proclamations and to provide for related matters.

According to the Bill the State President will be empowered to incorporate, by means of proclamation, any black area described in the proclamation into an area for which a legislative assembly has been instituted. That area will then form part of the self-governing area concerned.

The State President may also remove any area, described in the proclamation, from an area for which a legislative assembly has been instituted.

The State President may take these decisions, despite the stipulations of the Constitution of National States Act of 1971 or any other act, when he deems it necessary and after the Minister of Constitutional Development and Planning has consulted the cabinet of the self-governing state concerned.

In a separate sub-clause, the Bill provides that no court of law will have the authority to investigate or to make a judgement on the validity of such a proclamation issued by the State President.

According to the explanatory memorandum attached to the Bill, it is considered necessary to empower the State President to expand or decrease the areas of jurisdiction of self-governing areas, should he deem it necessary, so as to avoid uncertainty concerning the demarcation of changes or additions to self-governing areas.

The authority of the State President is also needed to confirm all the existing proclamations of the areas of jurisdiction of the self-governing states which have already been issued.

According to the memorandum, Proclamation R.227 will be excluded from the general confirmation because the Rumpff Commission is presently investigating the future of Moutse and it is therefore not desirable to anticipate the findings of the commission.

A few years ago the government decided that Moutse be incorporated into KwaNdebele. The inhabitants of Moutse objected vociferously against this

# GROUPS OP BOUNDARIES

By SELLO SERIPE

THE Alteration of Boundaries of Self-Governing Territories Bill has come under strong attack from eight communities faced with incorporation into homelands.

If the Bill is passed, it will mean the Transvaal communities of Braklaagte, Moutse, Leeufontein and Matjakaneng; the Free State's Botshabelo; and the Eastern Cape's Thornhill, Peulton, and Potsdam may be incorporated into homelands.

In a joint statement this week, the communities say they will be denied protection of the courts and victories such as that of Moutse will be ruled out.

The Bill also by-passes a Free State Supreme Court decision which reversed the incorporation of Botshabelo's 600 000 commu-

## Eight communities face elimination of court protection

nity into Qwaqwa. An Appeal Court ruling is pending but if the Bill becomes Law, Botshabelo will be incorporated into QwaQwa.

The affected communities are:

**BRAKLAAGTE** - The village, comprising about 10 000 inhabitants, was established in 1905.

It was also under the national spotlight in December 1988 when it resisted an SA government proclamation which sought

to incorporate it into Bophuthatswana.

However, after a futile Pretoria Supreme Court battle brought by community leader Chief Pupsey Sebogodi, the village was handed to Bop on March 10 this year - the new Bill would eliminate further appeals.

**MOUTSE** - The community near KwaNdebele known for its fight against the SA government when residents resisted incorporation into KwaNdebele in 1985.

**MATJAKANENG and LEEUFONTEIN** - After Bophuthatswana obtained independence in 1977, the SA government wanted the two villages governed by Bophuthatswana.

The communities "fought" back and the government backed down.

**BOTSHABELO** - The township, with about 600 000 residents and about 200km from QwaQwa in the Free State, was established in 1979.

Its existence was linked to Bophuthatswana's independence in 1977 when the homeland's President Lucas Mangope demanded that hundreds of South Sotho squatters in Thabanehu, which was to be part of his country, be removed.

Rumours that Botshabelo was to be incorporated into QwaQwa, a self-governing homeland near Harismith, started in 1987. The rumour resurfaced in May the same year and triggered a chain of school boycotts, work stayaways and violent incidents.

On December 2 1987 the rumour, which was previously dismissed as untrue by QwaQwa Chief Minister T K Mopeli and SA's Constitutional Development and Planning Minis-

ter Chris Heunis, as truth when P W Botha announced proclamation which incorporated Botshabelo into QwaQwa.

Disgruntled by the decision, 28 year-old shabelo schoolteacher Lawrence Lefuo successfully applied for the Supreme Court into which overturned the proclamation.

Judge J P Maritz with the concurrence of Judge G A Hlattinger, concluded that Botha was authorised by the state powers on which he purported to rely when he issued the proclamation.

The SA government immediately indicated it would appeal against the decision.

**POTSDAM** - In 1988 residents of Blue Rock were forcibly removed from Potsdam in the C. Potsdam was far places where the community could find work.

In November 1988 the community took the government to the Supreme Court. In 1989 the court decided that residents had been legally removed from and that they could presently reside in SA.

Many Potsdam residents wanted to leave the area immediately, but they had not given them a of residence.

If they returned to Rock, the government could use harsh new squatting laws against them.

As in the Borel case, the government lodged an appeal against the court ruling. Residents thought the appeal was another attempt to their return to SA.



Minister Chris Heunis... architect of the Bill.



# OPPOSE ARIES MOVE

## Communities in protection

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them

As in the Botshabelo  
case, the government had  
lodged an appeal against  
the court ruling. Residents  
thought the appeal was just  
another attempt to delay  
their return to SA

PEELTON - It is not cer-  
tain whether the territory,  
which lies between Bisho  
and King William's Town,  
falls under SA rule or the  
Ciskei

SA announced that it  
would discontinue paying  
pensions to citizens living  
in Peelton because it was in  
the Ciskei. Peelton resi-  
dents maintained they  
were SA citizens

They said Ciskei's Presi-  
dent Lennox Sebe was at-  
tempting to co-opt them.

In January this year, the  
community insisted that if  
the Ciskei wanted to talk to  
them, then the community  
should first be allowed to  
meet and discuss the situa-  
tion and work out their  
demands.

Peelton has an interdict  
against the Ciskei police  
force restraining it from  
unlawfully harassing the  
community.

Residents also intend  
raising the problem of be-  
ing refused admission to  
SA hospitals and the  
threatened withdrawal of  
SA pensions.

THORNHILL - It is situ-  
ated in the Ntabethemba  
(Mountain of Hope) area  
of the Hewu district in the  
far north-western reaches  
of the Ciskei, with a popu-  
lation of about 12 000.

However, the communi-  
ty, which is ruled by six  
tribal Chiefs, is divided on  
the issue of incorporation  
into Ciskei

About 4 000 people have  
signed a petition protesting  
"broken promises" they  
claim were made by Pre-  
toria about their land.  
They say they were disen-  
franchised against their  
will and are demanding the  
return of their SA citizen-  
ship.

Thornhill is the original  
dumping ground of about  
50 000 political refugees  
from the Herschel district  
in Transkei.

With the help of the  
Grahamstown Black Sash  
and Grahamstown Rural  
Committee, they have ap-  
pointed a lawyer who has  
taken up their case with  
both Pretoria and Bisho.

## Mabuza rejects Bill on borders

THE Chief Minister of  
KaNgwane this week re-  
jected the Alteration of  
Boundaries of Self-Gov-  
erning Territories Bill in-  
troduced by the South  
African government

In a statement Enos  
Mabuza said the Bill  
"provides yet another in-  
stance of disregard for  
the rule of law and the  
jurisdiction of the  
courts."

He said the Bill gave  
the State President the  
power to deprive a self-  
governing territory of  
land on report of the  
Minister of Constitu-  
tional Development  
after "consultation"  
with the cabinet of the  
legislative assembly con-  
cerned

"This Bill should be  
strongly opposed and re-  
jected as it stands," he  
said.

Mabuza said the pow-  
er to include or excise



KaNgwane Chief Minister Enos Mabuza.

land from a self-govern-  
ing territory should be  
possible only with the  
agreement in writing of  
the cabinet of the terri-  
tory concerned

"Furthermore, such  
consent should be rati-  
fied by means of a refer-  
endum with the people  
affected

"To deprive the Su-

preme Court of its right  
to review decisions of  
the State President and  
empower him to validate  
through legislation,  
proclamations previous-  
ly declared null and void  
by the courts is a further  
gross violation of the  
rule of law in South  
Africa," Mabuza said -  
Sapa

## Lawyer speaks out against removals

THE government was not using the Pre-  
vention of Illegal Squatting Act or any  
other mechanism to limit the number of  
black people in urban areas, Geoff Bud-  
lender of the Johannesburg Legal Re-  
sources Centre said

He was addressing a conference on  
forced removals and the law at the Uni-  
versity of Cape Town

Many commentators, including him-  
self, had been sceptical about the aboli-  
tion of influx control as it seemed the  
government could easily use other means  
of controlling influx into the cities, Bud-  
lender said

However, the eight or nine million  
black South Africans in the TBVC

states, deprived of their South African  
citizenship, had been exempted from  
obtaining temporary residence permits  
to live and work in South Africa

The Prevention of Illegal Squatting  
Amendment Act was "a dreadful piece  
of legislation", but was not designed to  
reduce or limit the number of people in  
the urban areas, Budlender argued

"This Act is to the housing crisis what  
the emergency regulations are to the  
political crisis. It is an instrument of  
control - a means of ensuring that when-  
ever it considers it necessary, the govern-  
ment has the power to shift groups of  
people around without interference from  
the courts," he said - Sapa



MIKE ROBERTSON

POLITICS

# Heunis explains' court curb

16 Dec 2004 15:24

CAPE TOWN — Constitutional Development Minister Chris Heunis has tried to justify his department's attempt to deny courts' right to inquire or pronounce on government moves to alter homeland boundaries by saying their rulings can result in "administrative, political and legal chaos".

Heunis was responding to media inquiries about the alteration of Boundaries of Self-Governing Territories Bill. The Bill seeks to deny the courts the right to inquire or pronounce upon proclamations issued by government on the alteration or extension of homeland boundaries. He issued his statement on the same day that Justice Minister Kobie Coetsee said "our Supreme Court is the guardian of the rights of the

individual and the community".

The Bill seeks to invalidate a Supreme Court judgement last year preventing government from adding Botshabelo, a community of 400 000 near Bloemfontein, to the QwaQwa homeland. The Supreme Court based its decision on the ethnic incompatibility of the peoples of Botshabelo and QwaQwa, recognising differences in political development, lifestyle and culture.

One judge, Mr Justice Funder, spoke at length in the ruling of the judicial responsibility to safeguard the rights of people who have no official representation.

He said, "I would assume that a far-reaching step such as the incorporation of

Botshabelo would have been thoroughly investigated and planned... I would like to think this was so since an important and drastic constitutional step was taken changing the right, status and way of life of approximately 400 000 people who had no say in the matter whatsoever... This calls for the exercise by this court of the utmost vigilance and scrutiny since no other effective legitimate avenue may be available to safeguard the rights of those so affected."

Explaining why government felt the new Bill was necessary, Heunis said: "The history of various court cases affecting the boundaries of self-governing territories is well-known. When a proclaimed boundary

is changed by way of a court action with retrospective effect, the result can be administrative, political and legal chaos.

"This is especially so if the court action takes place a few years after the boundary has been proclaimed."

Democratic Party spokesman Peter Soal described Heunis's justification of the Bill as cynical. It allowed government to do exactly what the judges had said they should not do in the case of Botshabelo.

"It is a disgraceful disregard for the system of justice. When they don't agree with what the courts say, they take the rights of the court away."

## Govt considering ban



the number of small shipping companies made it hard to track the route of oil cargoes around the world. — Sapa-Reuter.

A centrally-planned economy with little or no private property was not an environment in which the majority of business could operate successfully.

trade  
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## Minister 'wants to act unlawfully'

THEO RAWANA  
CONSTITUTIONAL Planning and Development Minister Chris Heunis wanted a free hand to act unlawfully and unhampered by the control of the courts, Lawyers for Human Rights national chairman Jules Browde said yesterday.

Browde was reacting to Heunis's explanation of the Alteration of Boundaries of Self-Governing Territories Bill, which would deny the courts the right to inquire or pronounce upon government proclamations on the alteration or extension of homeland boundaries.

The Bill is an attempt to force the 500 000-strong community of Botshabelo to be incorporated into QwaQwa, in spite of a Supreme Court ruling last year overturning an earlier attempt.

Responding to media inquiries about the Bill, Heunis had said: "When a proclaimed boundary is changed by way of a court action with retrospective effect, the result can be administrative, political and legal chaos."

Browde said: "What the minister is asking for is a free hand to act unlawfully, unhampered by the control of the courts. If anything can lead to chaos, that can."

"Our courts have often said that every legal power must have legal limits; otherwise there is dictatorship. That is what the minister is asking for."

## Swapo appeals aired for guerrilla pull-out

KEVIN JACOBS

WINDHOEK — Swapo military commanders' pleas to guerrillas to return to Angola were broadcast for the first time last night over Namibian radio services, and similar helicopter-borne "skyshouts" are being amplified over Owambo's bushland.

Under an agreement with Angola, tape-recorded messages from Swapo's leaders are being broadcast across the territory in advance of a three-day military confinement to base offered by SA to induce a full guerrilla withdrawal from Namibia.

SA ordered the base restriction from 6pm tomorrow after Angolan officials said Swapo had complained its fighters in Namibia were reluctant to withdraw under threat of military pursuit.

Government spokesman Gerhard Roux said yesterday the Swapo tapes ordering the immediate pull-out had been handed over on Sunday.

It was not clear if UN or SA military helicopters and ground vehicles would be used to broadcast the appeals.

Officials have declined to estimate the number of Swapo fighters still in the territory, holding out for verification after this week's confinement. They say the military forces will remain in bases and SA will resume its withdrawal if Administrator-General Louis Pienaar is satisfied by UN monitors that all of Swapo's surviving fighters have reassembled behind the 16th parallel in Angola.

# LP has aided forced removals—MP

## Political Staff

THE Labour Party had effectively supported the "forced removal" of blacks from the Kabah-Langa area near Uitenhage which they had occupied since 1920, the MP for Schauderville, Mr Charles Redcliffe, said yesterday.

He was commenting on a reply given by the Minister of Local Government and Housing in the House of Representatives, Mr David Curry, dur-

ing an interpellation yesterday.

Mr Curry told the House his department had made representations to the Group Areas Board on the future of the Kabah area on March 15.

He said the town planning consultants had shown that an additional 377 ha of land — excluding Kamesh — would be required for coloured housing by the year 2010.

Mr Curry said it had been

mentioned that if the higher- and middle-income groups could be accommodated in Kabah, Kamesh could be made available for the lower-income groups where the demand was more urgent.

During the interpellation, Mr Redcliffe said the Administration wanted the Kabah area declared a coloured group area. The Labour Party was in charge of the Administration and therefore supported what was done by its

officials.

He said that since 1920 the area had been occupied by blacks.

If the Administration now wanted them moved in terms of the Group Areas Act, then the Labour Party must accept responsibility for this.

Mr Redcliffe quoted a report in which the regional planner at the Port Elizabeth office of the House of Representatives, Mr D B Stupart, had stated March 1975.

that it did not matter if Labour Party leader the Rev Allan Hendrickse was opposed to the Group Areas Act. It existed, and it was the department's job to find land for coloured housing in terms of the Act.

Mr Redcliffe stressed that the whole Kabah-Langa area was sensitive as it was at Langa that 19 people had been shot and killed by the police in March 1975.



# Plight of Potsdam squatters desperate — MP

271  By BARRY STREEK  
Political Staff

CASE 27/4/89  
Tinf

THE government was determined to find a fair solution to the position of the Potsdam squatters who had left Ciskei because they did not want to live there, the Minister of Education and Development Aid, Dr Gerit Viljoen, said yesterday.

Dr Viljoen, who was replying to the debate on his Vote, said his department had regular contact with a representative committee of the Potsdam squatters.

He was replying to an attack by the Labour Party MP for Diamant, Mr Les Abrahams, on the Department of Development Aid for its failure to take action to solve the problem.

Mr Abrahams said "In the past weeks a community of hundreds of surplus people, in an act of human desperation, rather than one of defiance or confrontation, voluntarily vacated their homes and walked into South Africa.

"These people have one great desire,

they believe they are South Africans and they want to live in South Africa."

The people, who were forcibly moved to Potsdam in Ciskei, had fought a lonely battle to be incorporated into SA for six years and the community had fled from the Ciskei three times, he said.

The Supreme Court confirmed their right to permanent residence in SA in January.

The government announced last month that it would appeal against the Supreme Court ruling.

## Bid to reverse unlawful removal

# Tribe fights for farms

A COURT case which will determine whether 420 families, unlawfully removed from two farms they had owned in the Ventersdorp district since 1916 and 1931, can return, began in the Pretoria Supreme court this week.

The Appellate Division (AD) ruled the eviction order by President P W Botha unlawful but, while AD proceedings were pending, government expropriated the farms and leased them to the Koster and Ventersdorp Agricultural Union as emergency grazing.

Government now wants to sell the farms to private individuals, according to court documents.

Department of Agriculture and Water Affairs Minister Greyling Wentzel and Education and Development Aid Minister Dr Gerrit Viljoen are seeking an order to remove people who recently returned to the farms.

Council for the respondents, Jules Browde, SC, argued the expropriation was invalid because it

RIAAN SMIT

was not effected for "public purposes", as required by Section 2 (1) of the Expropriation Act of 1975, and "was effected in bad faith and for an ulterior purpose".

Browde went on to quote what he cited as a similar case, *Mathebe vs the Government of SA*, where the court ruled the incorporation of Moutse into KwaNdebele was void because the decision was taken "with a view to administrative convenience".

### Measures

The Magopa tribe was forcibly removed from the farms Zwartrand and Hartebeeslaagte — about 5 000ha — in February 1984, to Pachsdraai, in the Groot Marico district.

Prior to the order, Department of Co-operation and Development officials adopted a series of measures "calculated to coerce the tribe to move", according to a document before court.

These measures included: the demolition of houses, schools, churches and clinics; the removal of water pumps; the termination of the bus service; the refusal or neglect to grant official assistance with pensions and to issue endorsements in terms of influx control legislation.

The order was challenged by counsel for the tribe two weeks after it was issued, but was upheld by Mr Justice J Van Dyk. He also refused the tribe leave to appeal.

Leave to appeal was granted after the tribe instructed attorneys to petition the Chief Justice.

The eviction order was ruled invalid by the Appellate Division in September 1985.

But, while legal proceedings were pending, the tribe was forcibly removed and the Community Development Minister served an expropriation notice.

Before judgment by the AD, the Development and Land Affairs Deputy Minister advised the tribe's attorneys the land had been expropriated.



# Mogopa eviction hearing: court reserves verdict

8/10/87 Own Correspondent

Judgment in the Mogopa-tribe hearing, in which the tribe faces an eviction order, has been reserved by the Pretoria Supreme Court.

An urgent application was brought by the Government earlier this year to have the remaining 70 members of the tribe evicted from the 3 840 hectare Zwartrand farm in the Western Transvaal, which the tribe has occupied since 1916.

During the 2½-day trial Mr Justice van der Merwe heard that the tribe's land was expropriated by the State President in 1983.

Mr Sam Maritz SC, counsel for the applicants — the Minister of Agriculture and Water Affairs, and the Minister of Education and Development Aid — argued that the farm now belongs to the Government.

He said that although the tribe had bought the farm in 1916, following the expropriation, the tribe members had been "compensated" and were "relocated" to the Pachsdraai farm in the Groot Marico district.

Counsel for the tribe, Mr Jules Browde, SC, said the State's expropriation of land was "one of the most flagrant violations of human rights conceivable".

He earlier argued the expropriation was invalid in terms of the Development Trust and Land Act. He said Mogopa was a thriving community with its own schools and churches, and produced its own food.

Furthermore, the Minister of Education and Development Aid and his officials had allowed other tribes in white areas to remain on their land, even land in the same Ventersdorp district, Mr Browde argued.

In a letter (handed in to support the defence argument) written by the tribe's attorney Mr N R L Haysom to Minister of Education and Development Aid Dr Gerrit Viljoen, the attorney said removal began on January 23 1983. A demolition squad destroyed three churches and a clinic. The Ventersdorp-Mogopa bus service was ended and the tribe's water pumps were removed.

Mr Browde argued that the application to have the tribe evicted should be dismissed.

The interim order passed by the Supreme Court earlier this year — with Mr Acting Justice Human granting a temporary order stipulating that no tribe members, except those now on the farm, may trespass on the land and no structures may be erected — was extended until judgment is handed down.



# The war with kwaNdebele is hardly over, and Moutse faces a new suitor: Lebowa

Memories of Moutse's bitter battle against kwaNdebele are still fresh, but a strong lobby of Moutse businessmen is urging incorporation into another homeland: Lebowa

MEZIMKULU MALUNGA reports

MOUTSE won the struggle against incorporation into kwaNdebele. Now it faces another battle: the threat of inclusion in Lebowa.

A group of business personalities, led by former Lebowa MP Godfrey Mathebe, is mobilising support for Moutse to be re-incorporated into Lebowa.

For more than two years the residents of Moutse, a large settlement about 80km north of Pretoria, fought against incorporation into kwaNdebele. Last year the Appellate Division ruled against incorporation, and the Rumpff Commission was appointed to investigate the future of the area.

Moutse has long been of interest to different "homelands": in 1968 it was a part of Lebowa but was returned to the central government in 1980. Then the dispute over incorporation into kwaNdebele arose in 1985. During the dispute the Lebowa government tried and failed to have the area re-incorporated into the "homeland".

This weekend more than 3 000 Moutse residents gathered at the Sam-pupuru showgrounds to hear Mathebe present his case.

At the start of the meeting there was a sudden quietness.

It appeared that Mathebe, who was accompanied by some officials from the Lebowa government, had won (a vigilante group) and there is *Thari*

the support of the acting chief and chairman of the Moutse Regional Authority (MIRA), Chief Tlokwe Mathebe.

Tlokwe Mathebe, in his opening speech, indicated that he favoured incorporation.

"Last year when we were meeting at this place, I told you now that the war is over and I want to go back to Lebowa, but there was confusion as some said yes and others said no," Tlokwe Mathebe said.

But the debate heated up and members of the Moutse Civic Association (MCA) and the Federation of Moutse Youth Congresses (Fedmoyco) invaded the platform to state their position.

Cries of "Moutse! Moutse!" filled the air and clenched fists were raised to the cloudy sky.

It was clear that any resolution taken in favour of incorporation would create trouble among residents who were still nursing wounds from the struggle against kwaNdebele.

"We don't oppose this just because it concerns Lebowa, we are against being put under any 'homeland' government. KwaNdebele, Lebowa or OvaQwa are the same," argued Isaac Dushago of the MCA.

"In kwaNdebele there is *Mbokotho* society and there is *Thari*



*Ea Sechaba* in Lebowa which plays the same role as *Mbokotho*," he said. He warned that if Moutse, which has a population of more than 120 000, was placed under a "homeland" authority, the chances were that residents would "re-experience the bitterness of 1985/86".

Dushago said opponents of the MCA had given residents the wrong idea about the association and its functions.

The MCA's emergence as an effective opposition at the meeting unsettled *Khudu Thamaga*, the name the residents use to describe Mathebe's associates in the middle of the talks. *Khudu Thamaga* members left their seats on the stage to hold a separate discussion with Lebowa officials.

Many people at the main meeting expressed the view that *Khudu Thamaga* was a "group of rich people who wanted to get even more rich at the expense of the people of Moutse".

The meeting nearly came to an abrupt end when a man, whom residents say is an employee of the kwaNdebele Department of Works and who was apparently not a resident of Moutse, occupied the stage and started shouting "Lebowa! Lebowa!"

Indignant members of the civic association and the youth congress

jumped up from their chairs and shouted "I *samaed' rona haree koo*" (Go! We are not going there!).

Godfrey Mathebe's supporters, who appeared to be mostly old people, repeated the cry of "Lebowa!".

Tlokwe Mathebe appealed for calm and the meeting continued.

Godfrey Mathebe, who represented Moutse in the Lebowa parliament for 13 years, made a passionate plea near the end of the meeting: it was safer to be under Lebowa than to remain under the central administration.

In front of him was last week's newspaper which contained information on the new Alteration of Boundaries of Self-Governing Territories Bill, which is likely to affect more than half-a-million people — Moutse included.

"If this Bill is passed, we are in trouble. This area can be incorporated into kwaNdebele," Godfrey Mathebe said, lifting the paper into the air. He added: "You know, recently I went down to Cape Town with officials of the Lebowa government, and PW Botha stated categorically that he did not want us under his government."

"That is why I am suggesting that we go to Lebowa because there we will be safe."

Modifying his approval of incorporation into Lebowa, Tlokwe Mathebe said that in view of strong opposition from the youth congress and the MCA discussions needed to be taken further. He also appealed for unity among his people.

Picture: KENDRIDGE MATHEBATHE

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w/mail  
28-4 May 89



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# Govt told to return land to Magopas

THE expropriation of land on which the Mogopa tribe has lived for several decades is not valid in terms of the Development Trust and Land Act, a packed Pretoria Supreme Court heard this week.

Counsel for the respondents, Jules Browde, SC, was arguing in the trial of 70 members of the Mogopa tribe who face an eviction order from the 3 840ha Zwartrand farm in the Western Transvaal.

The Supreme Court earlier this year passed an interim order stipulating that no members of the tribe - except those presently on the farm - may trespass on the land and no structures may be erected.

Acting Judge Human said the farm belonged to the government and the Mogopa tribe had no right to it.

The urgent application was brought against the tribe leaders, Daniel Molefi, Matthew Mpshe, Peter Chief More and Jacob More, by the Minister of Agriculture and Water Affairs and the Minister of Education and Development Aid.

The applicants had asked the court to order the Ventersdorp police to assist them in evicting the tribe and their possessions within three days of a final order being made.

The basis of the application rests on the proposition that although the Mogopa tribe previously owned the farm Zwartrand and the neighbouring farm Hartbeeslaagt - which they purchased in 1916 and 1931 respectively - the government is now the owner, by expropriation.

Zwartrand is presently leased by the Department of Agriculture and Water Affairs to the Koster and Ventersdorp district agricultural unions.

Browde told Judge WJ van der Merwe the government refused to sell the farm to the tribe, regardless of what they were prepared to pay.

He argued that the expropriation was invalid because it was not effected for "public purposes" as required by Section 2 (1) of the Expropriation Act of 1975, and "it was effected in bad faith and for an ulterior purpose".

He added that the policy on which the applicants relied as justifying an expropriation "for public purposes" arose from an entirely different state that had nothing to do with expropriation.

Browde submitted that "every legal power must have legal limits otherwise there is dictatorship".

Browde said no valid reasons for the expropriation were given, except for an affidavit made by Dirk Minnaar, the assistant director of the financial section of the Department of Agriculture and Water Affairs, who had said he was informed "the situation had become explosive".

Browde went on to quote what he cited as a similar case, "Mathebe vs the Government of South Africa," where the court ruled that the incorporation of Moutse into KwaNdebele was void because the decision was taken "with a view to administrative convenience".

The hearing continues.  
- Sapa

...on the question of whether there were mitigating circumstances, a finding which would have prevented the mandatory

"But e  
opinion  
stances,

## Mogopa tribe must await court decision on eviction

PRETORIA — Judgment in the Mogopa hearing — in which the tribe faces an eviction order — was reserved last week by the Pretoria Supreme Court.

Government brought an urgent application this year to have the remaining 70 members of the tribe evicted from the 3 840ha Zwartrand farm, in the Western Transvaal, which it has occupied since 1916.

Mr Justice van der Merwe heard the tribe's land was expropriated by the State in 1983.

Sam Maritz, SC, counsel for the applicants — the Minister of Agriculture and Water Affairs and the Minister of Education and Development Aid — argued the farm belonged to government.

He said the tribe bought the farm in 1916, but after expropriation its members had been compensated and relocated to the Groot Marico district.

Counsel for the tribe, Jules Browde, SC, said expropriation of land by the state was "one of the most flagrant violations of human rights conceivable". He added the expropriation was invalid under the Development Trust and Land Act. Removals began in 1983.

The tribe's attorney, N R L Haysom, said in a letter to the court a demolition squad in 1983 destroyed three churches and a clinic and the bus service to Ventersdorp was terminated by a local magistrate. Pumps were removed to deprive people and cattle of water.

He added about the same time a magistrate at Ventersdorp threatened he would not pay pensions unless tribesmen moved. — Sapa.



## Mogopa tribes loses its land

Star 3/5/84  
The Mogopa tribe has lost its legal battle to stay on the farm it has occupied since 1911. *Dec 2-84*

Mr Justice van der Merwe yesterday confirmed an interim order by the Pretoria Supreme Court in terms of which tribe members without written authorisation to be on Zwartrand farm in the western Transvaal have seven days to leave. *(271)*

Mr Justice van der Merwe authorised the South African Police at Ventersdorp to assist in "removing" tribe members if necessary.

The tribe's lawyer, Mr N Haysom, yesterday said that application for leave to appeal might be lodged.

The State expropriated the land in 1983 and the tribe was "relocated" to Pachsdraai in the Groot Marico district.

Mr J Browde, counsel for the tribe, said the expropriation of their land had been one of the most flagrant breaches of human rights conceivable.

The tribe had been a thriving and prosperous community with its own schools and churches. — Sapa.

man said.

rescheduled.

# Tribe has a week to get out



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*Jowdhan*  
3/5/89

A PRETORIA Supreme Court judge yesterday issued an order giving the Bakwena ba Mogopa tribe seven days to leave Zwartland farm in the Western Transvaal.

The order by Mr Justice van der Merwe followed an application to evict 70 members of the Mogopa tribe living on the farm. The application was brought by the Ministers of Agriculture, Water Affairs and Education and Development.

Yesterday's order also empowered the Venters-

SOWETAN  
Reporter

dorp police to assist with the eviction in case the tribe does not move.

The judge said it was wrong for the representatives of the tribe to have brought up the expropriation of the land as defence in the application.

He said the invalidity of the expropriation of the farm could have been challenged on its own and not as a subject in the present case.



# QwaQwa helps out Botshabelo pending appeal

THEO RAWANA

QWAQWA had taken over Botshabelo's departments of justice and education.

Chief Minister Kenneth Mopedi added QwaQwa was also helping to run its public works department.

Government's incorporation of Bloemfontein township Botshabelo into QwaQwa, on December 2 1987, was overturned by a Supreme Court ruling last year. Government is appealing.

SA Constitutional Promotion chief director Len Dekker said yesterday QwaQwa had a right to run the departments because the appeal served to revert the situation to Botshabelo's incorporation before the ruling.

"The proclamation was published on December 2 1987 and the appeal reverts the situation to what it was before the Supreme Court ruling. QwaQwa has legal authority to run Botshabelo's departments pending the outcome of the appeal," said Dekker.

There has been criticism of QwaQwa's running of the departments before the outcome of the appeal.

Mopedi said QwaQwa was charged with administration of education and justice departments since the incorporation and had taken over the public works department "in a limited way for the maintenance of buildings and other amenities of the two other departments".

# Incorporated villages plagued by violence

By Jo-Anne Collinge

Violence and conflict continue to wrack the communities of Braklaagte and Leeuwfontein in the wake of their incorporation into Bophuthatswana early this year, according to lawyers and field workers.

The conflict centres on the refusal by many residents to accept that they are part of the homeland and the insistence of Bophuthatswana officials that they should submit to its rule.

Since Easter weekend, the villages, with a combined population of about 25 000, have experienced school boycotts, clashes between residents and police, a mass exodus of Leeuwfontein people back into South Africa and an unknown number of ar-

rests by the Bophuthatswana police, lawyers say.

On Monday this week pupils at Leeuwfontein renewed their school boycott. A confrontation with police took place and tear-gas and sjamboks were used against pupils, the Transvaal Rural Action Committee stated.

The pupils tried to take refuge in South Africa but were escorted back by the South African Police and immediately arrested by the Bophuthatswana police, Trac said.

The homeland's police spokesman, Colonel David George, was not available for comment late yesterday. The office of the Bophuthatswana Secretary for Information is expected to release a statement later this week.



# Tension as pupils are freed

By Jo-Anne Collinge

Tensions ran high in the Western Transvaal settlement of Leeuwfontein yesterday as Bophuthatswana police prepared to release about 120 jailed school pupils, and official preparations were made for a visit by President Lucas Mangope to the area.

Leeuwfontein was incorporated into Bophuthatswana six months ago, along with the village of Braklaagte. Most of the 25 000 residents of the two communities are opposed to Bophuthatswana's rule.

Last Friday, President Mangope visited Braklaagte and residents simply stayed at home. Indications in Leeuwfontein yesterday were that the visit, scheduled for today, would be coolly received.

## CHARGED

Yesterday there was a heavy police presence around Leeuwfontein. School boycotts were still in force.

Parents gathered at the Mots-wedi court to wait for their children. But eventually only six of the jailed pupils were charged with public violence, and the charged pupils were back in the community by last night. Bail of R400 each was fixed for the two aged 18 years or over and R300 each was fixed for three 17-year-olds and a 16-year-old was released into the care of his parents.

Howard

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task. Members of the Force who would have carried out the task, already perform long hours of duty under difficult circumstances. They can only perform this task at the cost of other important police functions. Such a task can, in addition, not be accounted for economically. On these grounds the furnishing of the requested information can therefore not be justified.

- (2) and (3) Complaints and charges lodged against members of the South African Police are fully investigated. In the case of departmental investigations, the commanding officers of those members decide whether there is sufficient evidence available to institute departmental steps. In the case of criminal charges, the case dockets are referred to the various Attorneys-General for a decision.

I wish to point out to the honourable member that the South African Police maintain strict discipline. Offences are not tolerated and suitable steps are taken without hesitation against members who commit departmental and/or criminal offences.

SAP: members suspended/dismissed

303. Mr P C CRONJÉ asked the Minister of Law and Order:

Whether any members of the South African Police were (a) suspended and (b) dismissed in 1988 as a result of arrests, interrogations, detentions or other unrest-related activities, if so, how many in each case?

B643E

The MINISTER OF LAW AND ORDER.

- (a) 35 members  
(b) 25 members

Grey's Hospital: non-Whites

346. Mr C J DERBY-LEWIS asked the Minister of National Health and Population Development:

- (1) (a) How many non-Whites were admitted to Grey's Hospital, Pietermaritzburg, in each of the latest specified three years for which figures are available. (b) what was

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OFS	0	0	0	0	0
Transvaal	2	15	2	48	67
Total	21	75	185	266	547

Information in respect of the Self Governing National States is included.

SAP: colleges for training

380. Mrs H SUZMAN asked the Minister of Law and Order:

- (1) (a) How many colleges for the training of (i) policemen and (ii) policewomen were there in the Republic, (b) where were they located in each case, and (c) how many (i) Whites, (ii) Coloureds, (iii) Asians and (iv) Blacks were on the teaching/instructor staff of each of these colleges, as at 31 December 1988 and the latest specified date for which figures are available, respectively;

- (2) how many (a) Whites, (b) Coloureds, (c) Asians and (d) Blacks were trained at each of these colleges in 1988?

B782E

The MINISTER OF LAW AND ORDER:

- (1) (a) (i) and (ii) 4

(b) Pretoria  
Bishop Lavis  
Wentworth  
Hammanstraal

(c) 31 December 1989	30 April 1989
(i) 193	193
(ii) 34	35
(iii) 13	14
(iv) 101	101

- (2) (a) 4 201 students  
(b) 905 students  
(c) 246 students  
(d) 2 522 students

Persons under 18: awaiting trial

383. Mr R A F SWART asked the Minister of Law and Order:

How many persons under the age of 18 years were awaiting trial in police cells as at 31 December 1988?

B785E

The MINISTER OF LAW AND ORDER:

841 persons at 810 police stations country-wide.

Black spots

436. Mr P G SOAL asked the Minister of Education and Development Aid:

- (1) (a) How many Black spots were removed in each (i) magisterial district and (ii) province in 1988, (b) what was the (i) name and (ii) population of each such Black spot and (c) where were the inhabitants of each such spot resettled;

- (2) what was the total (a) amount paid out in compensation for, and (b) cost of removing, each of these Black spots in that year?

B857E

The MINISTER OF EDUCATION AND DEVELOPMENT AID:

- (1) (a) None.

- (b) (i) and (c) Fall away.  
(2) Falls away.

Resettlement of persons

437. Mr P G SOAL asked the Minister of Education and Development Aid:

Whether any officials attached to his Department helped to resettle any persons in 1988; if so, (a) on what dates, (b) from what specified areas were persons moved, (c) in what specified areas were they resettled, (d) why was it necessary to resettle them and (e) how many persons were resettled in each case?

B858E

The MINISTER OF EDUCATION AND DEVELOPMENT AID:

Yes.

- (a) On a continuous basis.

- (b) (i) Zaanplaats, District Groblersdal  
(ii) Cornfields, District Estcourt.

- (iii) Inanda Dam Basin, Ndwedwe, Kwa-Zulu.

- (c) (i) Langkloof, District Witbank.

- (ii) Boschhoek/Craig, District Estcourt;

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Howard

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(iii) Ntuzuma Town, Inanda and elsewhere in the tribal area, District Ndwedwe, and Waterfall/Langefontein, District Pinetown.

(d) (i) On request of the Black Government concerned.

(ii) On request of the residents concerned.

(iii) As a result of the flooding of the land below the Inanda Dam.

(e) (i) 43 families.

(ii) 408 families

(iii) 57 families, 219 families and 83 families.

Blacks moved from Black spots

438. Mr P G SOAL asked the Minister of Education and Development Aid:

(a) How many Blacks were moved from Black spots to Black states in 1988 and (b) (i) from which Black spots, (ii) to which Black states and (iii) why were they moved in each case?

B859E

The MINISTER OF EDUCATION AND DEVELOPMENT AID:

(a) None.

(b) Falls away.

Illegal possession of fire-arms

444. Mr S S VAN DER MERWE asked the Minister of Law and Order:

(a) How many persons were arrested in each province of the Republic in 1988 for (i) illegal possession of fire-arms and (ii) being in possession of stolen fire-arms and (b) how many of the lawful owners of such fire-arms were traced in each category?

B866E

The MINISTER OF LAW AND ORDER.

(a) (i) (ii)

Cape Province

375

217

Transvaal

718

669

Natal

1 497

530

Orange Free State

75

51

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(b) (i) (ii)  
Cape Province 196 154  
Transvaal 403 441  
Natal 459 391  
Orange Free State 31 50

Fire-arms licences

445. Mr S S VAN DER MERWE asked the Minister of Law and Order:

(1) (a) How many persons in the Republic were as at 31 December 1988 licensed to possess fire-arms and (b) what was the total number of licences issued as at that date;

(2) how many applications for licences were (a) received and (b) granted in 1988;

(3) how many fire-arms were reported lost or stolen in 1988;

(4) whether, in 1988, any persons were declared unfit to possess fire-arms; if so, how many?

B867E

The MINISTER OF LAW AND ORDER:

(1) (a) 1 098 791

(b) 2 756 635

(2) (a) 130 856

(b) 123 456

(3) 7 524

(4) Yes, 2 424

Military disability pensions

457. Mr M J ELLIS asked the Minister of National Health and Population Development:

(a) How many persons are in receipt of military disability pensions and (b) what amount was paid out in such pensions in respect of the year ended 31 March 1988?

B892E

The MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

(a) 11 677

(b) R43 390 593.02

Establishment of police force in specified areas

517. Mr P G SOAL asked the Minister of Law and Order:

(1) Whether, in terms of section 21 of the National States Constitution Act, No 21 of 1971, he has permitted the (a) establishment, (b) control, (c) organization and (d) administration of a police force in (i) Gazankulu, (ii) Lebowa, (iii) KaNgwane, (iv) KwaNdebele, (v) Qwaqwa and (vi) KwaZulu; if so, subject to what conditions in each case;

(2) whether the (a) control, (b) organization and (c) administration of any personnel of the police force transferred to the government of each of the self-governing territories referred to above is subject to any conditions determined by him; if so,

which such conditions has he determined? B978E

The MINISTER OF LAW AND ORDER:

(1) and (2) No.

Robben Island: prisoners

521. Mr R A F SWART asked the Minister of Justice:

How many prisoners were being held at the (a) maximum security and (b) medium security prison on Robben Island as at the latest specified date for which figures are available? B982E

The MINISTER OF JUSTICE:

On 11 May 1989, the figures were as follows:

(a) 325

(b) 305

HOUSE OF ASSEMBLY

# Homeland boundaries Bill diluted

CMT TIMES 23/5/89  
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By MIKE ROBERTSON

THE government has backed off from its attempt to deny the courts the right to pronounce on moves to alter homeland boundaries.

But it is pressing ahead with the rest of the Alteration of Boundaries of Self-Governing Territories Bill, which opposition parties have described as a crude attempt to undermine the courts.

Deputy Constitutional Development Minister Mr Roelf Meyer told Parliament yesterday that after receiving numerous representations, the government was dropping a clause in the Bill which seeks to prevent the courts from pronouncing on proclamations.

The Bill was introduced after court rulings overturning government attempts to incorporate the 600 000-strong township of Botschabelo into QuaQua, and Moutse into KwaNdebele.

Mr Meyer said the government was intent on getting approval for the rest

of the Bill, which seeks to give the State President the power to issue proclamations incorporating areas into homelands after consulting with the Minister of Constitutional Development and homeland cabinets.

Mr Meyer said the court rulings had created legal uncertainty for the affected areas and the people who lived there. In each court case, different criteria had been applied. The government could not proceed with consolidations without defining clear criteria under which they would be carried out.

Mr Peter Hendrickse (LP, Addo) said the Bill was immoral and undermined the independence of the judiciary.

He asked if this was the kind of legislation one could expect from the new leader of the NP. In that case, he said, the best South Africans could hope for would be the humane application of apartheid.

"Is this what is meant by fairness for all? Circumventing the courts and depriving the people of Botschabelo of the right to go to court?" he asked.



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1203 **271** TUESDAY, 23 MAY 1989

Potsdam area: discussions with Government of Ciskei

\*7. Mr P G SOAL asked the Minister of Foreign Affairs:

Whether he or any official of his Department has held any discussions since 1 January 1988 with the Government of Ciskei regarding the future of the Potsdam area; if so, (a) when, (b) what are the names of the persons involved and (c) what was the (i) purport and (ii) outcome of these discussions?

B1025E  
The DEPUTY MINISTER OF FOREIGN AFFAIRS.

A comprehensive development for the whole of the Potsdam area is at present being conducted by the Ciskei Government in conjunction with the South African Department of Foreign Affairs and the Development Bank of Southern Africa. Meetings take place on a regular basis with a view to establishing bulk infrastructure, health services, schools, social infrastructure, etc. Personnel of the South African Embassy in Bisho attend these meetings where progress and technical aspects as well as problem areas are discussed.

**Good Hope Teacher Training Colleges: bursaries available**

\*8. Mr K M ANDREW asked the Minister of Education and Development Aid:

- (1) (a) On what basis are bursaries made available to students at the Good Hope Teacher Training College in Khayelitsha.
- (b) which categories of students at this college are eligible for such bursaries and (c) at what time of the year are they advised of the outcome of their bursary applications;
- (2) what are the current fees for students at this college?

B1026E  
The DEPUTY MINISTER OF EDUCATION.

- (1) (a) and (b) A limited number of contract bursaries are allocated to first year students. This is based on the basis of academic achievement in the first semester.

Contract bursaries are allocated to all second and third year students

HOUSE OF ASSEMBLY

1204

who were Departmental contract bursary holders the previous year and passed their courses, provided their conduct was satisfactory.

(c) First year students: At the beginning of the second semester.

Second and third year students: At the beginning of the first semester.

(2) Registration	R100,00
Indemnity fund	30,00
SRC fund	5,00
Stationery	25,00
Educational tours	30,00
Subject fund	25,00
Diverse	15,00
	R230,00

**Potsdam area: visits by officials of Government Departments**

\*9. Mr P G SOAL asked the Minister of Foreign Affairs:

Whether his Department was consulted in connection with recent visits to the Potsdam area by officials of two Government Departments, the names of which have been furnished to the Minister's Department for the purpose of his reply; if so, (a) which Departments were involved, (b) what was the object of these visits and (c) (i) when and (ii) on whose instructions did each take place?

B1028E  
The DEPUTY MINISTER OF FOREIGN AFFAIRS.

No, but the Department of Foreign Affairs is acquainted with the problem which is in the process of being resolved.

(a), (b) and (c) fall away.

**Good Hope Teacher Training College: changes in procedures of awarding bursaries**

\*10. Mr K M ANDREW asked the Minister of Education and Development Aid:

- (1) Whether, in respect of the 1989 or 1990 academic years, any changes are being effected in the procedures or basis of awarding bursaries or the number of bursaries to be awarded to students at the Good Hope Teacher Training College in Khayelitsha; if so, what changes;

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- (2) whether any current students will lose their bursaries this year or next year even though they passed or will have passed their examinations; if so, (a) which categories of students, (b) when and (c) what criteria will be applied in this regard?

B1027E

The DEPUTY MINISTER OF EDUCATION:

- (1) Yes.

A quota system has been introduced as from 1989 in respect of the allocation of contract bursaries to first-year students. There is no change in respect of the procedures or basis of awarding of contract bursaries to second- and third-year students.

- (2) Yes.

(a) Students who are found guilty of misconduct.

(b) On a date determined by the Director-General at the recommendation of the college council.

(c) Regulations issued by Government Notice R673 of 31 March 1983.

Mr K M ANDREW: Mr Chairman, arising from the reply of the hon the Deputy Minister may I ask him what the quota for 1989 is of the number of first-year students who will be eligible for bursaries, and what proportion that is of the number of students? [Interjections]

The DEPUTY MINISTER.

Mr Chairman, if my memory serves, there are approximately 245 first-year students at this college and there are indications that approximately 98 of them will be given bursaries. [Interjections]

Mr K M ANDREW: Mr Chairman, further arising from the reply of the hon the Deputy Minister may I ask, in the light of the fact that there has been a change in respect of first-year students in 1989 as compared to 1988, which he indicated in his answer, at what stage it was made known to this year's first-year students that they would not all be eligible to qualify for bursaries?

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The DEPUTY MINISTER: Mr Chairman, the information furnished to me by the Department indicates that these students were told about this arrangement when they registered at the beginning of the year.

**Toxic waste: erection of treatment plant**

\*11. Mr R M BURROWS asked the Minister of Environment Affairs:

- (1) Whether he or his Department has been negotiating with any person or organisation regarding the erection of a toxic waste treatment plant in South Africa for the purpose of treating toxic waste coming from non-South African sources; if so, with whom has he had such negotiations;
- (2) whether it is the intention to allow such a plant to be erected in South Africa, if so, where is it to be situated;
- (3) whether he will make a statement on the matter?

B1029E

The MINISTER OF ENVIRONMENT AFFAIRS.

- (1) No.
- (2) No.
- (3) No, but in reply to a similar question in the House of Assembly on 23 February it was stated that the RSA may have to consider a plant to cater for its own requirements in future. At that stage, however, it could be considered to accommodate other countries to render such an undertaking viable but then only with the greatest caution. As far as the mere dumping of toxic waste in the RSA is concerned, the answer is a definite no.

Mr R M BURROWS: Mr Chairman, arising out of the hon the Minister's reply, he will be aware of the press cutting that I sent through in connection with this particular question in which a certain individual indicated that he had been in the process of negotiating with the hon the Minister's department over the erection of a waste treatment plant. I take it that the hon the Minister categorically denies that such negotiations have been taking place?

HOUSE OF ASSEMBLY



# LRC on 'border war'

THE Legal Resources Centre on Tuesday commented on the fracas in Parliament when the Government dropped an attempt to halt court action against it in its plan to extend the borders of QwaQwa to incorporate nearby Botshabelo.

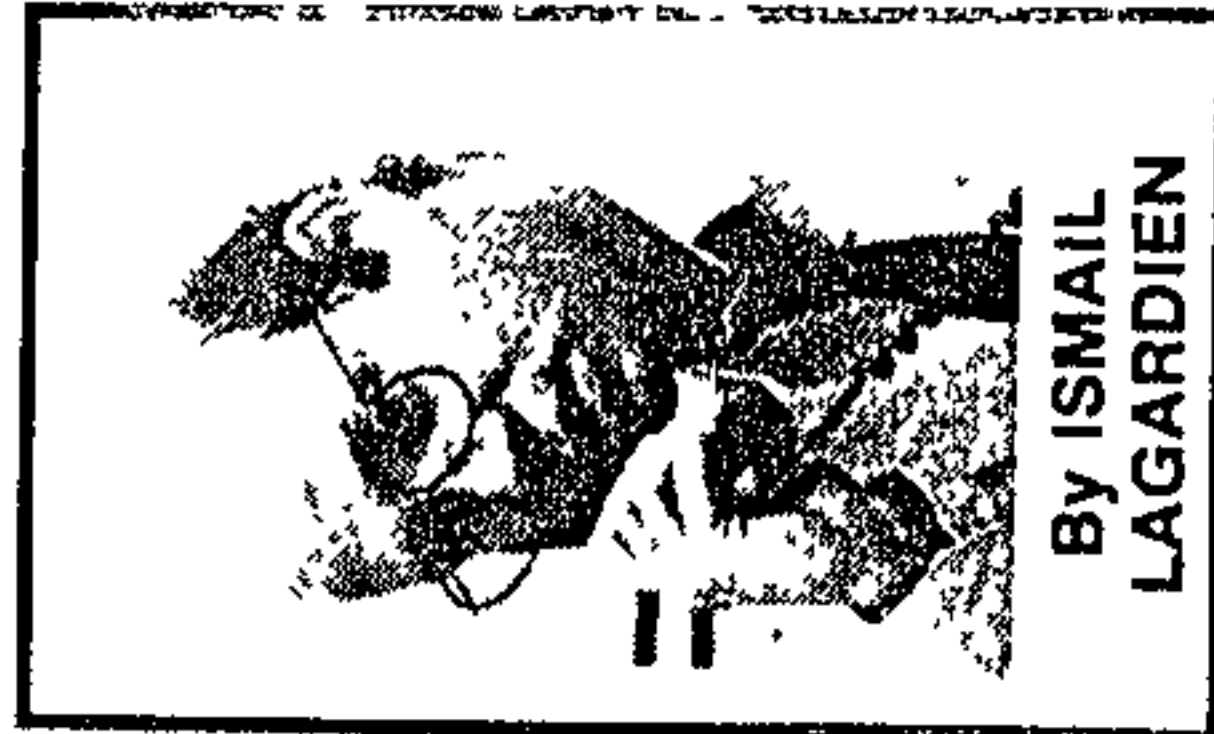
The uproar was caused by dissenters within the ranks of the National Party; Mr Peter Soal of the Democratic Party; and Mr Peter Hendrickse (LP) who criticised the Alteration of Boundaries of Self-Governing Territories Bill as "pernicious and evil". National Party sources were concerned about the international outcry should the State President overrule the courts.

Mr Geoff Budlender, director of the LRC in Johannesburg said in a statement that "the Bill remains unacceptable".

## Objections

In a memorandum prepared before the amendment which was announced on Tuesday the centre raised the following objections:

• The Bill is an attempt to legalise any previous unlawful conduct by the



BY ISMAIL LAGARDIEN

Government in incorporating areas into the "homelands."

• even if the clause specifically excluding the courts is dropped, it will become practically impossible to challenge any future incorporations through the courts

• the Bill anticipates the decision of the Appellate Division in the Botshabelo case and prevents the courts from doing its job which is to decide whether the incorporation of Botshabelo into QwaQwa was lawful

In analysing the Alteration of Boundaries of Self-Governing Territories Bill, Budlender explains:

"The National States Constitution Act of 1971 empowers the State President, by proclama-

tion, to amend the boundaries of a national state. He simply cannot declare that a particular area is, or is not, part of the national state in question."

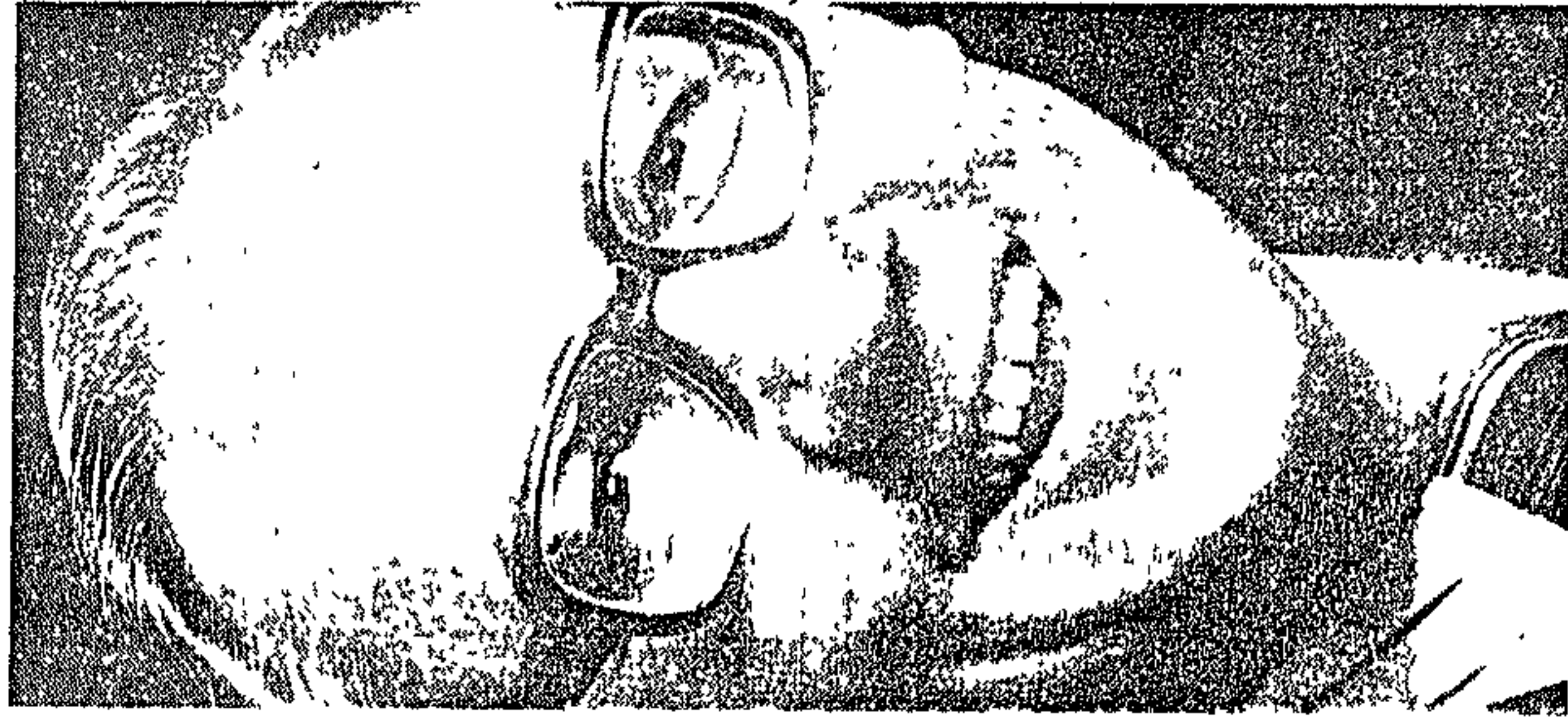
"The Supreme Court has now, on two occasions, declared that this is not an unlimited power which the State President can exercise in an arbitrary manner. He can exercise the power only in order to give effect to the purpose of the Act, which is to establish self-governing territories on the basis of the principle of ethnicity."

"For this reason the Appellate Division, in a unanimous decision set aside the State President's incorporation of Moutse into KwaNde-

## Powers

Subsequently a Full Bench of the Free State division, again unanimously, set aside the incorporation of Botshabelo into QwaQwa.

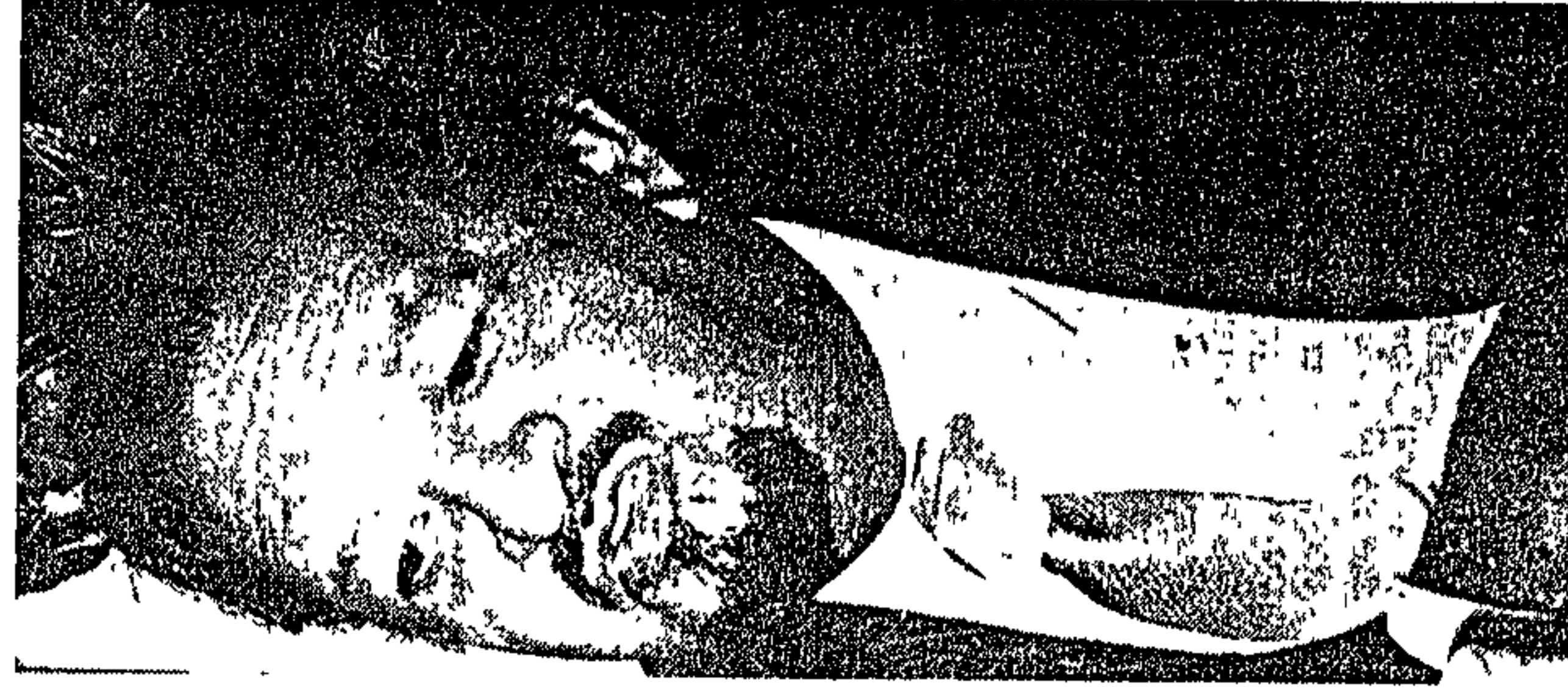
"The Alteration of Boundaries of Self-Governing Territories Bill is an attempt to prevent the Supreme Court controlling the State President's exercise of his powers. This is to



PETER SOAL

be done by two mechanisms, says Budlender:

• The State President is to be given the power to amend the boundaries of self-governing territories "if he deems it expedient." No guidelines are



ALLAN HENDRICKSE

may be tested. The result is that a legal supervision of the State President's decisions will be almost impossible.

• In an attempt to put the matter entirely beyond doubt, the Bill

further provides that no court shall be competent to pronounce on the validity of any proclamation issued by the State President under the new Act.

The Bill further legalises any previous unlawful action which the State President may have taken, he says.

The only exception is the incorporation of Moutse into KwaNdebele, which is the subject-matter of an inquiry by the Rumpff Commission.

"In summary," says Budlender, "the Bill is designed to:

A) Place limitless and unchallengeable power in the hands of the State President to do whatever he wishes.

B) Prevent the Supreme Court exercising its constitutional function of adjudicating on the lawfulness of official action.

C) Legalise previous unlawful conduct.

D) Reverse the decision of the Supreme Court in the Botshabelo case.

The Botshabelo case was this week rejected by the Labour Party and is set to face the President's Council. Parliament is to be dissolved at the end of May.



(271) Ensmall

## HALF A LOAF 26/5/89

Government has softened its attempt to force the incorporation of the 500 000-strong black community at Botshabelo near Bloemfontein into the neighbouring QwaQwa homeland. In the face of growing opposition it has dropped a clause from new legislation which would have denied the courts the power to inquire into or pronounce on the validity of government actions in consolidating homelands (*Current Affairs* April 14).

However, the Alteration of Boundaries of Self-governing Territories Bill still retroactively validates a proclamation made in 1987 effectively incorporating Botshabelo into QwaQwa. The Supreme Court

overruled the proclamation. It seems therefore that by not excluding the power of the courts to judge government actions, the people of Botshabelo can still challenge the latest legislation.

However, the measure also makes it much easier for government to incorporate any black area into a homeland without necessarily considering criteria which have applied to such incorporations up to now. The president will have the power to authorise such incorporations "if he deems it expedient." By giving the president such wide discretionary power, government will make it far more difficult for communities to challenge its action.

May 26 to June 1, 1989 17

## Cold SA feet over Potsdam move

By LOUISE FLANAGAN

THE government appears to be getting cold feet over its offer of land to Potsdam residents seeking to flee the Ciskei — possibly because it underestimated how many would have to be accommodated.

This week a Department of Development Aid (DDA) official announced that they were trying to "identify and consider suitable area(s) for settlement purposes" for the Potsdam community in South Africa.

This is in sharp contradiction with a DDA announcement five weeks ago that "the minister (Gerrit Viljoen) has approved that the Potsdam be settled on a portion of Farm 303". Three local National Party MPs subsequently announced that Viljoen "has identified a piece of land suitable for residential purposes for these folk in South Africa".

Officials have said that only those people removed from Blue Rock in South Africa to Potsdam in 1983 will be given land — a total of 2 000 people, they estimate. However, the community has provided a list of 11 000 people wanting to move.

The Potsdam Support Group has condemned the DDA's new stance, stressing that the about-face could only cause the community greater hardship.



# Labour walk out of joint sitting

CAPE TOWN  
27/5/89

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## Political Staff

THE Labour Party walked out of a joint sitting all three Houses of Parliament yesterday, saying they would not vote on a bill allowing the government to change the boundaries of homelands when and how it chose.

In terms of the constitution, President P W Botha immediately instructed the House of Representatives to meet within 14 days to decide on the bill.

If they do not do so, they will be presumed to have rejected the Alternation of Boundaries of Self-Governing Territories Bill.

The key issues involved are the incorporation of Moutse and Botshabelo into homelands.

In a statement issued after the walkout the deputy-leader of the party, Mr Miley Richards, said that the LP felt so strongly on the issues that it did not want to have anything to do with the legislation.

"We believe the people of these areas have demonstrated through their court actions their feelings on this matter.

"We believe it is incumbent on the Labour Party to register, in terms of parliamentary procedure, its strongest opposition to the legislation, which seeks to abrogate the sovereignty of Parliament by handing the State President the power to tinker at will with the boundaries of self-governing territories and South Africa.

"The Labour Party wishes it to be clearly understood that it refuses to be party to the adoption of measures which do not take into consideration the democratic rights of people at large.

"It draws attention once again to the immediate need for a totally new constitutional dispensation for South Africa."

Earlier, the DP MP for Johannesburg North, Mr Peter Soal, said that having abandoned its policy of forced removals, the Government had now turned to moving boundaries to move people into homelands.

He said the Government was planning to incorporate 600 000 people in Botshabelo into Qwa-Qwa without consulting the people concerned.



# Witbank squatters move

## But not to land of milk and honey

By Therese Anders,  
Highveld Bureau

WITBANK — "Welcome to the promised land" says a sign greeting the 7 000 squatters who are being moved from Witbank's nearby Thala squatter camp

The "promised land" is called Exodus, an informal settlement area belonging to the kwaGupa town council about 7 km west of Witbank.

Without schools or shops and close to a steel plant which is known as one of the highveld's worst industrial polluters, Exodus seems anything but a "promised land"

But it is compared with how the squatters were living in Thala, says kwaGupa's mayor, Mr Chief Masango.

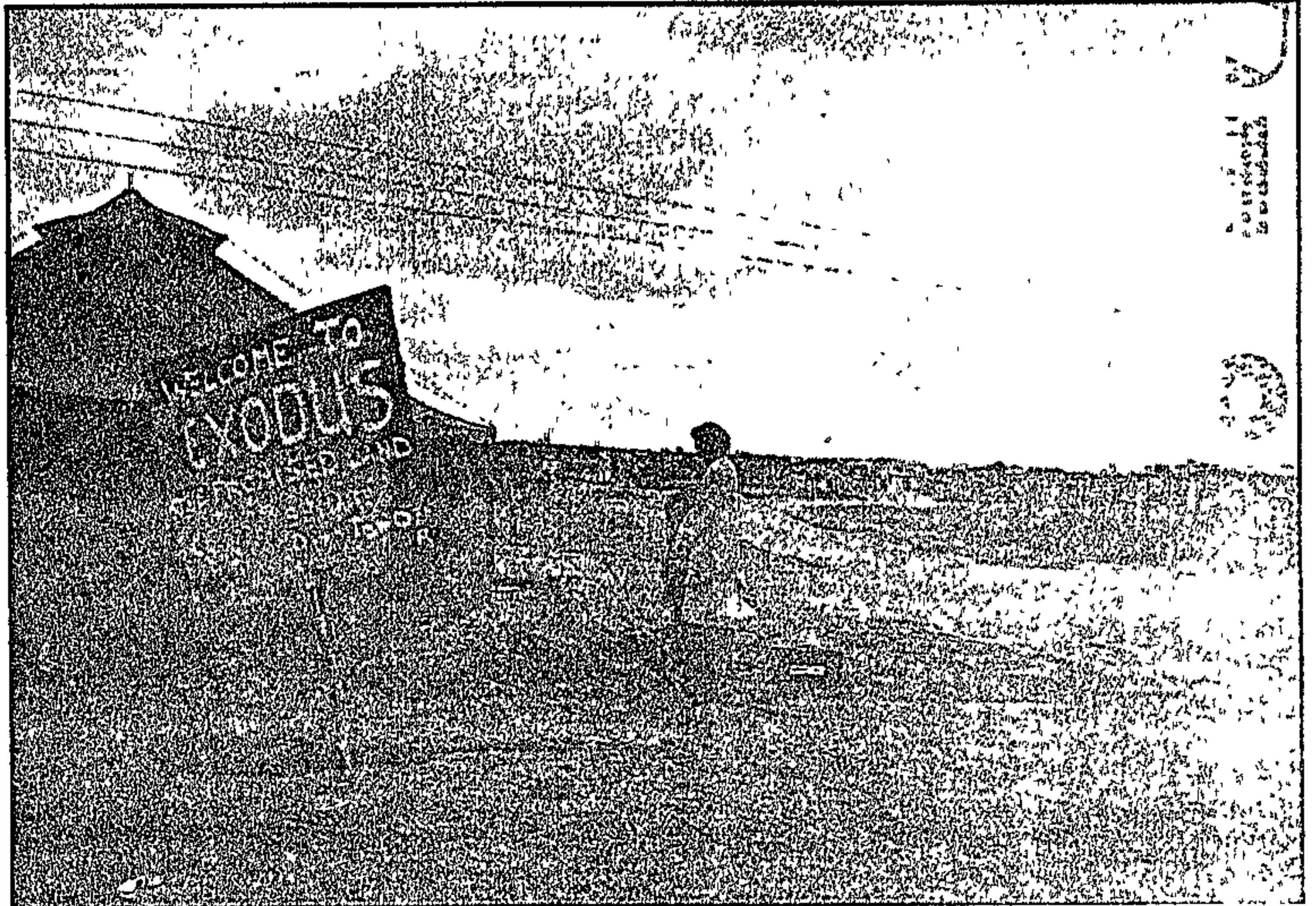
"The Thala area was congested, without streets, toilets or water. The area was a huge health hazard as it was very swampy with no proper drainage.

"We were very concerned that disease would break out among the people".

Exodus, on the other hand, is laid out with wide streets, water borne sewerage — toilet blocks are laid out every 250 m — and water points.

According to Mrs Elizabeth Nkosi, who was moved to Exodus with her elderly mother and two primary schoolgoing children last week, the biggest problem is that there are no shops.

"When we lived in Thala there



Officials say this new settlement represents an improvement for the squatters living here.

were Indian shops close by where we could buy food cheaply. Also we were close to Witbank.

"Here there are no shops, and if you have no money for a taxi you have to walk along the highway to buy anything."

It is also going to cost her considerably more each day to get to her job in town as a domestic worker — R3,20 return instead of R1,60.

She said she was equally worried about schooling.

Before, her children were minutes away from school. Now they have to walk 7 km each way if she cannot find the money for their taxi fares.

Consequently, it seems that

some of the younger children at Exodus are not going to school at all.

Mr Masango said his council had already spoken to the Department of Education and Training about the Exodus school problem.

"We have been told that schools will be built in the area, with a high school being started next year.

"We are negotiating with Highveld Steel to help transport our children in their buses along the N4 to kwaGupa township."

The council would also be negotiating with taxi owners and a bus company to get special rates for schoolchildren.

The squatters have been told

that they will be charged R45 monthly for their site.

But Mr Masango says this was "an administrative figure" and the council was aiming at lowering the amount.

Mr Masango says the Witbank and kwaGupa authorities had reached an agreement that if Thala was cleared, the white municipal authority would make the land available for sub-economic housing.

Although on the perimeter of Witbank's KwaGupa township, the Thala site is owned by Witbank Town Council.

Says Mr Masango: "It is far better for the people at the new area, but it is going to take some time to get established."



APR 7/89  
**280 now  
evicted in  
Weenen**

JOHANNESBURG.

The families of 18 farm tenants in the Weenen district near Ladysmith are being forced to sleep in the open veld in sub-zero temperatures after being thrown out of their homes by farmers.

Farmers are using civil ejectment orders to drive labour tenant families out of a cluster of 20 "Thornveld" farms south of Weenen, according to the Association for Rural Advancement.

A total of 110 families have so far been served with court orders, resulting in the eviction of about 280 people.

The recent spate of evictions follows years of conflict between the tenants and farmers. — Sapa

# All Magopa tribe has left is a prayer to stay

MOGOPA — Every morning Mr Daniel Molefe, a Mogopa tribesman, walks to a hilltop behind his tin shack to pray for the fall of the South African Government so that he can remain on the land where he was born.

"But the more I pray, the more the Government becomes stronger and the more black people suffer," he said.

Five years ago, on St Valentine's Day, Pretoria sent bulldozers guarded by soldiers and armed police with dogs to flatten Mr Molefe's home town.

They knocked down houses, churches, schools and clinics, demolishing everything the tribe had built in this rural village of Mogopa, 200 km west of Johannesburg.

Then the Government sold the land to white farmers. Police forced the people of Mogopa at gunpoint to move to arid land some 200 km away.

The tribe settled legally in Mogopa 80 years ago. After the National Party came to power in 1948, the area was designated as white farming land under the Government's laws.

Their presence was declared illegal because the old laws which had enabled blacks to own land had been repealed.

Tears rolled down Mr Molefe's face as he recalled how his once closely-knit community had been forced out.

They have moved three times in the past five years, seeking a place where they can settle and rear their families.

After the Government relocated them in the arid bushveld at a place called Pachsdraai in the far western Transvaal on February 14 1984, a small section of the community trekked to another barren land called Bethanie.

"We chose Bethanie because it was near the PWV industrial area, where our people could find jobs," said the tribe's headman, Mr Lucas Kgatitsoe.

But a few months after they arrived in Bethanie, Pretoria incorporated

their new home into Bophuthatswana, one of 10 nominally independent mini-states created under South Africa's apartheid race policies.

This meant the Mogopa people would lose their South African citizenship and be forced to become citizens of a country whose sovereignty is recognised by Pretoria alone.

The case provoked an international outcry. Foreign diplomats visited the tribe's leaders and the Mogopa community launched a legal bid to have their land returned to them.

The Government has blocked every legal action the community has taken.

Last September Pretoria gave Mr Molefe, Mr Kgatitsoe and 70 others permission to go back to Mogopa to restore and clean family graves. When they arrived they built tin shacks where they had lived before and refused to leave.

## Parliamentary debate

Pretoria sought a Supreme Court order to evict them. With the help of human rights lawyers, the tribe contested the application, but lost.

Lawyers told the court that under the law originally used to evict the Mogopa community, the matter should have been debated in Parliament.

The Mogopa tribe again took the matter to court. But, while the case was being heard, Pretoria used another law to expropriate the land retroactively. The tribe now faces a second forced removal.

Every morning the tribal elders assemble to pray that the Government will change its mind and let them rebuild their homes.

Earlier this month the 12-nation European Community sent a protest to South Africa's foreign ministry, about the Government's treatment of the Mogopa people — Reuter.



## QwaQwa still seeks Botshabelo

The ruling Dikwankwetla Party of QwaQwa has made it clear it will pursue its aim of having the huge settlement of Botshabelo incorporated into the homeland.

Its position coincides with that of the National Party, which introduced legislation in the last session of Parliament specifically to overcome any barriers to Botshabelo's incorporation, including the opposition of the Supreme Court.





A CONTROVERSIAL bill which gives the government unlimited power to change non-independent homelands' boundaries has aroused a storm of protest and fears that violent conflict will follow should the bill be passed.

Critics of the Alteration of Boundaries of Self-Governing Territories Bill, currently before the President's Council, say the bill replaces forced removals with forced incorporation and further erodes the powers of the judiciary by removing the courts' right to review government decisions.

The bill gives the State President the right to change the boundaries of non-independent homelands by proclamation "if he deems it expedient".

The State President already has the power to change boundaries by proclamation in terms of the National States Constitution Act 21 of 1971.

But the courts have defined this power as limited, with the Supreme Court on two occasions ruling this was not an absolute power to be exercised arbitrarily.

The court said boundaries could only be shifted if this was in line with the purpose of the Act, which is to establish self-governing territories on the basis of the principle of ethnicity.

Based on this definition, the Appellate Division in a unanimous decision set aside the incorporation of Moutse into Kwandebele, while a full bench of the Orange Free State Division set aside the incorporation of Botshabelo into Qwa Qwa.

In the new bill, there are no guidelines to govern the circumstances under which incorporations take place. It is left entirely to the State President's discretion.

This means parliament has no say in the question of incorporation.

The Labour Party walked out of a

## Sidestepping the courts on 'black spots'

**A new bill, currently before the President's Council empowers the State President to change the boundaries of non-independent homelands, while sidestepping the authority of the courts. Critics of the Alteration of Boundaries of Self-Governing Territories Bill say this will lead to "administrative, legal and political chaos". CHIARA CARTER examines the controversy surrounding the bill:**

joint sitting of the three houses of Parliament recently, saying they would not vote on the bill which "seeks to abrogate the sovereignty of parliament by handing the State President the power to tinker at will with the boundaries of self-governing territories".

The bill also sidesteps the authority of the courts.

There is no provision for legal review of incorporations, since the bill states that no court of law can enquire into, or pronounce on, the validity of a proclamation.

According to civil rights lawyer Geoff Budlender, this means legal supervision of the State President's decisions is almost impossible, since there is no recourse to the courts, such as that successfully pursued by the communities of Moutse and Botshabelo.

A key aspect of the bill is that it is retro-active. It overrules previous findings of the Supreme Court by validating all previous proclamations, including those the Supreme Court found invalid, with the exception of Moutse.

That the judiciary is left out in the

cold is no accident.

The Minister of Constitutional Development said the reason for the bill was to avoid "the administrative, political and legal chaos which can take place when a court changes the proclaimed boundary of a self-governing territory".

The legal fraternity has responded sharply, saying the bill amounts to "an attack on the law as an institution" and is "a cynical attempt to bypass the courts to facilitate forced removals under the guise of boundary relocation".

### Defiance

Lawyers for Human Rights chairperson Jules Browde said "The government is now seeking a mandate from parliament to act in defiance of the law unhindered by the inconvenience of judicial control. If anything will lead to administrative, political and legal chaos, this will".

The National Association of Democratic Lawyers (Nadel) said the bill exposed the "lie of reform" since the government had "replaced forced removals with forced incorporation".

Nadel also warned that the bill meant increased violence.

"Every incorporation has been accompanied by the unleashing of violence by vigilantes or homeland security forces on the residents of the affected areas. The examples of Moutse, Botshabelo, Braklaagte and Leeufontein are well known".

The Transvaal Rural Action Committee (Trac) has warned that incorporation often means violence, with homeland authorities acting as an "army of conquest".

The fears that violent conflict would result from forced incorporation are not without grounds.

In Moutse, a period of violence and turmoil, in which hundreds of people were allegedly abducted by Mbokodo vigilantes, followed the gazetting of the incorporation into Kwandebele in January 1986.

Moutse is specifically excluded from the provisions of the bill, pending the findings of a commission of inquiry into the future of the area.

However, Trac has warned there is nothing in the bill to preclude

Moutse being incorporated into some other homeland after the commission has reported.

A joint statement issued by threatened communities earlier this year cited the case of Peleton, where people obtained a court interdict to restrain the Ciskei police and army from harassing residents, and the case of Braklaagte, where over 50 residents were detained by Bophuthatswana police in April.

Most immediately at risk is Botshabelo near Bloemfontein, which the government wants to incorporate into Qwa Qwa.

The 600 000 strong community is deeply opposed to becoming part of Qwa Qwa.

In terms of the original proclamation, administrative and executive authority was transferred to the Qwa Qwa legislative assembly but the land remained with the South African Development Trust.

Some services also temporarily remained with the South Africans.

These included health, politics and education, because residents had previously objected to the low standards of service provided by Qwa Qwa.

Doubts still remain over Qwa Qwa's ability to administer Botshabelo which, experts say, will be larger than Soweto by the end of the century.

"The bottom line remains Qwa Qwa's inability to run and develop an urban township the size of Botshabelo," a Trac spokesperson said.

Also under threat are many communities in conflict-ridden Natal.

Past attempts to incorporate the Durban townships of Chesterville and Lamontville as well as Ham-banathi on the North Coast into KwaZulu met with strong resistance and violence.

Freehold black communities which have resisted attempts to move them into resettlement camps on Trust land earmarked for incorporation into KwaZulu, could also face incorporation.

The bill also raises the possibility of another Ingwavuma where South Africa tried to give a part of KwaZulu to Swaziland.



RE SETTLEMENT

1989

AUGUST - DEC.

## Murder lawyer denied access

*Cape Times* Own Correspondent

JOHANNESBURG. — The Bophuthatswana government has confirmed that Johannesburg lawyer Mr James Sutherland will be denied entry to the homeland without a visa, though he had been granted legal access to clients facing murder charges there.

The charges arise from the deaths of nine policemen and two civilians at Leeuwfontein on July 1 after a community meeting. Leeuwfontein and Braklaagte residents have been resisting South African authorities' attempts to incorporate them into Bophuthatswana.

The lawyer won access to his clients in an application to Mombatho Supreme Court on July 31.



## New judgment sets aside restrictions on Oukasie

*Carl Tink & Co. Own Correspondent*

JOHANNESBURG. — A Pretoria Supreme Court judge yesterday set aside the Administrator of the Transvaal's decision in May last year declaring the settlement of Oukasie, outside Brits, an emergency camp.

Mr Justice K van Dijkhorst also instructed the administrator to pay the cost of the application brought by four Oukasie residents, headed by Mr Joseph Makama. He granted the administrator's request for leave to appeal against the ruling.

The judgment means sharp increases in rent of almost 70% and tight controls on residents will be lifted. People outside Oukasie will be allowed to visit residents without requiring permits. Home renovations can be made without official permission.

About 6 000 people are living in Oukasie — an area settled more than 50 years ago — in defiance of authorities' attempts to move them to Letlhabile.

# Denial on lawyer

By MATSHUBE MFOLOE

**THE** Bophuthatswana government has dismissed claims that a Johannesburg lawyer acting for the Leeuwfontein villagers in the Western Transvaal had been refused entry into the homeland despite a court order to the contrary.

Mr James A Sutherland was virtually banned from entering the bantustan only 12 hours after obtaining a Supreme Court order granting him access to his clients accused of murder and held at Motswedi police station.

Thirty-three of Sutherland's clients were arrested following the riot on July 1 in Leeuwfontein in which nine policemen were killed.

A spokesman for the

Bophuthatswana Information Department, Mr Steve Mohajane, said his government's decision to restrict Sutherland's entry into the homeland was taken 11 days before the court ruling.

He said Sutherland was notified by letter posted to him on July 20.

Mohajane said the order granting Sutherland access to his clients was made by consent and not as a result of any ruling by the court.

The government also repudiated claims that the Lutheran Church priest from West Germany, the Reverend Eberhart Richter who lives at Braklaagte had been informed of deportation or eviction from Bophuthatswana.

Mohajane said his government did not evict

people or priests.

"We believe in freedom of worship and abide by our constitution. Only the church can transfer a priest to another region... we cannot evict priests," he said.

Richter was detained and later released after the funeral of one of the unrest victims at Leeuwfontein.

Meanwhile, restrictions placed on Mr Sutherland by the homeland government, continue to draw criticism.

The Johannesburg branch of the National Association of Democratic Lawyers said it was concerned about the escalation of the repression of residents of Braklaagte and Leeuwfontein at the hands of the Bophuthatswana security forces.

"We believe that it is a strategy to hinder lawyers in representing their clients and protecting their clients' interests," Nadel said.



# Oukasie fight to continue

*Sowetan 9/11/89* (271) (222)

RESIDENTS of Oukasie township near Brits on Monday vowed to fight the pending resettlement of the about 5 000 people at Letlhabile township.

The decision was taken at a report-back meeting that was attended by more than 2 000 residents at the local Dutch Reformed Church on Monday night after a successful Supreme Court application by four local residents against the proclamation of their area as an emergency camp.

The proclamation was passed by the Administrator of the Transvaal in April last year.

Speakers, including members of the Transvaal Rural Action Committee (Trac), urged the local residents to fight for unity and freedom of the township.

Mr Geoff Budlender of the Johannesburg Legal Resources Centre, who gave a report-back on judgment by Mr Justice van Dijkhorst, told the meeting that the victory against the declaration was not for the four applicants alone, "but for the whole community of Oukasie".

He urged the chanting crowd, some of whom remained outside because of lack of space inside the cramped church, which is affectionately called Oukasie's own Regina

Mundi, to approach the authorities to re-establish Oukasie and develop it.

A member of the Brits Action Committee (BAC), Mr Leonard Brown, appealed to the crowd that sang "Oukasie, freedom is coming", to continue to fight for the freedom of their area until the last day.

He said the residents should forget their individual differences and fight side by side for the development of Oukasie. Brown said those people who left Oukasie during the forced removals to settle at Letlhabile were now trying to come back because they could not afford the expensive houses and the high monthly rental.

The ruling by a Pretoria Supreme Court judge against a decision by the Administrator of the Transvaal, Mr Danie Hough, to proclaim Oukasie an "emergency camp" has given the community a reprieve — but the uncertainty on the future of the area remains.

Oukasie, a short distance from Conservative Party-controlled Brits, has been a burning issue for several years. Although as Minister of Constitutional Development, Mr Chris Heunis, denied that the removal of the residents was politically motivated, it became clear that the community had become an issue when the CP's MP for Brits, Mr Anton Gerber, asked in Parliament what the status of the township was, and how many lived there.

Mr Heunis said that the population of the area was 5 270, and this had grown by 1 770 since the township was deproclaimed on

## Reprieve, but no cause for cele

October 16 1986. He said that the Supreme Court verdict on the removal of the township in April that year meant that the administration could not demolish dwellings vacated by those residents who had moved to Lethlabile, to curtail growth.

Attempts to move the residents met with strong resistance from the community and the Brits Action Committee was established to fight the removal.

Oukasie had been in existence for more than 55 years. Residents pointed out that the shops in the area were of a solid structure, and that the houses were "permanent and comfortable". However, the Government ruled otherwise, and declared that it was official policy that all the Oukasie resi-

A Supreme Court ruling that sets aside a proclamation making Oukasie an emergency camp is a setback for plans to resettle the settlement's more than 5 000 inhabitants. But there is not yet any real cause for celebration, reports a **SPECIAL CORRESPONDENT**. The matter is deemed so important that it is going to the Appellate Division.

dents had to move.

In their evidence residents said that after the deproclamation of the township they had continued paying rents to the Provincial Administration, which had accepted payments. The residents contended this put them in lawful occupation of their houses when the administration declared the area an emergency camp.

The administration, however, declared that they had done this to "provide for cor-

trol" in the area. The residents said that 50 percent of the people in the area were unemployed, and removal would destroy the social networks that sustained them.

They said that it would cost between R3 million and R4 million to upgrade Oukasie, whereas it had cost R25,5 million to upgrade Lethlabile — so cost was not the issue.

When Oukasie was declared an emergency camp in April 1988, police moved in and



did a house-to-house inspection, listing all the residents. Houses were numbered, and rent was increased from R24 to R37,50 a month — even though services were rudimentary — a bucket toilet system, refuse removal and communal water taps in the streets.

The Administrator, Mr Willem Cruywagen, denied that this could pave the way for final removal. He insisted it was "to ensure there were no more squatters" coming into the area.

In Parliament, Mr Heunis said that only those residents who asked to be moved would be resettled. Residents saw this as victory at last — but their joy was short-lived.

Mr Arthur Chaskalson, representing four Oukasie residents who had challenged the proclamation, told the court that provisions of the regulations were so restrictive and punitive it was impossible to avoid the inference that the Administrator had deliberately attempted to make life in Oukasie difficult.

The court was told the declaration had changed the residents' status from common law tenants to inhabitants of a camp in which a "most punitive and restricted regime applied, and in which rights of continued occupation were terminable summarily and at the will of the authorities".

The judge, granting leave to appeal, said that this case was of great public importance, and had to be heard in the Appellate Division.

So there will be no victory celebrations in Oukasie. The people's hopes have been dashed before.



The ruling by a Pretoria Supreme Court judge against a decision by the Administrator of the Transvaal, Mr. Danie Hough, to proclaim Oukase as an "emergency camp" has given the community a reprieve — but the uncertainty on the future of the area remains.

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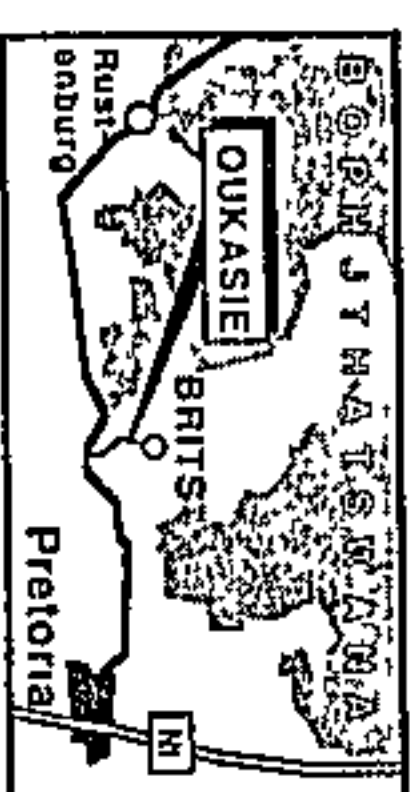
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So there will be no victory celebrations in Oukase. The people's hopes have been dashed before.

## Govt must decide on Oukase's right to be

A Supreme Court ruling on the Brits township leaves the State with a stark choice if it appeals, reports PATRICK LAURENCE



A Supreme Court ruling has brought to a critical juncture the Government's long battle to excise the Brits township of Oukase from the map. Mr. Geoff Budender, of the Legal Resources Centre, said yesterday that the Supreme Court ruled on Monday that a decree declaring Oukase an emergency camp was unlawful, thus confronting the Government with a stark choice should its appeal fail.

Either it would have to act on its earlier edict "disestablishing" Oukase and forcibly remove the 6 000 residents who have refused to leave voluntarily, or it would have to recognise Oukase's right to exist and provide for its development.

Mr. Budender and Legal Resources national director Mr. Arthur Chaskalson, SC, represented four Oukase residents in the case challenging Oukase's status as an emergency camp.

The case was heard before Mr. Justice van Dykhorst, who granted the Transvaal Administrator leave to appeal. The latter proclaimed Oukase an emergency camp for "homeless people" in April last year.

Mr. Budender yesterday called the now invalidated proclamation a "holding action". It was undertaken after lawyers acting for Oukase residents informed the then Minister of Constitutional Development, Mr. Chris Heunis, that they regarded a proclamation "disestablishing" Oukase as unlawful and that they would challenge him in court if he tried to act on it.

The proclamation "disestablishing" Oukase was issued in October 1986. The next response from the authorities was the Administrator's edict declaring the decades-old township an "emergency camp". If the State decided to "disestablish" Oukase physically — that is, to act on its decree — it would have to resort to force because the residents had made it clear they would not leave of their own accord, Mr. Budender said. Any attempt to do so would expose the Government's declaration that it had abandoned its previous policy of forced removals as fraudulent and would, moreover, be resisted in court, he added.

Mr. Justice van Dykhorst's judgment — in which he found that people living in Oukase were not "homeless" but residents living in their own homes — was but the latest development in a long struggle by the State to destroy Oukase and by a hard core of its residents to save it.

The saga started in earnest in December 1985. After neglecting Oukase for years and refusing to build houses there, the authorities informed residents that they would be moved to Letlhabile, 20 km away on the Bophuthatswana border.

Letlhabile's geographical position earmarked it — in the minds of many people

— for incorporation into nominally independent Bophuthatswana. Incorporation would threaten the South African citizenship of Oukase residents and the trade union rights which township workers had fought for and won in South Africa.

Two phases unfolded in the next few months as the authorities stepped up the pressure on the more than 12 000 residents.

In the first phase, many home-owners were persuaded to move by the large sums paid out as compensation for the loss of their homes. Whenever a home-owner sold out, however, the authorities moved in and demolished all the shacks on the site in order to force the sub-tenants out. Furthermore, they refused to lease the site to the dispossessed sub-tenants.

That phase came to an end in mid-1986 when it was challenged in court. The Supreme Court ruled against the State, ordering it to lease vacant sites to lawful applicants and, implicitly, declaring the demolition of sub-tenant dwellings unlawful.

Then came the next phase: the sudden emergence of vigilantes and a spate of nocturnal incendiary and explosive-bomb attacks on the houses of residents in the forefront of resistance to removal.

In a few weeks the homes of the chairman of the Brits Action Committee, Mr. Marshall Buys, the secretary, Mr. Sello Ramakobe, and a trade union organiser, Mr. David Modunong, were bombed.

But the resisters stood firm. Then came Mr. Heunis's proclamation "disestablishing" Oukase, followed, after being informed he would be challenged in court, by the "emergency camp" fiat.

The wheel turned again this week with Mr. Justice van Dykhorst's ruling.





Sowetan 14/8/89

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Ms Lydia Kompe of the Transvaal Rural Action Committee addressing the people of Oukasie at yesterday's prayer service to celebrate their victory against Government attempts to declare the township an emergency camp. See story on page seven.

Pic: ISMAIL LAGARDIEN

## Eight killed in



# Voices ring out as Oukasie says 'cheers'

BY ISMAIL LAGARDIEN

A THOUSAND VOICES sang a thousand cheers in Oukasie yesterday when the people of this mid-western Transvaal township held a prayer service to celebrate their victory over the State's decision to turn their village into an emergency camp.

Overseas visitors from the Canadian Government, field workers and members of the Press were lauded and thanked for their support throughout the campaign to save the township.

The community was a fine example of what can be achieved through

unity, a field worker for the Transvaal Rural Action Committee (Trac), Ms Lydia Kompe said.

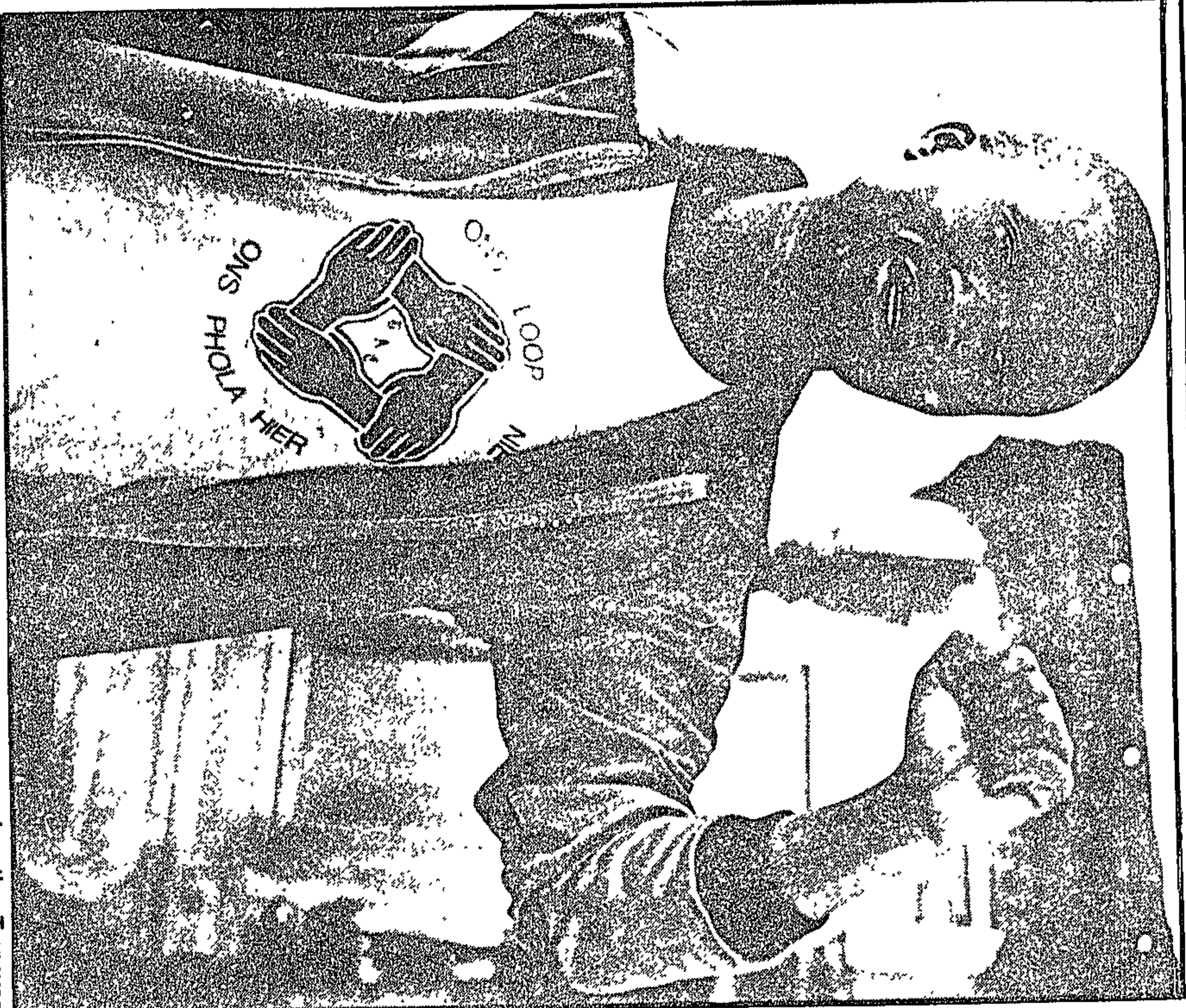
"Oukasie is going nowhere," Kompe said. "One day we will flush our toilets and turn on taps like people everywhere in the world. This is a right and not a favour—they're doing us," she said.

The legal representative for the community, Mr Geof Budlender, made a short and succinct speech. "It is not difficult to defend a community

like Oukasie's," he said. "Their unity and courage is inspiring."

Budlender also read a statement from a multinational wherein the company expressed solidarity with the people of Oukasie and pledged further support in its fight to stay in the township.

The Transvaal Provincial Administrator has appealed against the decision. "We will go to Bloemfontein, and we will celebrate again," Budlender assured the people.



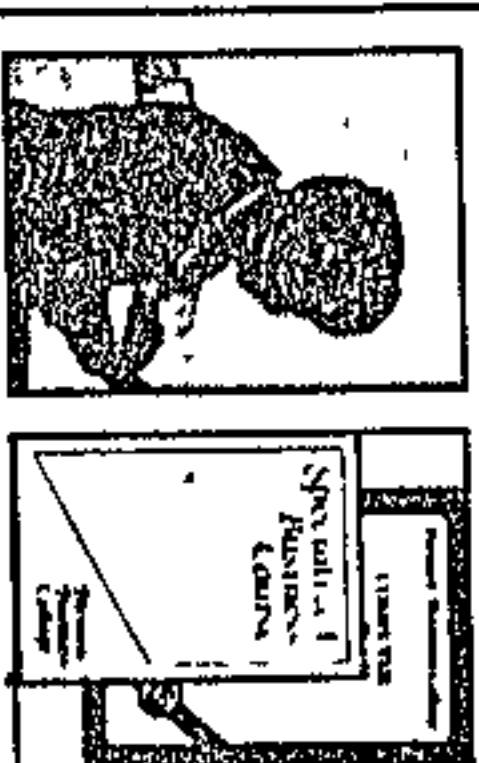
An Oukasie community leader, Mr P Meme, leads the township folk in prayer and song at yesterday's service to celebrate their victory in

the Supreme Court reversing the Transvaal Provincial Administration decision to declare the village an emergency camp.

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## Court victory for Ndebele in Natal

By CARMEL RICKARD,  
Durban

A LAND dispute between members of the Ndebele and kwaZulu Chief Minister Mangosuthu Buthelezi has ended with a court ruling in favour of the Ndebele.

Last year the Ndebele living at Mahlabatini near Ulundi were informed through a notice in the kwaZulu Official Gazette that two large farms in their area were being excised and handed over to the Buthelezi.

The Ndebele brought legal action to contest the excision, saying they were opposed to it and that it was in any case unlawful.

Explaining his action in court papers, kwaZulu's chief minister, who signed the order, said it was traditional Buthelezi land and that the Buthelezi living there had always wanted to live under their own traditional chiefs.

During the court hearing last Friday, Natal's judge president, Mr Justice Howard, gave judgement immediately after hearing argument on a legal technicality.

He said Buthelezi claimed to have excised land from the Ndebele tribal authority, acting in terms of a particular section of the Black Administration Act.

However, this section dealt only with "tribes" and not with tribal authorities.

Buthelezi had therefore been trying to excise land from the tribal authority, using legislation not relevant to such an action.

The judge held that Buthelezi used the wrong legislation for the purpose he had in mind, and that the order was therefore not valid.

He granted the Ndebele application to have the order set aside, and awarded costs against kwaZulu.

However, he did not consider other arguments for and against the excision, and lawyers said this could leave the way open for Buthelezi to use other legislation to remove the land.

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## Potsdam ruling: SA drops appeal

EAST LONDON. — The South African government has withdrawn an appeal it lodged against a Supreme Court ruling in January which ordered that three residents of Potsdam in Ciskei had permanent residence rights in South Africa.

The attorney representing the community, Mr John Smith, said he had been notified of the State's decision to withdraw the appeal by the government's Grahamstown lawyers, Whitesides.

The government lodged the appeal after Mr Justice Zietsman ordered that the three residents, Mrs Nellie Nozewu, Mrs Velile Dasi and Mr Popo Ntwanambi, had the right to permanent residence in South Africa without any permit or exemption.

The three are part of the community forcibly removed from Blue Rock to Potsdam in 1983 and which is demanding land and rights in South Africa.

All three applicants were found to have been born in South Africa, but became Ciskei citizens at independence.

A spokesman for Whitesides confirmed he had received instructions from the state attorney's office to withdraw the appeal. — Sapa.





## 'We want to stay in Koekenaap — despite assaults and low pay'

IT is difficult to imagine anyone fighting to live in Koekenaap

Situated in the dry stretches of Namaqualand, Koekenaap consists of a railway siding with a small clinic, a post office with a separate entrance for blacks, and a supermarket.

The local farming community is conservative to the point of being verkrampt.

But to several African families who have lived in the area since the 1930s, Koekenaap is home and always will be.

Forced to squat since the government relocated the community under the Group Areas Act about five years ago, the families now live from hand to mouth.

Binding the families is the conviction that no one will budge them from Koekenaap.

"This is our home and we'll die here," says 53-year-old Victor Maguga.

Many of the squatters were previously employed on farms in the area and have bitter tales to tell of alleged exploitation and racism.

They claim they were expected to work in the vineyards or tomato fields for up to 12 hours a day, and were paid as little as R80 a month.

Mother of five Betty Ngewu, 54, says she has "lost count" of the times she has been arrested for pass offences and for squatting.

She claims farmers in the Koekenaap area are notorious for treating their workers badly.

"Many times I thought it would be better to be dead than to live like that, but Koekenaap was my home and I needed money," she said.

"On one farm I was beaten by the farmer because my boyfriend's son came in a car to visit me."

"While she was talking, her husband walked in. He asked how it was possible for a 'kaffir' to own a car. I did not answer. Then he told me that any black who owned a car was smuggling and he beat me."

Ngewu left the farm after the white foreman got drunk and slapped a young woman worker.

Ngewu found work at a farm where her father and brother had once worked.

Then in December last year, the farmer died and the farm was sold.

"I spent days moving from farm to farm in search of work and a place to stay. But I did not succeed. So the only place for me was the squatter camp in Koekenaap."



Mrs Betty Ngewu rebuilds her shack on her old site after a recent raid in which shacks were destroyed.

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- Collect and write articles for a newsletter on women's activities nationally and internationally
- Produce the newsletter timeously for the Division four times a year
- Develop systematic documentation for the Division, produce reports and all the Division's publications
- Link with other publications and programmes doing similar work
- Prepare background documents, posters, prospectus, pamphlets, reports and booklets for seminars and workshops
- Be willing to work in a team

#### 2. NATIONAL TRAINER/FIELD WORKER

The successful applicant is expected to

- Design learning events and offer training in areas suggested by women
- Facilitate ecumenical women's programmes in regions
- Liaise with church women's organisations and other relevant ecumenical organisations on current issues
- Have the ability to work in a team
- Be a committed Christian
- Be prepared for extensive travel
- Should submit regular reports on work

Both applicants should be willing to interpret the work of the Division and the SACC as a whole to the churches and to the community at large. Be willing to undertake other responsibilities and assignments in the general work of the Division and SACC as a whole. The women who will fill these vacancies must be committed to working for change both in the church and in society. She must understand women's issues in South Africa and be familiar with the general church scene in the country.

Applicants must please include a curriculum vitae, a letter of reference and proof of any qualifications they have quoted.

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# Life's hell, but it's home

REPORT by  
DOCTORSON  
TSHABALALA  
PICTURES by  
PAUL GRENDON

FOR the squatters of Koekenaap, who live in the heart of the Namaqualand, life has always held out more thorns than flowers.

Long before the National Party came to power in 1948, African and "coloured" families lived side by side on farms at Koekenaap.

They worked long hours, were paid little and accepted that their lives fell under the control of the white farmers.

Despite the hardships, they were reluctant to leave Koekenaap; this was home.

Then in 1984 the Department of Constitutional Development and Planning under the then Minister, Chris Heunis, moved to relocate African families out of the area.

"Coloured" families were allowed to stay and were housed in newly-built brick houses in a prescribed zone.

Some African families moved to Upington while others settled at Kakamas. Many others were told to return to their "homelands".

One resident opposed the order and asked the Black Sash to fight his case on the grounds that he was born in South Africa and had therefore known no other country. Today, Uzikapu "Tolo" Dlangamandla is happily settled in Cape Town.

But among the fragmented African community, there were several residents who did not succeed in settling elsewhere, and they eventually returned to Koekenaap to squat on land owned by the Divisional Council.

By 1985 the number of shacks was mushrooming, and for a while the squatters were left undisturbed by officialdom.

Many worked on nearby farms while others got jobs in towns such as Vredendal, Lutzville and Nuwerus in the north-western Cape.

Then one day an official arrived, questioned the squatters and later returned to demand that they pay a land fee. The money was collected by a farmer every month and handed over to the Divisional Council.

Life began to get tougher for the squatters. Their children were turned away from the local primary school because they were not "coloured".

Said Mrs Betty Ngewu: "They would only take our children if they could speak Afrikaans and if they changed their sur-

names and adopted 'coloured' names.

Before the families had returned to Koekenaap, said Ngewu, they had approached the commissioner at Vredendal for permission to build shacks.

"The commissioner told us a local committee would decide whether we could stay."

"But the people there told us no such committee existed. They said we should go ahead and build our shacks. They said Koekenaap had become a no-man's land after our departure. That's how we settled."

Four months ago, the squatters were forcibly removed from the land.

In an early-morning raid, the Divisional Council and the police swooped on the squatter camp and destroyed the shacks.

Several of the squatters

were charged with having contravened the Squatting Act and appeared in court. Some were forced to borrow clothes for their court appearance.

They were released on bail, and, having nowhere else to go, returned to the land.

Since that first swoop, six of the squatters have been arrested four times for having contravened the Squatting Act.

They are due to appear in the Vredendal magistrates court on August 31 on their third charge, and in the Lutzville magistrates court on September 14 on their fourth charge.

For Lulama Philemon, Ivy Matyene, Betty Ngewu, Jim Gaba and brothers Mrobanzi and Billy Mantame, life has been reduced to a weary round of police stations and magistrates courts.

And all they want is to go home.



Koekenaap residents; Tamatie Mvumbi, third from left, Elias Thembele, centre, and Norman Majwede explain their plight to residents of the nearby "coloured" township.



## Leeufontein 'quiet but tense' after 11 deaths in weekend clashes

LEEUFONTEIN village, recently incorporated into Bophuthatswana, was described yesterday as quiet but tense after violent clashes between villagers and homeland police on Saturday.

The clashes, in which nine policemen and two villagers died, were apparently sparked when police moved to break up what they believed was an unlawful anti-incorporation meeting.

DANIEL SIMON

Bophuthatswana police spokesman Colonel David George said yesterday police patrolling Leeufontein were attacked by the large crowd armed with petrol bombs, axes and stones.

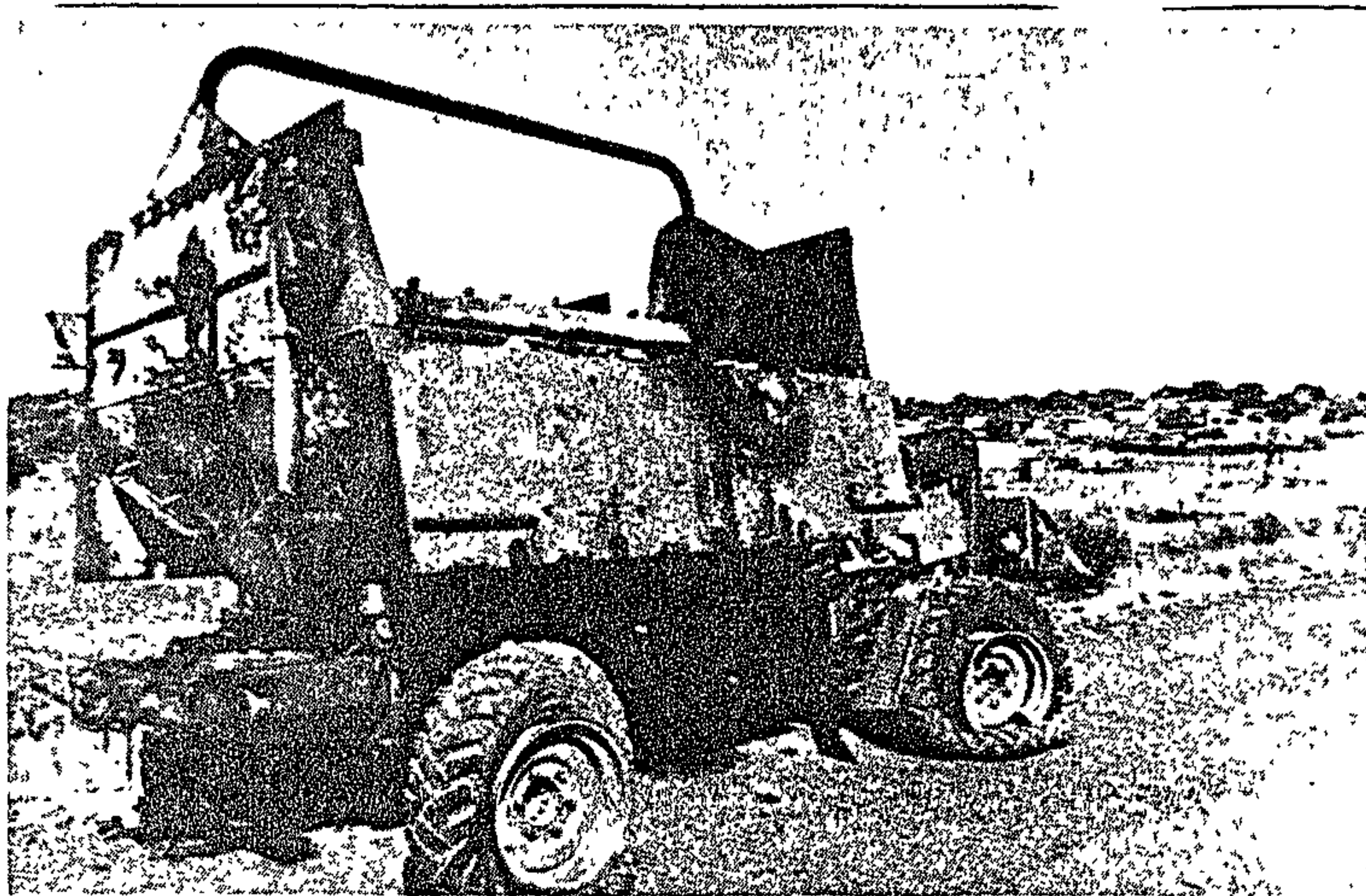
"As a result, four policemen were burnt to death when a petrol bomb was

thrown into a Buffel troop carrier and five others were killed when they were attacked with stones and axes."

George said two civilians had died of gunshot wounds when police opened fire to defend themselves.

A Transvaal Rural Action Committee (Trac) spokesman said the clashes took place after police opened fire on the crowd with automatic weapons.





**AFTERMATH:** A burnt-out Buffel at the roadside. Four policemen died when it was set alight at Leeuwfontein.

## Nine police die in mob charge

From **NORMAN CHANDLER**  
The Argus Correspondent

PRETORIA. — Top police and army officers in Bophuthatswana met today to seek a solution to weekend violence which claimed 11 lives — including those of nine policemen — at Leeuwfontein, near Zeerust.

Reinforcements were drafted into the area, recently incorporated against residents' wishes into Bophuthatswana, following pitched battles between police and villagers at a residents' meeting.

Police had tried to break up

the meeting — because, it is understood, they thought it to be against incorporation — but retreated to their vehicles as villagers, carrying picks, axes and stones, advanced on them.

A petrol bomb exploded under a Buffel troopcarrier and four policemen were burnt to death.

Another five were hacked and clubbed to death by the mob as police fled under cover of gunfire. Two civilians were shot dead and another seven injured during the shooting.

All the injured are under police guard in clinics and hospi-

tals in the area, which is about 150km west of Pretoria.

According to unconfirmed reports 2 000 people in the villages of Leeuwfontein and nearby Braklaagte were rounded up in a swoop on possible suspects on Saturday afternoon and evening, and again yesterday. Police were today unable to confirm the number of arrests.

Yesterday roadblocks were set up on approach roads to the area. Police officers refused to allow pressmen into Leeuwfontein.

# Clashes: Key leaders arrested

JOHANNESBURG. — Two key community leaders were arrested yesterday in police raids in Leeuwfontein, Bophuthatswana, where villagers opposed to incorporation into the homeland killed nine homeland policemen in a bloody clash at the weekend.

According to Ms Joanne Yawitch, a spokeswoman for the Transvaal Rural Action Committee, the two arrested were Mr Dadelik Majasa, a headman in Leeuwfontein and Mr Pupsey Sebogodi, acting chief of Braklaagte.

And, also according to Trac, scores of villagers were arrested yesterday when police swooped on Leeuwfontein after Saturday's violence in which two civilians also died.

Police said the 10.30am clashes were sparked when police moved to break up what they believed was an unlawful anti-incorporation meeting.

Leeuwfontein villagers are resisting incorporation into Bophuthatswana.

Bophuthatswana police spokesman Colonel David George yesterday said police patrolling Leeuwfontein were attacked by the large crowd armed with petrol bombs, axes and stones.

"As a result of the attack, four policemen were burnt to death when a petrol bomb was thrown into a Buffel troop carrier and five others were killed when they were attacked with stones and axes."

## 'Unprovoked'

Colonel George said two civilians died of gunshot wounds when police opened fire to defend themselves from the "unprovoked" attack.

Ms Yawitch said it was difficult to ascertain exactly what happened as the community's lawyers had not been granted access to the area.

She said the area had been sealed off and roadblocks had been put up.

Police spokesman Lt R W Olivier denied the South African Police were involved. — Sapa-Reuter-AP and Own Correspondent



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B/Dan 4/7/87

## 200 believed held after 11 are killed in anti-Bop fight

BUSINESS

**ZEERUST** — At least 200 people are said to have been arrested following the killing of nine policemen and two civilians on Saturday at Leeuwfontein, the western Transvaal village incorporated into Bophuthatswana against the wishes of many residents.

Residents in the area, who did not wish to be named, said the arrests took place during Bophuthatswana police follow-up operations.

Leeuwfontein itself was virtually deserted yesterday. Hundreds of villagers were said to be hiding in the hills.

The battle between Bophuthatswana police and the villagers is said by the residents to have been provoked by the police, who in turn accused residents of refusing to be incorporated into Bophuthatswana.

Tearful wives whose husbands had fled spoke of harassment by Bophuthatswana police.

The Bophuthatswana Defence Force manned roadblocks at Leeuwfontein.

Those arrested include two headmen, Dadelik Majasa of Leeuwfontein and acting Chief Pupsey Sebegodi.

**SIPHO NGCOBO**

**DANIEL SIMON** reports that senior Bophuthatswana police officer Brig D Waller yesterday described the climate in Leeuwfontein as "quiet and relatively normal". Several arrests had taken place and were continuing but he could not give a figure. No one had been charged.

Transvaal Rural Action Committee (TRAC) spokesman Joanne Yawitch said the two villagers killed were Mpaki Mosimane and 16-year-old Anton Mathe. Lawyers representing the community were prevented from entering the area by police, she said.

Yawitch referred to a speech by President Lucas Mangope on May 19 at Leeuwfontein appealing to residents to accept incorporation.

TRAC documented repeated telexed appeals to Minister of Development Aid Gerrit Viljoen not to go ahead with the incorporation plans, complaining the residents' views had not been heard.

Viljoen's office had not responded to questions late yesterday.

# Bop police, army hunt scores at Leeuwfontein

CH 7/87 4/7/87 (271)

JOHANNESBURG. — Bophuthatswana police and soldiers have mounted an intensive dragnet to arrest scores of people in the wake of the clashes at Leeuwfontein, which left nine security police and two civilians dead.

The homeland's deputy commissioner of police, Brigadier D C Waller, said yesterday that hundreds of people had fled the area "to escape police action".

"It is now a question of search-and-seek to apprehend the culprits, but I can't say how many people have already been arrested as reports will come in only tomorrow from outlying stations," the brigadier said.

He would not say whether a commission of inquiry into the clash would be instituted and declined to comment on whether lawyers would be granted permission to visit their clients in prison.

Lawyers representing the community have rushed to Leeuwfontein and Mmabatho in an effort to see their clients.

But a spokeswoman for the Transvaal Rural Action Committee (TRAC), Ms Joanne Yarwitch, said the legal representatives had been denied access to those in prison.

Meanwhile, a lawyer representing two Leeuwfontein residents in police custody in Bophuthatswana sent an urgent message to Minister of Foreign Affairs Mr Pik Botha and Minister of Education and Development Aid Dr Gerrit Viljoen urging them to intervene personally and guarantee the safety of his clients.

Mr James Sutherland, who represents Mr Dadelik Majasa and Mr Puse Sebogodi, confirmed that Bophuthatswana officials had not granted him permission to see his clients. — Sapa



## Tension still grips Leeuwnfontein village

# Residents want to stay South Africans

By Stan Hlophe and Abel Mushi

Tension gripped the small village of Leeuwnfontein near Zeerust yesterday after the bloody clash which left nine security force members and two villagers dead at the weekend.

Bophuthatswana soldiers and members of the South African Police manned roadblocks in the area and sealed off the entrance to the settlement. All arriving vehicles, including The Star's, were searched.

On the road to Gaborone, a slightly burnt and damaged army Casspir was lying on the side of the road, testimony to trouble in the area. Police later towed it away.

When The Star team finally reached the village, they found resentment clearly evident on the faces of the residents, who are angered by their incorporation into Bophuthatswana.

In random interviews conducted among the 15 000 residents, The Star was told that the people were prepared to fight against the "forced" incorporation because they regarded themselves as "bona fide citizens of South Africa".

Those interviewed whispered their replies because they said they did not know who the "enemy" was.

One young man said trouble had been simmering since last year when the villagers decided to

object to incorporation.

"We petitioned the South African Minister of Development Aid, Dr Gerrit Viljoen, telling him we would resist the incorporation with everything at our disposal. We appealed to the Supreme Court, but nothing came of it.

"The people's anger reached a point of no return and a meeting was called at the weekend.

"The people were to discuss further strategies to use and we were thinking of petitioning the State President.

"The police arrived and declared the meeting illegal. People got angry, but they contained themselves. It was the police who started beating up the people in their bid to disperse what they called an illegal gathering."

Many concerned workers employed in Mafikeng and nearby towns said they had asked for time off to be with their families in the wake of the recent bloodshed.

"I have to be with my family to see for myself what really took place. I got a message that there was trouble in our village," one family man said.

● The lawyer representing two Leeuwnfontein residents in police custody in Bophuthatswana yesterday sent an urgent message to the Minister of Foreign Affairs, Mr Pik Botha, and the Minister of Education and Development Aid, Dr Gerrit Viljoen, urging them to intervene and guarantee the safety of his clients, reports Sapa.

more leaving with relatives and friends who met them at Oseri Kari, a disused military base about 80km north of Windhoek.

Andreas Shipanga, a former senior

in a Lubango dungeon for five years, semi-naked, underfed and often beaten by guards

"I was accused of being a spy, for

There is no hope for me, my son is not here," said Chrissie Goageses. "The Red Cross has traced him, he was somewhere in Angola, in a prison. Perhaps he will come back soon."

# SA considers plea to intervene

SA's Department of Foreign Affairs was giving urgent attention to a plea that it intervene and guarantee the safety of two detained leaders from Bophuthatswana's villages of Leeuwfontein and Braklaagte, a department spokesman said yesterday.

He was commenting on a message from lawyer James Sutherland, who represents headmen Pupsey Sebegodi and Dadelik Majasa.

The violence stems from opposition in the community to the incorporation earlier this year of the Leeuwfontein into the homeland state.

The statement said: "The department considers the recent incidents in Leeuwfontein regrettable and hopes that an amicable solution will soon be found by the parties concerned."

Sebegodi and Majasa were arrested at their homes on Saturday shortly before battles between villagers and police, which left nine policemen and at least two civilians dead.

Meanwhile, Transvaal Rural Action Committee (Trac), which is monitoring events in Leeuwfontein,

SIPHO NGCOBO

claimed Bophuthatswana police were in Johannesburg looking for Leeuwfontein civilians who allegedly took part in the killing of the policeman.

A spokesman for Trac said 100 more villagers were arrested in Leeuwfontein yesterday.

This brings the unofficial total of arrests to 300 since follow-up operations began.

Bophuthatswana police have not given a figure

DANIEL SIMON reports that the Bophuthatswana government yesterday said it regretted the 11 deaths. It claimed the violence had been orchestrated from the Witwatersrand.

## 'Orchestrated'

A statement by the Bophuthatswana's Foreign Affairs Department said the government had evidence the "cold-blooded murder" of the policemen was calculated, and deliberately planned from outside the borders of Bophuthatswana.

"The innocent inhabitants of

Leeuwfontein were the victims of manipulation by outsiders.

"The pre-planning of events was done in the Witwatersrand area."

It said unrest started on Thursday night when arsonists gutted a Leeuwfontein house and attempted to set another on fire before stoning a third.

"On July 1, police investigated an illegal gathering in Leeuwfontein. The police were discussing matters with the purported leaders of those assembled.

"A spokesman talking to the police was physically removed by a gang and negotiating police officers were surrounded by an aggressive crowd armed with axes, stones and petrol bombs.

"A Buffel troop carrier was attacked and petrol bombs thrown in it.

"The five policemen who escaped from the vehicle were viciously hacked to death and the four trapped inside were incinerated."

The statement added that in fending for themselves, police fired shots, killing two civilians and wounding a few others before police regrouped and moved in to restore order.



27/11  
Mr. 11/45 5/7/89

# Leeuwfontein

## war of words

JOHANNESBURG. — A bitter verbal wrangle has broken out between the Bophuthatswana authorities and the Transvaal Rural Action Committee (Trac) with both parties having different versions of events in Leeuwfontein last week.

In a statement yesterday, Bophuthatswana blamed the violence on "pre-planning in the Witwatersrand area".

This was rejected by Trac, who said the tragic events were "the culmination of intense tension and escalating conflict as a result of forced incorporation" into the homeland.

The Bophuthatswana Foreign Affairs Ministry said that at a meeting on Saturday, the police were attacked for no apparent reason.

"In fending for their lives, shots were fired, killing two civilians and wounding several others — but not before nine policemen were killed or incinerated by the angry crowd."

Reports of villagers being shot from helicopters were also not true as a helicopter arrived only after the unrest, acting president Mr TM Molathwa said. — Sapa

*Cape Times 6/7/89*  
**Eight to appear after  
Leeuwfontein killings**

JOHANNESBURG. — Eight residents of the strife-torn Leeuwfontein settlement near Zeerust are to appear in court today on a range of charges stemming from last week's violence, according to Ms Joanne Yawitch of the Transvaal Rural Action Committee (TRAC).

"We have been informed that the eight will face charges ranging from malicious damage to property and assault, to murder."

They are to appear in the Lehurutshe Magistrate's Court. We do not know their identities, but we hope legal counsel is granted access to them," said Ms Yawitch.

She added that 128 Leeuwfontein residents were released on Tuesday night — Sapa



## Leeuwfontein eight to appear in court

Eight Leeuwfontein residents, whose names have not been released, will appear in the Lehurutshe Magistrate Court today on charges related to Sunday's violence in which 11 people were killed, according to the Transvaal Rural Action Committee (Trac).

Charges ranged from malicious damage to property and assault to murder, Trac said yesterday.

A spokesman said it appeared the other 128 Leeuwfontein residents who had been arrested and later released would not be charged.

Mr Clive Plasket of the legal firm Cheedle Thomson and Hayson, which is representing the Leeuwfontein and Braaklaagte communities, was allowed to see the eight still in custody.

Lawyers said they welcomed the mass release of others arrested, adding that it "could not have come about without pressure from the South African government".

controversial chemical.

An interdict is being sought by Natal

and he called for a temporary suspension of its use in Natal.

## Squatters haven't budged

By Thabo Leshilo

Only a handful of about 800 Wynberg squatters, who were supposed to be relocated to Orange Farm near Grasmere at the end of June, have left the area.

It is not clear what action the Sandton Town Council, under whose jurisdiction the camp falls, will take. Chairman of Sandton's management committee Mr Peter Gardiner referred The Star to Mr Steve Burger of the Alexandra Town Council who declined to comment.

The camp is on property owned by a Mr Max Green and is earmarked for industrial development.

It is called "kwa-Green" (Green's Place) and is divided into two stands, Stjwetla and Greenside.

Greenside has no water, electricity or toilets, and the squatters do not pay rent.

Although as overcrowded as Green-

side, Stjwetla receives some electricity from a derelict factory and has water and communal toilets but no refuse removal. Residents pay R35 monthly to the Alexandra Town Council.

Relocation will cause upheavals. Many squatters work in Sandton and their children go to school in Alexandra.

Mr Johannes Lebogo of Stjwetla said they would have to pay R8 to get to work whereas now they walk or pay at the most a rand a day.

Publicity secretary of the Alexandra Action Committee, Mr Obed Bapela, said claims of a land shortage in Alexandra were not true.

Quoting findings of research conducted by his committee, he said 120 000 people in Alexandra lived on 380 ha of land but in nearby Eastbank 260 ha of the total 320 ha was vacant.

## SA grip on Swazi farming

The Star Bureau

LONDON — South Africa is dumping its surplus produce in Swaziland, where it cannot compete, according to a report in The Finan-

to lead to a 40 percent rise in vegetable output this year, and maize output is expected to increase a further 15 percent on last year's 14 percent.

The new marketing structure is trying to give Swazi farmers a central and organised outlet for their produce. The country's first wholesale fresh produce market has been set up about 30 km from Mbabane, and others are expected to follow.

The market's manager, Mr Mike Dlamini, hopes that as Swazi farmers see they have a market for their produce, they will grow and sell more and so reduce the amount coming in from the Republic, the report adds.



# Battling incorporation

Stw 6/7/84

271

An outburst of violence on Sunday between Bophuthatswana police and Leeuwfontein residents resulted in this community's first casualties in a protracted battle since 1984 when the South African government announced plans for the consolidation of South African land into the homeland.

Leeuwfontein and Braklaagte, two remote settlements in the northern part of the Marico district, in August 1985 were included in the South African government's proposed consolidation of "black spots" into Bophuthatswana.

At this time, State President P W. Botha and President Lucas Mangope of Bophuthatswana agreed on the plans — after seven areas had been added to the original South African proposal.

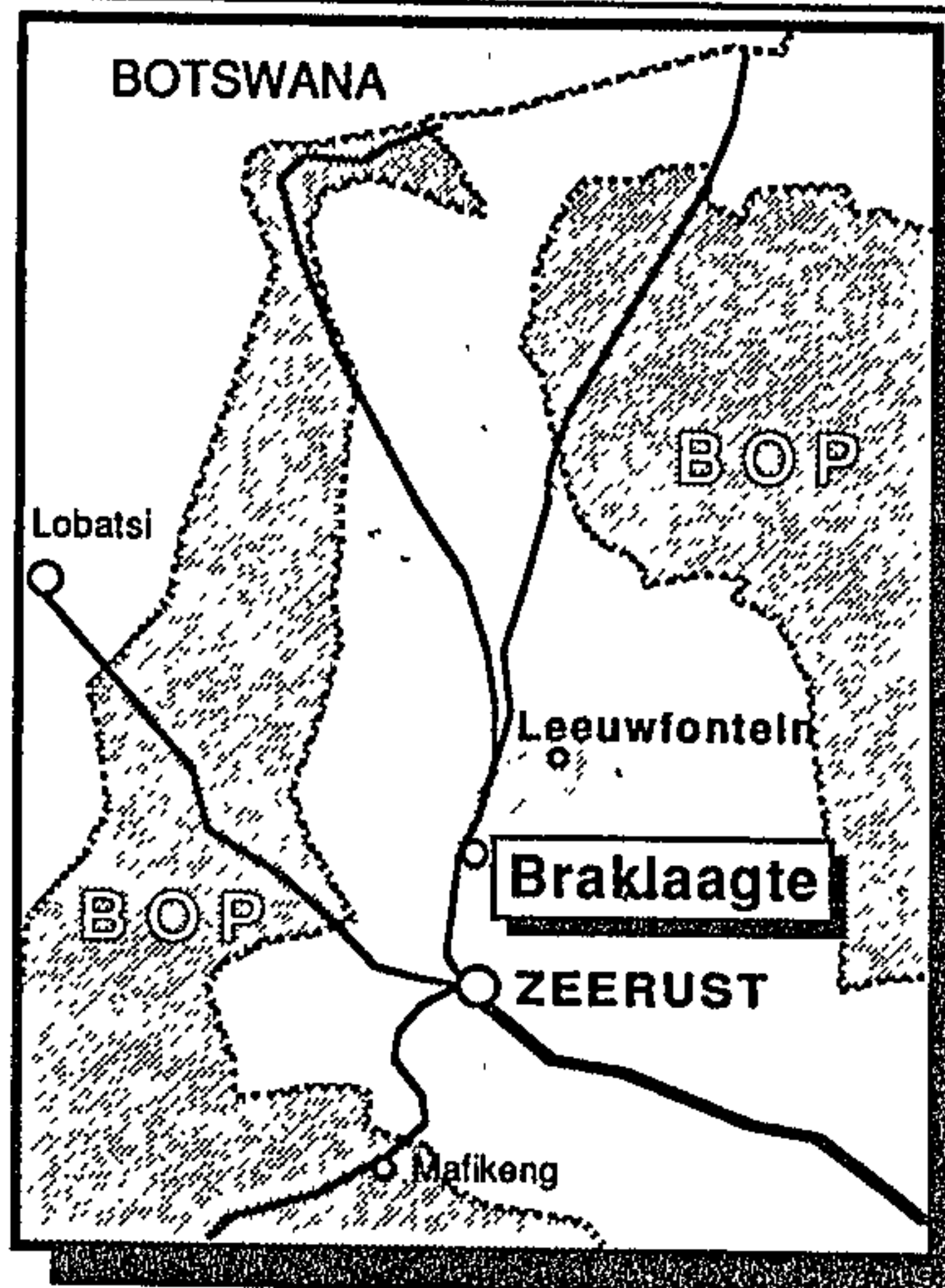
Six of these were small adjustments, filling out the state's borderline. The seventh area was the northern part of the Marico district, including Braklaagte and Leeuwfontein.

The proposals, which would result in thousands losing South African citizenship and title to their land, were immediately rejected by groups opposed to the homeland policy.

Their condemnation sparked off a battle which has been staged in court rooms, the chambers of Parliament, police cells and protest halls — and now extends to the graveyard.

The two communities angrily refused to be incorporated.

Tension in the Western Transvaal community of Leeuwfontein erupted at the weekend. Eleven people were killed. Political Reporter ESMARE VAN DER MERWE reports.



In spite of their protests, they were incorporated on New Year's Eve by proclamation of President Botha. Braklaagte's 9 000 and Leeuwfontein's 15 000 residents became Bophuthatswana citizens — against their will.

In March this year, the people of Braklaagte lost a court case challenging incorporation.

Their reasons for opposing incorporation included:

- Many residents took steps to regain South African citizenship when statutory changes

made this possible. Since the Bophuthatswana government was hostile to persons who did not have its citizenship, they feared victimisation.

- If they opted for Bophuthatswana citizenship, the provisions of the Aliens Act would apply and they would be at a disadvantage in the job market.

- Since the coup attempt in Mmabatho, the homeland authorities had acted against any residents whose loyalty was thought to be in question. Braklaagte (and Leeuwfontein) residents were known opponents of the Mangope government.

According to recent reports on clashes between the police and residents, the communities' fears have come true. Brutal police assaults on residents, including children, during March this year were denied by President Mangope.

Following the incidents, a blanket ban was put on visits to Braklaagte by outsiders. Lawyers have been denied access to most of those being held.

On Sunday, neighbouring Leeuwfontein exploded after police tried to break up a residents' meeting which they said was an "illegal" gathering.

Lawyers for the two communities, the Transvaal Rural Action Committee and the Democratic Party have since warned bloodshed could continue unless the South African government intervenes. But in the long term, they said, only a reversal of the incorporation decision would restore peace.

# Villagers charged with killing cops

CAH TMB 7/7/89

Own Correspondent

JOHANNESBURG. — Fourteen Bophuthatswana villagers appeared at Lehurutshe Magistrate's Court yesterday charged with the killing of nine policemen in Leeuwfontein on Saturday.

The magistrate granted bail ranging from R300 to R2 000, but ruled that the men should remain in custody for another two weeks. One of the accused, a 16-year-old youth, was released in the custody of his parents.

The accused are also facing charges of public violence relating to incidents of unrest at the village.

They were not asked to plead and the case was postponed to Wednesday.

The nine policemen were killed in clashes with civilians when a riot broke out at Leeuwfontein on Saturday. Two civilians also died.

● The death toll at Leeuwfontein has risen to 12 following the death of a 70-year-old man at a police road-block on Wednesday, according to the Transvaal Rural Action Committee (Trac) which monitors events at Leeuwfontein and Braklaagte.



The overturned bus that crashed yesterday outside Jerusalem after the wheel was grabbed from the driver by a Palestinian passenger yelling "God is great". The bus veered off the road into a ravine and burst into flames, killing at least 11 Israelis and injuring 23 — the worst death toll in a single incident since the Palestinian uprising began 19 months ago. Picture REUTER

## Court case follows Leeuwfontein killings

# 14 on murder charges

FOURTEEN Bophuthatswana villagers appeared at the Lehurutshe Magistrate's Court yesterday charged with the killing of nine policemen in Leeuwfontein on Saturday.

The accused are also facing charges of public violence relating to incidents of unrest at the village.

They were not asked to plead and the case was postponed to Wednesday, when application for bail will be heard.

The accused are David Motshidisi, Richard Konyana, Frans Bogatsi, George Mokotedi, Willie Mokuatse, Robert Sogo, Charles Hlatshoane, Mothoanga Modise, Sipho Ramaseka, Kaas Mogapi, David Monnana, Japie Tsagari, George Mosadi and a 16-year-

### SIPHO NGCOBO

old youth.

The youth was released into the custody of his parents.

The nine policemen were killed in clashes with civilians when a riot broke out in Leeuwfontein on Saturday.

### Civilians

Five of the policemen were allegedly stoned to death and four died in a vehicle which, it is alleged, was fire-bombed.

Two civilians were killed in the fighting.

□ The death toll at Leeuwfontein has risen to 12 with the death of a 70-year-

old man at a police road-block on Wednesday, according to the Transvaal Rural Action Committee (Trac), which monitors events at Leeuwfontein and Braklaagte. Trac named the man as Moretsele Mafora of Leeuwfontein.

A spokesman for Bophuthatswana's Information Department said he had no knowledge of the incident but promised to investigate today.

Lydia Kompe, assistant to lawyers Bell, Dewar and Hall, was arrested in Leeuwfontein yesterday, according to attorney James Sutherland.

□ The nine policemen killed in Leeuwfontein on Saturday will be buried in Mmabatho tomorrow, said the Bophuthatswana spokesman.

## SAAF battles to get full return on R9m spent on pilots

CAPE TOWN — The SA Air Force spends more than R9m to turn out a fully-fledged Cheetah fighter pilot — but struggles to keep him long enough for a full return on its investment, according to SAAF chief Lt-Gen Jan van Loggerenberg.

Addressing newly qualified pilots at Flying Training School Dunnottar yesterday, Van Loggerenberg quoted shock statistics about SAAF personnel losses to the private sector.

### Own Correspondent

The SAAF was unable to keep the majority of personnel for the critical 10 to 12 years after qualification, he said.

It cost more than R700 000 to train a pilot to wings standard. By the time he was ready for Mirage fighters the cost had risen to R4.8m, and by the time he had "gained sufficient experience on the Cheetah to outfight the best that an

enemy can throw at him, we have invested more than R9m in him".

In a five-year period the SAAF had taken in almost 3 000 apprentices, but "over the same period our net gain of technical personnel was less than 20% of the number we had trained".

Although the SAAF was contributing to the skilled manpower pool of the country at large, "we shall have to find a formula which will satisfy our requirements as well" the general said.

over to the diplomat.

He insisted that the alleged deal was "a commercial money-for-technology deal with no guns involved".

long-running effort and work "Unlimited

## Idasa postpones visit to Leeuwfontein

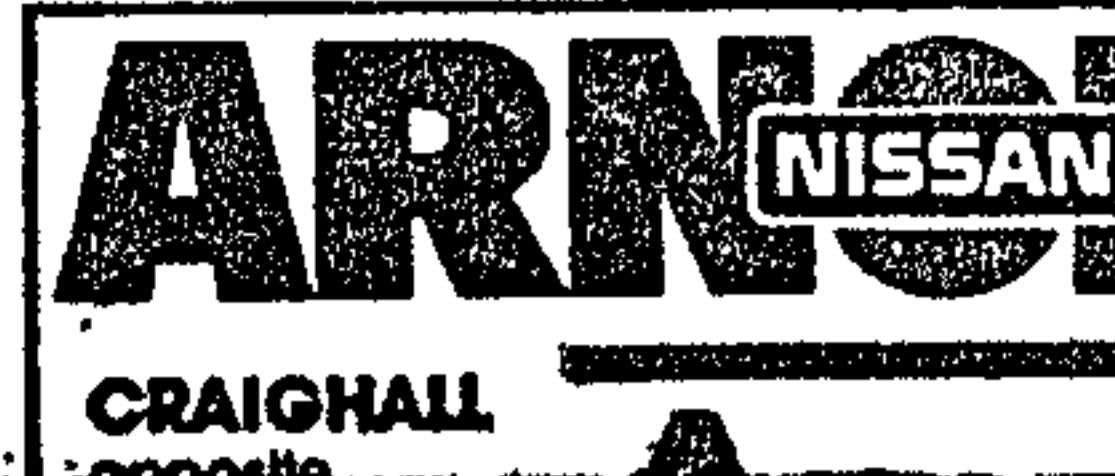
8/11/78 271

A proposed visit today to the troubled Leeuwfontein and Braklaagte areas of Bophuthatswana by a party of diplomats and members of Idasa has been postponed due to the volatile situation there.

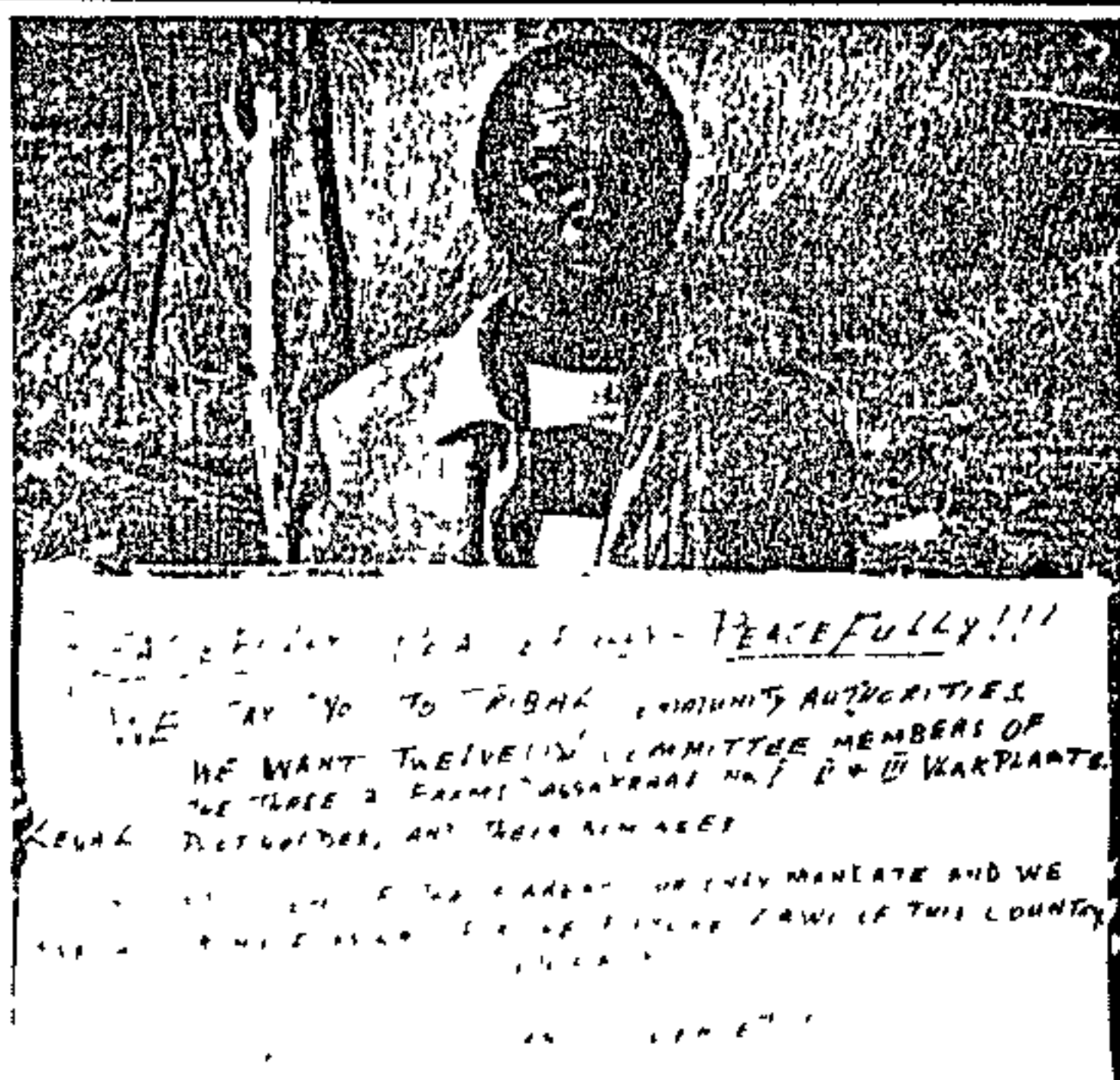
It is understood that an increased Bophuthatswana police presence in the area and roadblocks into Braklaagte and on the road to Leeuwfontein have made it difficult for observers to enter the district, about 30 km north of Zeerust.

Ten days ago, nine policemen and two civilians died when there was violence at a Leeuwfontein meeting. — Pretoria Bureau.

Dilemma lifted







**PEACEFUL PROTEST.** Leader Abner Dlamini holds a placard with his community's demands



**NOT WELCOME.** Daggakraal residents tell Constitutional Development and Planning Commissioner FJC Piek they do not want a community council

JOHANNESBURG. — The government made a mistake to choose the battle-hardened community of Daggakraal as a first target for a "rural community council"

And it was not surprising that an official of the Department of Constitutional Development and Planning was chased away by angry landowners in Daggakraal as he tried to conduct elections in the community two weeks ago.

Daggakraal is one of several communities which resisted forced removal and among the few which still enjoy freehold rights.

The commissioner for the Amersfoort district, Mr FJC Piek, had to postpone the elections to July 22 when he failed to control the angry crowd

At a meeting attended mostly by elderly landowners, Piek was told, amid shouts and heckling, that he did not have a mandate from the 45 000 strong community to conduct elections in Daggakraal.

The government had failed since 1912 to recognise Daggakraal's leadership structures and negotiate with their democratically-elected "Committee of Twelve" nor recognise its constitution.

The elections, according to Piek,

# Rural poll standoff

*The government came off worst in a standoff with the Transvaal rural community of Daggakraal last month. As in many other parts of the country, the government is attempting to foist a community council on this Eastern Transvaal community. But the people of Daggakraal, which successfully resisted forced removals several years ago, are equally adamant in their rejection of community councils. MONO BADELA reports:*

was supposed to be held in terms of the Black Local Authorities Act.

Meanwhile, more than 340 angry Daggakraal landowners waited for Piek to come and put his case

## Toll of sweat

Some of them carried placards which called on Piek to "Leave Us Alone in Peace". "We want no authority from you" and "We have our own Committee of Twelve".

In an interview, Mr Abner Dlamini, 70, a leader among the landowners, said a decision had been taken against the introduction of a black local authority for the area

Dlamini, whose father, Alexander Dlamini, was the general-secretary of the African Farmers Association when its chairman and ANC co-founder, Pixley Ka Seme, bought the land in 1912, said his forebears had bought the farms through toil and sweat.

"We shall maintain our unity in defence of these farms against any outsider who threatens to either remove us forcefully or impose upon us any method of administering our farms

"We reject both the Tribal Authority and the Community Act which the government is ramming down our throats"

He said the landowners were doing so in favour of their own "Committee of Twelve" elected by

the people to administer their land.

"The government wants to subdivide the Daggakraal and Vlakplaats land and turn them into townships where migrant workers from the mines and factories can rent houses built by the government

"It also wants to introduce the unpopular system of councillors in those townships. The government will simply nullify our title deeds

"We have free-hold title deeds for our plots. The people are adamant that they want to continue under our constitution," Dlamini said

Another prominent landowner at Daggakraal Two, Chief Popo Moloi, said

"We realised that should the Community Act plan succeed at Daggakraal, it would weaken the people of Driefontein who are also resisting this kind of Act."

Chief Moloi said the community favoured the "Committee of Twelve" which had administered the three Daggakraal farms since the late Pixley Ka Seme drew up their constitution

"Our people have peacefully occupied their land for 77 years and their wish is for their descendants to inherit this land.

"We will strongly resist any disruption or interference with the present patterns of ownership and occupation," Chief Moloi said

## No subsidy

"We have received very little or no government support or subsidy

"We've provided our own water supply, school buildings and roads. These have been sufficient to the extent that the community has been relatively healthy notwithstanding the lack of a basic health services," Moloi added

Overcrowding is a big problem in Daggakraal

This was because Daggakraal had been used as a 'dumping ground' for black tenants evicted from neighbouring white-owned farmlands, Moloi said

But the residents are strongly attached to Daggakraal as 'their home'. Not only is it ancestral land but has provided a relatively good life for them

It is one of the rare rural areas in South Africa where black people can own land outside the homelands

This accounted for the strong resistance to removal several years ago when their land was threatened by the Bantu Authorities Act

In January last year the government announced that the people of Daggakraal would not be removed

The reasons given were flimsy, said Dlamini

The area is only now returning to normal — although both the community and the land itself still bear the scars of the period when the future seemed insecure

"Now the government is trying to force down our throats the system of town councils. But it will happen over our dead bodies," said Moloi



**LANDOWNER.** Chief Popo Moloi



**WATER.** Children at one of the many boreholes at Daggakraal



**Murders: 2  
more arrested**

LEEUFONTEIN. — Two more people have been arrested and have appeared in court in connection with the murders of nine Bophuthatswana policemen.

Their arrests bring to 16 the number of people awaiting trial in connection with the murders.

Seven people have also appeared in court in connection with the arson which occurred at Braklaagte on June 29. — Sapa



# Violence caused by 'homelands policy'

*Cart Tink*  
14/7/89

By BARRY STREEK  
Political Staff

THE violence in the Braklaagte and Leeuwfontein areas, in which more than ten people had died, was the direct result of the government's homelands policy, the Democratic Party MP for Green Point, Mr Tian van der Merwe, said last night at a DP meeting in Brakpan.

More than 200 people from these two areas had been arrested or detained since South Africa handed the areas over to Bophuthatswana.

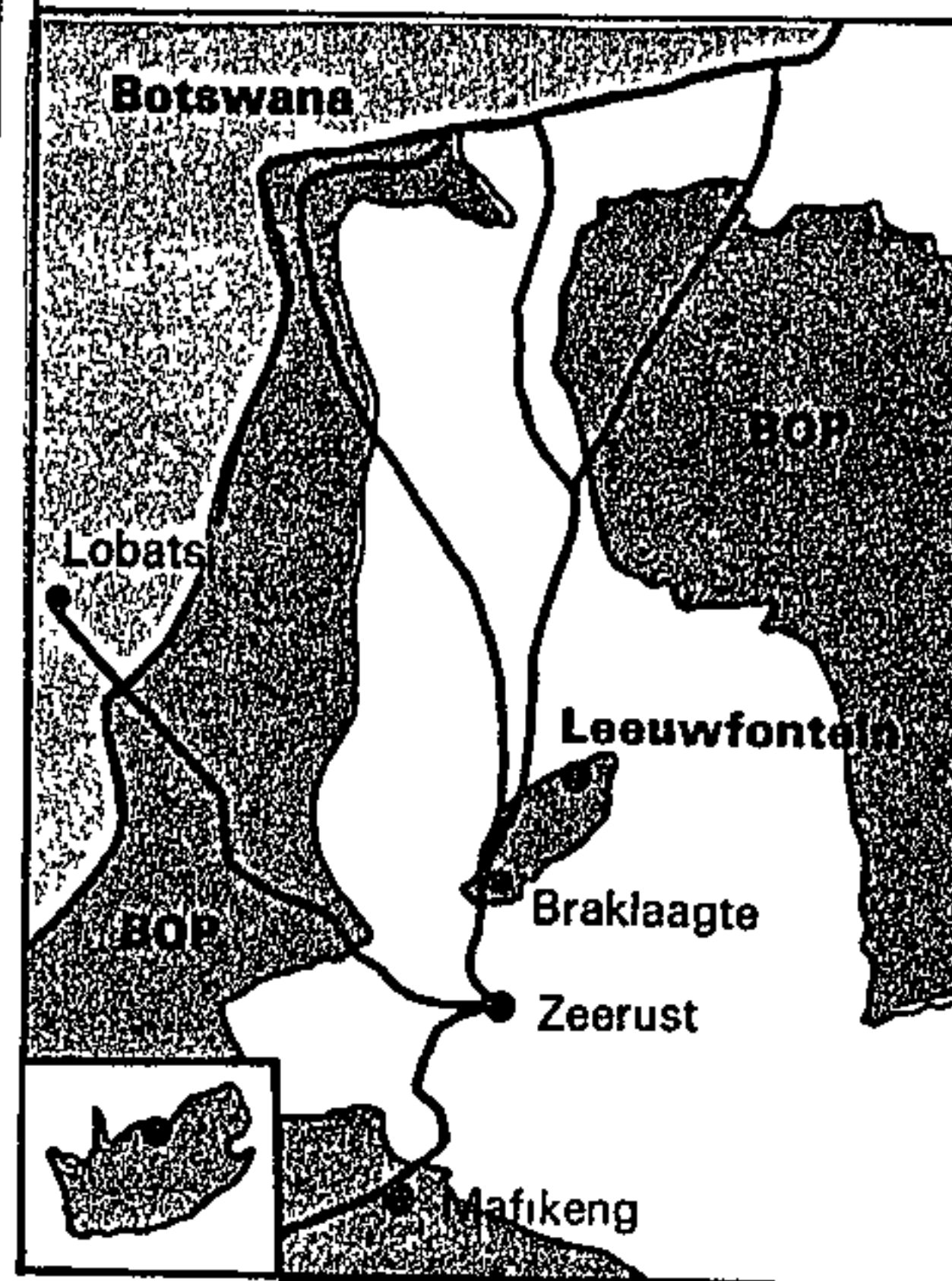
"The communities were not consulted when these decisions were made. Leeuwfontein was not even told of its changed status.

"Although South African citizens, the residents find themselves at the mercy of Bophuthatswana.

(Report by Barry Streek, 122 St Georges St, Cape Town, 8001)

271 Mail 14/7/89.

## Bloody incorporation



recently saw a delegation of United Democratic Front (UDF) leaders. Anti-apartheid groups also say that the incorporation was a point on which British PM Margaret Thatcher expressed distinct disapproval during her recent meeting with De Klerk.

The question of jurisdiction over Leeuwfontein and Braklaagte is to be settled in the Supreme Court. Judgment on an appeal against an earlier ruling declaring the incorporation of Braklaagte to be valid is due to be handed down at the end of the month, according to a Foreign Affairs (FA) spokeswoman. She says the ruling is expected to affect both communities as the issue is no different.

Here, too, whatever the outcome, human rights groups, particularly the anti-incorporations organisation and the Transvaal Rural Action Committee (Trac), still insist that there should be clarity. Trac says that while government wants to indicate that the policy is all but dead, "it just seems to keep on kicking back." Government officials, meanwhile, say that no further incorporation legislation is pending.

Trac says the outburst in which nine policemen and two villagers died on July 1 happened when the Bop police force drove into a meeting held by both communities to discuss the incorporation. The crowd turned on them and nine policemen died trapped in their blazing vehicle while two villagers died in the ensuing chaos. Police helicopters allegedly hunted down fleeing people, up to 2 000 villagers are said to be detained, and many are said to have been beaten.

When the *FM* visited Leeuwfontein, only a handful of its estimated 15 000 residents remained, mainly the old and very young and a few too injured to flee. Others, according to Trac, have dispersed to neighbouring farms and villages, or have fled to Johannesburg. Some, like community leader Dadelik Ma-

jata, is apparently missing after being detained.

Education & Development Aid Director-General Gilles van de Wall says he has "no idea" of what has happened — but that no further legislation regarding incorporation is in the wings. The "whole thing is so political" that he would rather not comment further.

### Enter Hong Kong

The FA says that while responsibility for the issue is shared with Education & Development Aid, government prefers to see the incorporation as an accomplished fact. By way of example she says of Hong Kong. "Can you tell the Chinese to give Hong Kong back to the British? It is almost inconceivable."

Nonetheless, she says recent developments in the area are "most regrettable" and the department is prepared to provide consular assistance to those who applied for and were granted SA citizenship in 1986. But this will be the only assistance, such as provided for South Africans abroad who lose their passports.

Trac says the incorporation was "completely inconsistent and ad hoc" considering the reprieve given last year to 10 000 villagers at Mathopostad by Education & Development Aid Minister Gerrit Viljoen. Viljoen went on to give a Cabinet promise that the 1 800 Magopa residents would not be deprived of their land; and then without warning incorporated neighbouring Braklaagte and Leeuwfontein (the first Leeuwfontein residents knew about it was when it was announced on the radio).

Trac says lengthy telexes to Viljoen have drawn the reply that Bophuthatswana is a foreign country and that "SA is not involved."

## HOMELAND INCORPORATION

### Washing their hands

Pretoria has disclaimed responsibility for the 11 deaths and chaos surrounding the violent incorporation of two black villages, Leeuwfontein and Braklaagte, close to the Botswana border, into Bophuthatswana. But human rights groups insist it should bear the ultimate blame.

However, whatever the outcome, there should be no doubt about the international repercussions. NP leader F W de Klerk will discover this during his forthcoming visit to US President George Bush — who only



## 2 Bop villages 'under siege'

THE communities of Braklaagte and Leeuwfontein, discontented at their incorporation into Bophuthatswana, are still under siege after the outbreak of violence which left nine people dead two weeks ago.

The Transvaal Rural Action Committee (Trac) said yesterday that police roadblocks were restricting access to the areas, particularly to journalists, and locals were being searched and harassed each time they entered or left. (271)

Last week the homeland police's "intimidatory presence" reached terrifying proportions when a Browning machinegun was mounted at a roadblock, Trac said. Star 15/7/89. (109)

Both villages were continually patrolled by police, who "searched, questioned and insulted" residents at random.

All the men in the area had fled, leaving only the very old, the very young and some women.

Last Thursday, 34 people, including two 89-year-olds, a 75-year-old woman and a number of young girls, were arrested after being accused of holding an illegal gathering.

Trac claimed the arrested people were waiting for a broken water pump to be repaired.

A total of 16 people face murder charges and seven have been charged with arson. The youngest, a youth aged 16, had been released into the custody of his mother, Trac said, but bail was refused for all the other accused, "despite a court undertaking to the effect that bail would be granted".

Furthermore, none had as yet been seen by a doctor, despite their claims that they had been assaulted since their arrest. — Sapa.

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DUH 122



# Our bloodied

Apartheid drags another black village kicking and screaming into the national consciousness

PATRICK LAURENCE

**T**HE INCORPORATION of black communities into South Africa's tribal statelets or "homelands" frequently serves as a catalyst of violence.

Wherever communities outside the boundaries of these tribal polities are incorporated into them, tensions increase and all too often blood is shed.

The mere threat of incorporation into the "bantustans" — as their foes pejoratively label them — can precipitate violence.

The political map of South Africa is now littered with black villages and townships which have etched their names into national consciousness with blood and tears.

Winterveld, Moutse, Braklaagte, Botshabelo, Hambanati and now Leeuwfontein.

Eleven people were killed at Leeuwfontein last weekend — nine members of Bophuthatswana's security forces and two civilians — when fighting broke out in the 15 000-strong village.

The precise chronology and immediate causes of the violence are as yet unclear. But the underlying cause was the transfer of Leeuwfontein, against the wishes of the majority of its residents, to Bophuthatswana on December 31 last year.

The incorporation was followed by months of high tension in the once peaceful community, as Bophuthatswana security forces, anxious to assert the authority of the Bophuthatswana regime and that of the pro-Bophuthatswana tribal leader, Chief Edwin Moiloa, entered the village.

Clashes followed between Bophuthatswana police and Leeuwfontein youth, teargas, sjamboks and rubber bullets were used to break up meetings as police temporarily gained control.

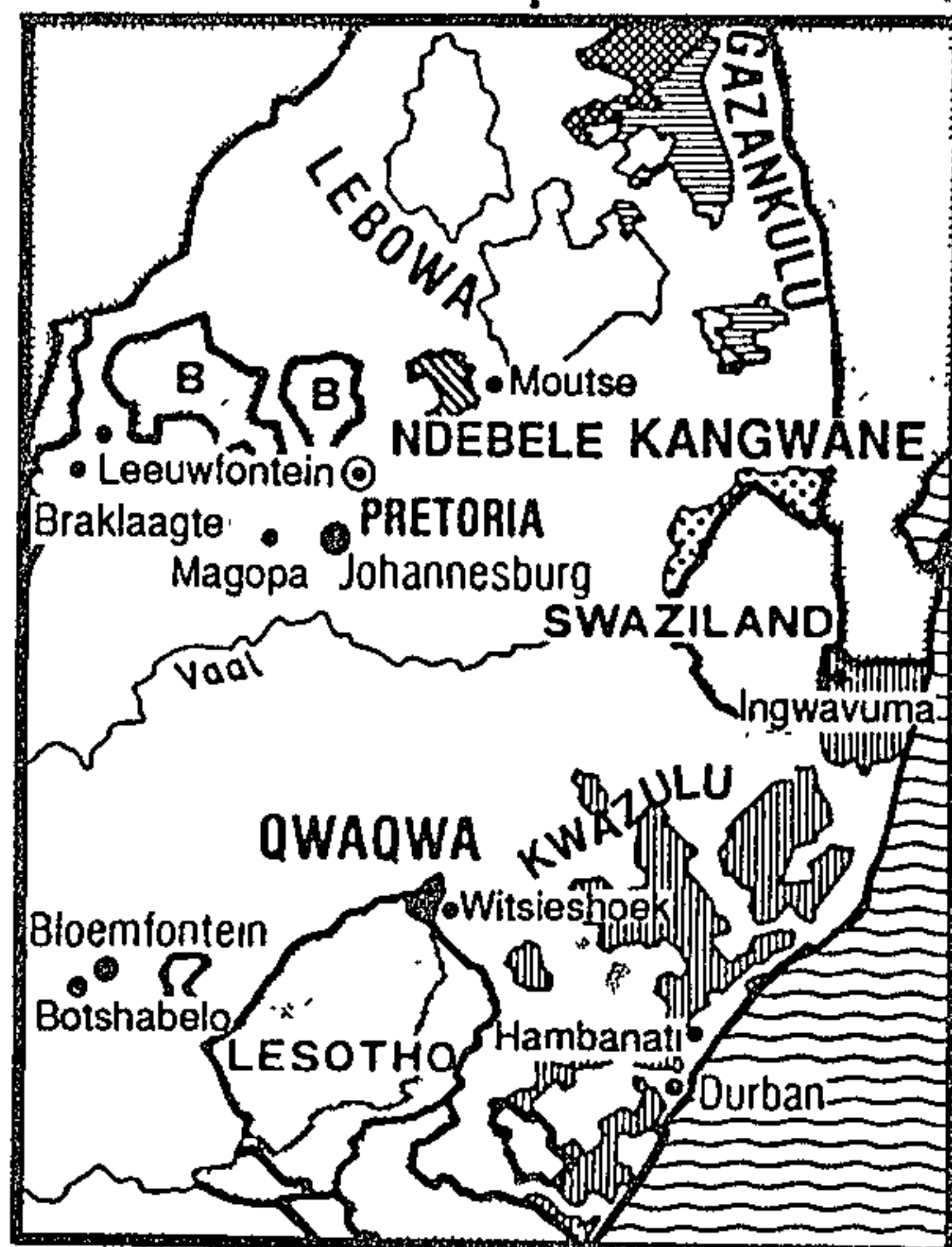
Tensions at Leeuwfontein were exacerbated by events at the neighbouring community of Braklaagte. It was transferred to Bophuthatswana by decree on the same day as Leeuwfontein. A single proclamation, R220 of 1988, provided for the incorporation into Bophuthatswana of Braklaagte and Leeuwfontein without their consent or even, in the case of Leeuwfontein, their knowledge.

In March, according to eyewitness accounts collated by the Transvaal Rural Action Committee (Trac), Bophuthatswana security forces set up a road block outside Braklaagte and stopped a bus carrying scholars home from school.

The scholars were forced to line up and say whether they were citizens of Bophuthatswana or South Africa, those who bravely identified themselves as South Africans were beaten with rifle butts, punched and slapped.

The episode set the scene for further violence, including — according to the Bophuthatswana Ministry of Law and Order — arson attacks on the homes of Bophuthatswana loyalists and the arrest on charges of public violence and arson of 75 people.

Those arrested then included the man chosen by the majority of Braklaagte's residents as their leader, Mr Pupsey Sebogodi. He was later released on bail, only to be re-arrested after



last weekend's bloody clash at Leeuwfontein.

After the arrest in March of the Braklaagte residents, President Lucas Mangope paid a visit to Braklaagte in May in what appears to have been a show of strength.

He hails from the same region and, according to the historian, Dr Tom Lodge, rose to prominence and high office after the deposition in the late 1950s of Chief Abram Moiloa for opposing the extension of passes to

black women at the time.

At the Braklaagte meeting, Chief Mangope defended the actions of his policemen, saying "I have heard that you do not want to see my police force in this place. Know that I actually love them. I love them for carrying out my instructions."

Incorporation was an underlying cause of violence in the Winterveld, north of Pretoria, which erupted on March 26 1986, when Bophuthatswana police opened fire on a crowd, killing 11 civilians.

**RECIPE FOR VIOLENCE:** The mere threat of incorporation — and now Leeuwfontein where 11 people died this week. Bop security police kicked him at a roadblock in Braklaagte.

The Winterveld, a sprawling tribally heterogeneous area, was placed under Bophuthatswana jurisdiction in the 1970s although Bophuthatswana was conceived as a Tswana state (Bophuthatswana means gathering in of the Tswana).

**R**esentment at incorporation intensified after Bophuthatswana's rulers accepted Pretoria's offer of independence, a decision which meant Winterveld's people would be deprived of South African citizenship.

A sign of the pending storm came before independence in December 1977 when irate Winterveld resident burnt the Bophuthatswana flag. The start of the township rebellion in South Africa proper in 1984 spread rapidly into the Winterveld.

Its close proximity to the PWV metropolis was one reason, simmering resentment at alleged discrimination against people who were not Tswana — one of Chief Mangope's Cabinet ministers, Mr David Mokale, spoke about "purging infested areas" — was another.

The Winterveld was reported to be "seething with anger" in October 1985. There were clashes between rebels and vigilantes early in 1986. It culminated in the "Winterveld massacre" when Bophuthatswana police opened fire on a huge crowd

which gathered on a field. The crowd had no discussion their grievances with the police.

The report of a judicial inquiry into the shooting by Justice Edgar Smith has not been released. It is understood to have criticised the police for using "hard" ammunition.

Earlier, in 1984, the anticipated incorporation of the area into kwaZulu polarised Natal township into pro and anti-incorporation forces, responding closely with the tension between Inkatha and the African Democratic Front and violence followed.

Hambanati was not incorporated in the end. The consolidation proposals for kwaZulu, however, have raised fears that it might still be.

Less than three months after the Winterveld killings, a tract of territory near Lersdal occupied by predominantly Sotho-speaking people was transferred to kwaZulu, the designated homeland for the Ndebele people. KwaZulu rulers had decided to incorporate it into South Africa's fifth independent state.

Its incorporation into the province of Natal, following the proclamation of R227, led to violence, fighting broke out between kwaNdebele and the feared Mbokodo.





# died albatross



**RECIPE FOR VIOLENCE:** The mere threat of incorporation into the "bantustans" can precipitate violence. Winterveld, Moutse, Braklaagte, Botshabelo, Hambanati . . . and now Leeuwfontein where 11 people died this week. The man crouching on extreme left, was "forced to do press-ups" while plain clothed men, believed to be Bop security police kicked him at a roadblock in Braklaagte village this week. Other men were made to lie on their backs. ● Picture by Len Kumalo of The Sowetan.

The Winterveld, a sprawling tribally heterogeneous area, was placed under Bophuthatswana jurisdiction in the 1970s although Bophuthatswana was conceived as a Tswana state (Bophuthatswana means gathering in of the Tswana).

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which gathered on a soccer field. The crowd had hoped to discuss their grievances with the police.

The report of a judicial inquiry into the shooting by Mr Justice Edgar Smith has not been released. It is understood to have criticised the police for using "hard" ammunition.

Earlier, in 1984, the anticipated incorporation of Hambanati into kwaZulu polarised the Natal township into pro and anti-incorporation forces, corresponding closely with the division between Inkatha and United Democratic Front. Bloodshed and violence followed.

Hambanati was not incorporated in the end. The latest consolidation proposals for kwaZulu, however, have revived fears that it might still be.

Less than three months before the Winterveld killings, Moutse, a tract of territory near Groblersdal occupied by predominantly Sotho-speaking people, was transferred to kwaNdebele, the designated homeland of the Ndebele people. KwaNdebele's rulers had decided to make it South Africa's fifth supposedly independent state.

Its incorporation into neighbouring kwaNdebele on December 31 1985, after the publication of proclamation R227, triggered violence; fighting broke out between kwaNdebele vigilantes — the feared Mbokodo — and

Moutse villagers. By the end of January 1986, 31 people were dead and scores more were wounded.

Later, in December 1987, tensions rose in the re-settlement centre of Botshabelo, 55 km east of Bloemfontein, with the publication of a proclamation providing for Botshabelo's partial incorporation into Qwaqwa.

Violence did not break out, however, possibly because the transfer was only partial. Qwaqwa took over some administrative and legislative functions, but the South African Development Trust retained legal ownership of the land.

Last year Moutse and Botshabelo both won reprieves from incorporation in the courts.

**T**he incorporation of Moutse into kwaNdebele was found to be contrary to the central Government's apartheid statutes, they do not provide for the transfer of territory occupied by one ethnic group (Sotho) to land allocated to another (Ndebele).

By transferring administrative control of Botshabelo to Qwaqwa, the State President was found to have exceeded the authority granted to him under the National States Constitution Act.

But these court triumphs were imperiled a year later when the Minister of Constitu-

tional Development, Mr Chris Heunis, tabled a Bill, the Alteration of Boundaries of Self-Governing Territories Bill, in Parliament. It placed the alteration of boundaries — and thus transfers providing for incorporation — beyond the jurisdiction of the courts.

The Bill did not become law because MPs in the coloured House of Representatives walked out when it was put before them.

Until it is withdrawn Moutse and Botshabelo remain under the threat of incorporation. The potential for conflict is immense, particularly in the case of Botshabelo. With an estimated population of 500 000, Botshabelo is the second largest township in South Africa after Soweto.

Incorporation is an integral part of apartheid, like apartheid it is taking an unconscionable time to die.

Apartheid, at its core, aims at the establishment of separate black ethnic mini-states. An associate objective is transfer as many black people as possible to these states and thus make the task of controlling or accommodating black people in South Africa easier.

Forced removal of black people from white-designated land was one way of maximising the population of the black statelets. The Surplus People Project calculated that more than 3.5 mil-

lion were moved under various apartheid laws between 1960 and 1983.

Forced removals, however, provoked too much resistance, at home and abroad.

**T**he long fight of the Magopa people against coerced removal from their ancestral lands demonstrated that.

As forced removal was abandoned, transfer of territory and people in South Africa to black states was used increasingly. It reached its apotheosis in the early 1980s with Pretoria's plans to transfer kaNgwane and Ingwavuma to Swaziland.

The plan was fiercely resisted. It was thwarted in the Supreme Court. If it not been, it would almost certainly have resulted in heavy bloodletting. Resistance to Swaziland's rule in both territories was growing by the day.

Now, in 1989, incorporation remains on the agenda, although it is more than three years since President Botha labelled apartheid obsolete.

Law and Order Minister Adriaan Vlok declares that apartheid is albatross, but his men co-operate with Bophuthatswana security forces in rounding up Leeuwfontein residents who dared to oppose incorporation of their freehold village into Bophuthatswana.



# Homeland bans Black Sash project

JOHANNESBURG. — The ban imposed yesterday morning on the Black Sash and the Transvaal Rural Action Committee (Trac), a project of the Black Sash, by the Bophuthatswana administration "is a measure of how desperate the homeland authorities are to sweep all grievances under the carpet and stop people seeking help", the organisation said.

In a Government Gazette, Chief Lucas Mangope's administration outlawed Trac and the Black Sash on the grounds that they "endangered national security and public safety". All organisations linked to the two bodies are also affected by the ban.

Saying that they were a non-violent organisation, Trac said their work in the area, particularly in Braklaagte and Leeuwfontein, involved supporting people who suffered "under a pervasive climate of oppression, particularly as a result of their opposition to enforced incorporation into the homeland".

Ultimately, Trac continued, the culprit in the whole scenario was the South African government which failed "to recognise the human worth of black people, and persisted in treating them like pawns on a ridiculous checker board of its own design".

The ban on Trac is the latest in a series of bitter wrangles between Trac and the two communities on one hand, and the Bophuthatswana authorities on the other. The crisis was sparked off by Pretoria's decision to incorporate the two territories into Bophuthatswana on December 31 last year.

Since then, both communities have resisted incorporation with sporadic clashes between security forces and the communities. On July 1 an orgy of violence erupted at a mass meeting during which nine policemen and two civilians were killed. — Sapa





NATIONAL

# Police criticised for 'handling' of funeral

11645 25/7/84 (771)

The Argus Correspondent

PRETORIA. — The Transvaal Rural Action Committee (Trac) has accused the Bophuthatswana police of being "callous, ruthless and disrespectful of the law"

Trac, banned last week by the Bophuthatswana government, says the police's handling of funeral arrangements of a civilian victim of the July 1 battle at Leeuwfontein — in which nine policemen were killed when they tried to break up a meeting of villagers — indicated the police did not appear "to consider themselves accountable to any higher legal authority."

Trac, which is a project of the Black Sash organisation, says that "nothing illustrates the callousness, ruthlessness and disrespect for law of the police as

much as their handling of the funeral arrangements of Anthony Mathe," one of two civilians killed.

Detailing how the family had gone about making arrangements for the burial, Trac says the body was taken to the Zeerust hospital mortuary. "The family planned to remove it in preparation for the burial. They were, however, detained while discussing funeral arrangements."

Relatives then heard the body had been taken from the mortuary, but no-one would say to where. It was eventually traced to Ga-Rankuwa, where a post-mortem examination had been carried out in spite of assurance in writing that no post-mortem would be conducted without the family, and the family's lawyers, being informed.

The body was then taken to Mmabatho without the family's knowledge, and after the lawyers had spoken to the police, it was agreed the body would be handed over for burial. This was not done, says Trac.

The police refused again to return the body and an urgent court application was made in the Bophuthatswana Supreme Court on July 20. The court ruled that argument could be heard on August 2, and the police were ordered to retain the body until then.

Trac say that the next day, however, the police took the body to the family home at Braklaagte, close to Leeuwfontein, and instructed that the funeral take place.

The funeral took place on Friday after police refused to allow the burial to take place on Saturday.

# 7 000 sites for the homeless

*Sowetan 27/7/89*

THE mayor of Soweto, Mr Sam Mkhwanazi, yesterday said he had secured 7 000 sites at Orange Farm for Soweto's low-income families, especially Mshenguville residents.

He said residents wishing to be allocated sites at Orange Farm should report to his office at the Jabulani chambers today.

He has arranged a bus to take residents to Orange Farm to inspect the place and buses which will leave Mshenguville on Sunday, July 30, at 10 am. Orange Farm is near Grasmere, on the way to Evaton.

There is a train station near Orange Farm and buses and taxis drive past the area from Evaton and Sebokeng, said Mkhwanazi.

"I would like all residents of Mshenguville to apply for sites at Orange Farm as this is the council's last resort in resettling them. Those who fail to apply for sites will never get a chance as the council has no other land to accommodate people," said Mkhwanazi.

He said 1 000 sites will be reserved specifically for Mshenguville residents. Residents

should have at least R50 deposit for the sites they apply for.

The 7 000 sites will be serviced by the Government which is presently installing water taps and providing ablution facilities.

Residents of the 1 000 sites are expected to build

their own temporary accommodation and to build houses of their own choice later.

The other 6 000 sites will be developed for low income and middle-income families. Residents can buy the houses which will be priced from R20 000 and more.



## Squatters to move

MORE than 50 000 squatters from three camps in Tokoza and Katlehong townships will be resettled at Rietfontein in the East Rand in August.

It was disclosed by Transvaal Provincial Administration MEC, Mr John Mavuso, who is heading the Government's resettlement programme.

He said Rietfontein was being serviced by the Government which will provide water, taps and self-service sites.

Tokoza Town Council's acting town clerk, Mr Sydney Qwabe, yesterday said the project does not include people living in backyards but only those temporarily accommodated at the squatter camps in the area.

Katlehong's town clerk, Mr Fannie Marais, said his council would meet Mr Mavuso on Monday for further talks.

have been found guilty of tax evasion.

## 9 more arrested in Bop

MMABATHO. — A further nine people have been arrested in connection with the deaths of nine policemen on July 1 at Leeuwfontein, the Bophuthatswana Department of Foreign Affairs announced yesterday.



Sowetan 28/7/89

SOWETAN Friday July 28, 1989

# Squatters move to camp

271

MORE than 50 000 squatters from three squatter camps in Tokoza and Kaitleng townships will be resettled at the Rietfontein resettlement camp on the East Rand during August.

The resettlement of the squatters was disclosed by the Transvaal Provincial Administration MEC, Mr John Mavuso, who is heading the Government's squatter resettlement project.

He said Rietfontein was being serviced by the Government which is to provide water taps and ablution facilities before allocating self-service sites.

The largest number of squatters will be from Dunusa in Tokoza which presently has more than 20 000 people. The Kaitleng squatter camp is home to more than 16 000 squatters.

The rest will come from Tambokiesfontein which is on the outskirts of Tokoza.

Tokoza Town Council's acting town clerk Mr Sydney Qwabe yesterday said the resettlement project did not include people living in backyards.

# LET US SHARE

The State and Iscor Company are offering all employees of the giant steel producer - black and white - shares in a bid to encourage wider ownership among all South Africans later this year.

At a press conference in Pretoria yesterday, Iscor's manpower manager, Mr Johan Prinsloo, they were offering employees an attractive package of 150-million shares at the listing of the giant steel company.

Participation in the

## Iscor's offer to workers

share scheme by Iscor's 58 000 employees is entirely voluntary and will be extended to all full-time employees who are working for the company and its subsidiaries on August 31, 1989 and who are still in service when the offer opens, according to Mr Prinsloo.

The decision was taken after the company negotiated with major trade unions, including the National Union of

Mineworkers, the National Union of Metalworkers of SA and the Black Allied Mining and Construction Workers Union.

The package consists of three offers. Firstly 100 free shares will be offered to all full-time employees of Iscor and its subsidiaries, the full cost of which will be carried by the State.

Secondly, all employees will be offered

shares at a 20 percent discount on optional, deferred payment terms over a maximum period of three years. The number of shares offered to each employee will depend on job grading, he said.

Thirdly, the State is also setting aside almost 5 percent of Iscor's issued shares for staff on a preferential basis. Allocation will be equal to the number of shares for which each employee qualifies under the discount scheme.

The 100 free share and 20 percent discount shares will make up 50 percent of the 150-million shares offered to employees, with the preferential shares making up the other 50 percent.

"Iscor management is going out of its way to communicate details of the employee share offer scheme to its staff, and among other things, will establish public information offices at all its centres," Prinsloo said.



Beauty and brains go together — so seems to say the lovely face of 22-year-old Unibo student, Mumsie Molefe.

## Rip off is alleged

AFRICAN National Congress commanders and leaders are allegedly selling off supplies intended for insurgents inside South Africa police say.

This information was said to have been gleaned from various ANC defectors during questioning by the security forces.

## "Damelin makes it easy!"

Mr. J.P. Brummer, Principal, Damelin Correspondence College.



# Lawaaiikamp 'test cases'

6/6 AR66-5 (571)  
16/9/87

By LINDA GALLOWAY  
Supreme Court Reporter

AN application for the ejectment of two more squatter families from Lawaaiikamp at George has been postponed to next year following an application to have them heard as test cases on which the future of the remaining families would depend.

In an affidavit heard during the Supreme Court application by George town council against squatters Mr Max Gcuwa and Mr R Gwegwe, Legal Resources Centre lawyer Mr Jacobus Pienaar said this week the cases were only two of 130 instituted by the council "for the removal of the entire Lawaaiikamp community".

## Council refusal

The defendants had agreed to be bound by a test case, which would save "a multiplicity of actions", but the council had refused this suggestion and was pressing ahead with the cases against Mr Gcuwa and Mr Gwegwe, which it had chosen.

He said neither of these was a test case or in any way representative of the general body

of cases and neither side had agreed to be bound by the outcome of either of them.

Mr Pienaar said the residents of Lawaaiikamp did not have the financial resources to fight a multiplicity of cases and were obliged to conserve their resources to fight a test case.

The cases had to be seen against the background of serious settlement proposals between the parties which had "not in any way broken down".

## Sandkraal

The area identified as Lawaaiikamp had evolved to a community of about 5 000 people by 1984-85, and authorities had responded by proclaiming a new black township, Sandkraal, some 4 km away.

A number of Lawaaiikamp residents moved to Sandkraal voluntarily, but not all wanted to move and a great number stayed behind.

There were numerous attempts to forcibly remove the remaining Lawaaiikamp residents to Sandkraal which included the demolition of about 150 houses by bulldozers, the dismissal of council employees who lived in Lawaaiikamp, substantial increases in rents, the

closure of a community creche and numerous notices to residents to move to Sandkraal.

In mid-1988 the council began legal steps for the ejectment of the remaining families.

However, during May last year the council had shown "a significant change of heart" and passed a resolution to declare Lawaaiikamp a free settlement area. The council stated repeatedly that it did not intend tearing down houses anymore and that the area would be upgraded and the outstanding issue appeared to be the manner in which the area would be upgraded.

Mr Pienaar said it would be "highly inequitable and even inequitable" for the two ejectment orders to proceed when a reasonable possibility existed that the families concerned would be permitted to remain in Lawaaiikamp with homes to be upgraded.



Sowetan 19/9/89

## Move begins

• From Page 1

While there are more than 3 000 families in Mshenguville camp, "only those residents who want to move will be moved," a municipal worker said.

A spokesman for the community confirmed "the people were happy with the move." By early yesterday a dozen municipal trucks were moving into the dusty shanty town.

Children danced. Women ululated and pranced proudly with their possessions on their shoulders while a handful of white men filmed sections of the squatter camp.

Amidst the imminent move, a gaily coloured dwelling stood secure and tidy while the homeowner - if one can call her that - swept the loose soil in her yard into a river of effluent that runs around the camp.

It was also business as usual for the "rent a loo" company which services the portable toilets in the camp. The company's service truck shuffled alongside removal vans making an occasional stop at the blue structures.



The shacks come down as the squatters prepare to move to Orange Farm in the Vaal.

# ON THE MOVE

## A new life begins for Mshenguville people

Sowetan has a new telephone number and it is 474-0128

REPORTS, pictures and comments in this edition may be censored in terms of the Government's state of emergency

SOWETAN Reporter

RESIDENTS of Mshenguville yesterday started their big move from the squatter camp to the 1000 plots secured for them earlier this year at Orange Farm in the Vaal by the Mayor of Soweto, Mr Sam Mkwana.

• To page 2

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(221) 271

Little water, no sewage, no paving or electricity but ...

# 'At least we're breathing fresh air'

THE Mshenguville squatters who are being moved to Orange Farm, a dust pan almost forty kilometres from Johannesburg, appear to be happy. "At last we're breathing fresh air," Mrs Beauty Tshabalala (45), said this week.

But it is not that simple, said another resident, who refused to be named. A single fare to Johannesburg by bus is R3 60, a taxi ride costs R3 00.

A stroll through the dusty streets reveals the

By ISMAIL LAGARDIEN

odd tap - one for five families - no stormwater drainage, paving or electricity, and a railway station that's two kilometres away across the bushveld. "There is no provision for sewage disposal - which will become a health hazard in the rainy season," she said.

While the residents are ambivalent, Soweto municipal trucks continue bussing in people with their belongings.

Rudimentary shelters are erected as rapidly as the galvanised metal sheets are offloaded.

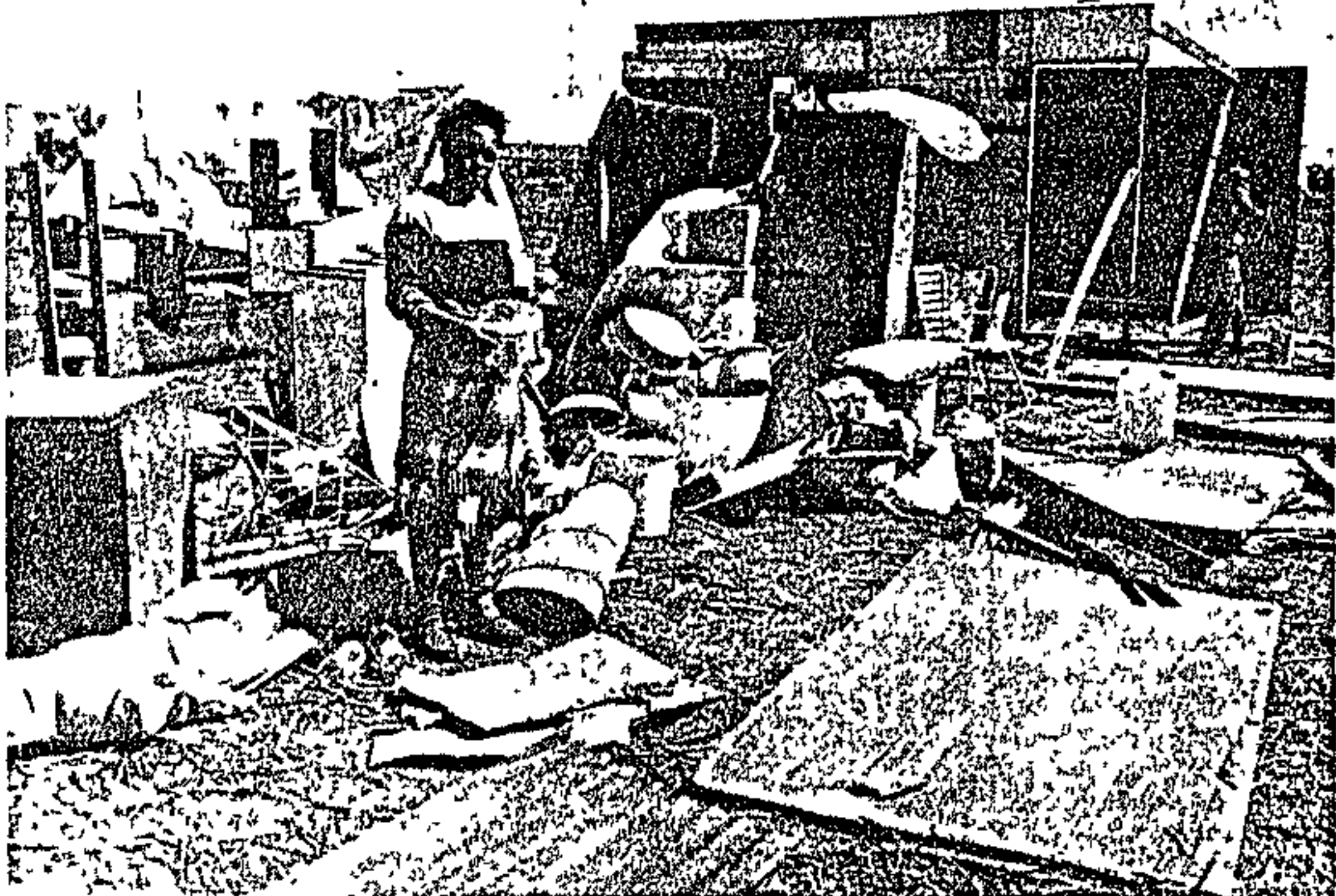
A single plot costs R500 with a monthly service charge of R24. The Mshenguville arrivals join a four-year old community which initially came from Wheeler's Farm.

There is a shadow of an infrastructure in a tiny clinic, a tin schoolhouse and a scattering of spaza shops. And everything possible has been done to ameliorate the conditions at Orange Farm.

In the old section the settlers have erected semi permanent homes of brick and mortar with vague outlines of gardens - or at least a demarcated piece of land with the number of the abode proudly displayed.

A couple of settlers who arrived in 1975 have erected a two-storey wooden structure and painted it in motley shades of pastel pink, purple and blue. Mr Billy Makhaza (38) and Mr Abraham Tsime (39) run a spaza shop from the bottom level with a bedroom above. Attached to the structure is a spacious home made of well, tin and wood.

The feeling in Orange Farm is that in a couple of years the place will be a booming township. Entrepreneurs are said to be looking at buying up



Building a home from scratch. Mrs Joyce Khoza thinks she's been given a fair deal, being dumped almost 40 kilometres from Johannesburg on a piece of land with barely an infrastructure.

PIc: ISMAIL LAGARDIEN

plots and reselling them at higher prices later," another source said.

Meanwhile those who have accepted the move from the effluent-riddled Mshenguville are pleased they have more space (they can call their own) and fresh air, according to Mrs Joyce Khoza who works in Croesus and feels she received a fair deal.



Little Carol Tshabalala faces a lifetime of uncertainty on this dusty plain called Orange Farm where her family is erecting a home. The Tshabalala family arrived here from Mshenguville on Tuesday.

PIc: ISMAIL LAGARDIEN

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CMA Times 2/10/89 271

## Mogopas in bid to fight govt eviction order

JOHANNESBURG, — The Mogopa tribe, which has suffered four removals in five years, has applied for leave to appeal against an eviction order granted to the state earlier this year.

The Transvaal Rural Action Committee (Trac) said the application for leave to appeal against the eviction order will be argued in the Supreme Court, Pretoria, at 10am today.

The state, in a counter-action, is applying for an order that will ensure the immediate eviction of the 50 old people living at Mogopa, even if the court grants them leave to appeal and before the Appeal Court in Bloemfontein can rule in the case. In a statement Trac called the state's counter-action part of its "ceaseless persecution" of this community.

This would be the fifth move for these people since their forced removal in February 1984. — Sapa

CMT TIMES 2/10/89 (27)

# 50 000 march near Bloemfontein

JOHANNESBURG. — More than 50 000 people thronged the streets of Botshabelo, near Bloemfontein, yesterday to protest against the incorporation of the township into the Qwa Qwa homeland.

The demonstration started at a local church and wound its way to the magistrate's court where a petition against incorporation was due to be handed to the town clerk, a Mr Van der Westhuisen.

Protesters, holding aloft banners from local organisations as well as Cosatu, Nactu, the ANC and similar bodies, sang, chanted and "toy-toyied" as they were monitored by police in several vehicles and hippos.

The police did not intervene in the procession led by the Rev Sam Mokoena of the Anglican Church.

The co-ordinator of a local advice office, Mr Benny Kotsoane, said they had told residents in the township, which accommodates close on 500 000 people, that they should not be coerced into a confrontation with police.

"Our demands were that the township be withdrawn from the hands of the Qwa Qwa administration. We also wanted all services such as health, education and the traffic system handed back to South Africa proper.

"We therefore wanted an or-

derly protest with no violence whatsoever, and it exceeded our expectations," said Mr Kotsoane.

The community leader said the protest, which was organised by the local chapter of the South African Council of Churches and other resident organisations, was part of the general demonstrations taking place in other parts of the country.

● Botshabelo was forcibly placed under the Qwa Qwa administration by Pretoria on December 2 1987.

A court case challenging the decision is to be heard before the Appeal Court early next year. — Sapa



## Appeal granted in Mogopa eviction 271

The Mogopa tribe, ordered earlier to leave the farm Zwartland in the Western Transvaal, was dismantled.

yesterday granted permission by the Pretoria Supreme Court to appeal against the ruling.

The court ruled earlier that all members of the tribe who occupied the

farm illegally should leave it and that all structures on it should be dismantled.

Mr Justice W J Human found tribe members did not have the right to occupy the farm after the Government had expropriated the farm, bought by the tribe in 1916.

### LEASED 272

Zwartland is at present being leased by the Department of Agriculture and Water Affairs to the Koster and Ventersdorp agricultural unions.

Mr J Browde, SC, for the tribe, said the Government refused to sell the farm to the tribe, regardless of what they were prepared to pay.

He argued the expropriation had been invalid because it had not been effected for public purposes, as required by the Expropriation Act of 1975, and that it had been effected in bad faith and for an ulterior purpose.

Mr Browde said no valid reasons for the expropriation were given, except for an affidavit by a Water Affairs official.

— Sapa.

# Mogopa tribe to appeal eviction rule

*CAK Time 3/10/89*

PRETORIA. — The Mogopa tribe, ordered earlier to leave the farm Zwartland in the Western Transvaal, was yesterday granted permission by the Supreme Court here to appeal against the ruling.

The court ruled earlier that all members of the tribe who occupied the farm illegally should leave it and that all structures on it should be dismantled.

The court had ruled in favour of an application by the Minister of Agriculture and Water Affairs and the Minister of Education and Development Aid that members of the tribe were occupying the farm illegally after it had been expropriated by the state.

Mr Justice W J Human found that tribe members did not have the right to occupy the farm, after the government had expropriated the farm which the tribe purchased in 1916.

Zwartland is at present being leased by the Department of Agriculture and Water Affairs to the Koster and Ventersdorp Agricultural Unions.

Mr J Browde, SC, for the tribe, argued that the expropriation had been invalid because it had not been effected for public purposes as required by the Expropriation Act of 1975. — Sapa





The new Minister of Planning and Provincial Affairs, Mr Hernus Kriel, (front left) argues with Soweto's mayor Sam Mkhwanazi (right) yesterday, as a number of other senior officials look on. • Picture by Herbert ...

## New Minister clashes with Soweto may

By Thabo Leshilo

The mayor of Soweto, Mr Sam Mkhwanazi, and the Minister of Planning and Provincial Affairs, Mr Hernus Kriel, had a heated argument yesterday over the incorporation of Zuurbe-  
kom into the sprawling township.

The incident occurred during the Minister's courtesy visit to Soweto, during which he was shown Zuurbe-

kom, west of Soweto.

Mr Mkhwanazi told the newly appointed Minister that his council needed the land to solve Soweto's chronic land shortage.

Mr Kriel said there was no way the land could be given to Soweto because it would mean more people staying without paying.

He then attacked the mayor and his

council for failing to solve the boycott. According to Mr Kriel rent dispute had left Soweto in a R250 million in the red.

Mr Mkhwanazi said the rent was sparked by incorrect meterings by the previous council's of Mr Kriel replied by challenging ensure proper accounts were kept "I will think about the land think about your administration, Mr Kriel.

"Not me alone but us. We are ners in this," said the mayor.

At the end of the tour the Minister's deputy and the Administrator Transvaal, Mr Danie Hough, were presented with gifts.

Mr Kriel later told reporters a authority was not a "charitable organisation" and any community had to for services provided.

The Zuurbekom issue would be





The new Minister of Planning and Provincial Affairs, Mr Hernus Kriel, (front left) argues with Soweto's mayor, Mr Sam Mkhwanazi (right) yesterday, as a number of other senior officials look on. ● Picture by Herbert Mabuza.

## New Minister clashes with Soweto mayor

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council for failing to solve the rent boycott. According to Mr Kriel, the rent dispute had left Soweto more than R250 million in the red.

Mr Mkhwanazi said the rent boycott was sparked by incorrect meter readings by the previous council's officials. Mr Kriel replied by challenging him to ensure proper accounts were kept.

"I will think about the land. You think about your administration," said Mr Kriel.

"Not me alone but us. We are partners in this," said the mayor.

At the end of the tour the Minister, his deputy and the Administrator of the Transvaal, Mr Danie Hough, were presented with gifts.

Mr Kriel later told reporters a local authority was not a "charitable organisation" and any community had to pay for services provided.

The Zuurbekom issue would be considered by his department from a planning point of view, he added.



# Police and army evict Tembisa squatters

MORE than 200 people living in tin shacks in Tembisa, near Kempton Park, watched this week as police Casspirs knocked down their homes.

The people whose shelters were destroyed are only a few of the thousands of Tembisa residents who have been on the waiting list for houses for up to 10 years.

Last Saturday about 300 decided at a meeting to occupy the open land next to Oakmoor railway station on the outskirts of the East Rand township. On Sunday the poles were pitched and up went the structures.

On Monday the Tembisa town council issued an instruction that the shacks must come down.

Council police, the South African Police and the South African Defence Force were called in. They left furniture, clothes, pots and utensils scattered in the ruins.

"The police ... said they would give us five minutes to move away from the area and I replied that I had nowhere to go," said Florence Tebang, whose shack was one of the first to go down.

Suzanne Mokoena added: "They (police) did not say anything to me. I just saw this huge police truck moving slowly towards my shack and it ran it down."

By PHIL MOLEFE

According to a witness, the security forces arrived at the squatter camp at about 11.30am.

A small street leading up to the station separates two blocks of shacks. The first block went down on Monday. The next block was razed on Tuesday.

The squatters allege that on Tuesday members of the SADF were riding on horseback chasing residents.

"The soldiers, who were riding on horses, chased me towards the railway line, saying we were stubborn, we did not want to move when told to do so," said Freda Rachekhu.

On Tuesday afternoon, township people were going about their chores while their neighbours in the squatter settlement were salvaging what they could find after the demolitions.

At 7pm people started gathering in a huge open space: women in their blankets, some carrying their babies on their backs, men in their overalls and overcoats, young children barefoot in the biting cold.

"Phambili ngemikhukhu phambili (forward with shacks, forward)," roared a man on a makeshift stage to the applause of about 300 squatters who had gathered there.

Many of the shack dwellers complained that their property had been destroyed or they had lost it when the shacks were destroyed.

The numbers at the meeting swelled as workers returning from work got off the trains chanting.


Order was restored at about 8pm when the squatter leader Samuel Songo, president of the Tembisa Home-seekers' Association, arrived.

The squatters decided to rebuild their shacks because "we have nowhere to go". Songo said they would ask for an urgent application in the Rand Supreme Court to stop the council from demolishing them.

But the registrar of the Rand Supreme Court yesterday told *Weekly Mail* no such application has been brought before the court.

South African Police representative Major Marius Bonthuys said police were involved in the demolition by request of the Tembisa town council, but they were there in a protective capacity only. He said in one incident on Monday, police dispersed an angry crowd by using teargas; the crowd had tried to prevent the removing of shacks.

Major Reg Crewe, also of the SAP public relations, said the police would investigate.

 (271) wmail 6-12/10/89



## From MONO BADELA

JOHANNESBURG. — The growing squatter community here is set to become the city's most serious social problem in the next decade.

Its squatter population is officially put at 914 000 but estimates by some civil rights groups go as high as 1,5 million.

The nationwide squatter population in semi-urban and urban areas is estimated at 3,5 million.

The explosive situation that has developed is typified by the squatter community on Weiler's Farm south of Johannesburg where tension has been running high in recent months over threats of removal.

Its 20 000 residents claim that pressure is being applied by the authorities and that there have been several incidents and arrests. The authorities want the community to move to Orange Farm, near Evaton.

Monde Dyantye, former emergency detainee and a spokesman for the residents, said residents, specially committee members of the burial society, were being harassed and some of them had been detained.

## Daily patrols

He alleged that an anti-apartheid activist, David Tifo Makhauri died mysteriously after being shot on May 5.

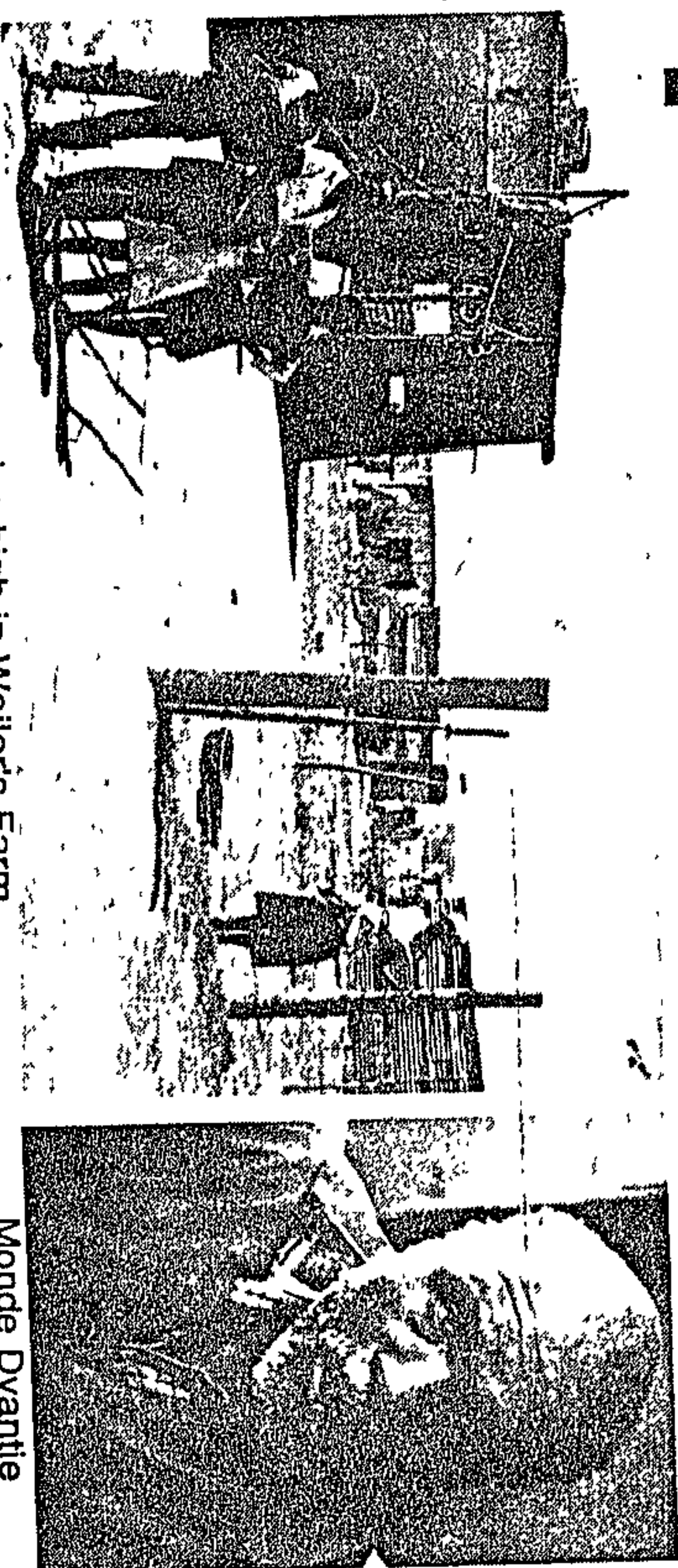
"There have been daily patrols by the security forces which make life for the residents unbearable," Dyantye said.

Now the authorities have threatened to remove the community's only school and a health clinic to Orange Farm.

They view the move as another attempt to induce them to move to Orange Farm.

Dyantye said the authorities last

# Removal threat in 'promised land'



## Tension is running high in Weiler's Farm

year had undertaken not to threaten people who "are legally settled, or force people to move against their will".

The Transvaal Provincial Administration (TPA) said the people of Weiler's Farm could not stay in the area because it had not been identified by the government for urbanisation and township development.

It added that the farm could therefore not be developed as a permanent town and upgrading of services would not be undertaken.

"For the same reason ownership of stands could not be obtained."

The TPA said Orange Farm was inside the boundaries of an area earmarked for township development.

It said ownership of land was possible and all the services and privileges attached to formal townships would eventually be available to all residents at Orange Farm.

A total of 2 000 stands, a school, a mobile clinic and a training centre are some of the facilities the TPA is offering at Orange Farm.

Residents at Weiler's Farm said, however, they had permits to stay in the area.

They believed attempts were being

## Monde Dyantye

made to "shunt" them out of the area because the government was trying to placate conservative whites in nearby Walkerville.

The Conservative Party leader, Andries Treurnicht, has branded the government's toleration of controlled informal squatting in certain areas as "a recipe for disaster".

Residents said their removal to Orange Farm would locate them far from the places of work.

They said they had built their own structures and were not prepared to move from one shack to another.

"The TPA isn't honest because we will be forced to pay a higher rental

than the R45 a month we're now paying," said Dyantye, whose single-room shack is occupied by four others.

The settlement at Weiler's Farm, which is named after the former owner, has grown from 200 squatters in 1984 to about 20 000 in the past five years.

This phenomenal growth is a feature at other squatter areas in and around Johannesburg.

By 1984 about 200 people had joined the handful of farmworkers at Weiler's Farm who were paying a modest rent to Walter Weiler, an elderly white farmer who became landlord to those fleeing the influx control system.

After pressure from white neighbours who objected to the influx of blacks, Weiler gave up the farm and the word soon spread that there was free land at Weiler's Farm.

## PASS LAWS

Unemployed farmworkers flowed in from surrounding farms and squatters arrived from overcrowded Reef townships.

Weiler's Farm soon became a "promised land" for thousands without a roof over their head.

After the pass laws were abolished in 1986, the influx of blacks so alarmed the authorities that in May 1987 security forces moved in to control the number of inhabitants.

Although the security forces withdrew later, a police guard has remained since September 1987.

The authorities also declared the farm an emergency squatter camp, tacitly recognising its temporary legality but freezing growth.

"Until the pass laws were abolished, people made their homes inside the abandoned horse stables and pigsties to hide from inspectors," explained Dyantye.

The camp has only nine communal water taps and one private school.

No street lighting or any other township infrastructure exists. Residents rent a postal box in Lenasia to receive mail.



# Anger mounts

## Bloody conflict warning to govt

By SOL MORATHI

TENSION is mounting in nine black settlements countrywide, threatened with incorporation into the South African sovereign and independent states.

Unless the position is rapidly addressed by the government, the situation may lead to bloody conflict, according to the Transvaal Rural Action Committee.

The affected areas are in the Free State, Rustenburg, Peelton, Moutse and Thornhill in the Eastern Cape, Leeufontein and Braklaagte near Zeerust, Machakaneng and Vleisfontein.

The residents of the areas fear incorporation into KwaNdebele, Transkei, Bophuthatswana and Qwa Qwa.

Last Sunday more than 50 000 people thronged the streets of Bloemfontein to protest against the incorporation of Botshabelo into Qwa Qwa.



Earlier removals had also sparked off angry reactions by residents against the government.

The police did not intervene in the protest led by Anglican Church priest, Sam Mokoena and organised by the South African Council of Churches.

"Our demands are that our township be withdrawn from the hands of the Qwa Qwa administration," said Botshabelo resident, Benny Kotsoane.

"We also want all of the service systems handed back to South Africa".

Botshabelo, situated about 50km from Bloemfontein - was placed under Qwa Qwa administration on December 2, 1987, against the wishes of the local residents.

A court case challenging the decision is to be

heard before the Appeal Court early next year.

Two weeks ago, residents of Hartebeesfontein, outside Rustenburg, wrote to the Constitutional Development and Planning Minister, asking him to intervene on their behalf.

The communities of Machakaneng, Vleisfontein, Peelton, Thornhill, Moutse, Leeufontein and Braklaagte launched their own petitions to stop incorporation into homelands.

City Press 15/10/89

(271)

# Outcry over forced removals

**EAST LONDON** — Hundreds of women and children, people living in Nkqonkweni township in Ciskei were trucked from their demolished homes yesterday to a tribal authority site in neighbouring Mdange village.

There they were crammed with their belongings into a fenced-off enclosure under armed guard.

The deepening crisis in the Peelton area has threatened to become an international issue, with the Border Council of Churches saying foreign embassies had given assurances that it would be raised at the Commonwealth conference in Kuala Lumpur (Malaysia).

Reports from Nkqonkweni say houses were bulldozed by government workers. At Mdange, reporters saw trucks offloading hundreds of

An ambulance was at the scene and many police vehicles were in evidence — including at least one South African Police van.

Soldiers with sticks, spannooks and handguns prevented reporters interviewing or photographing residents.

They were ordered to leave the area.

The chairman of the Border Council of Churches, the Rev Bongani Finca, said messages had been sent to South African Minister of Foreign Affairs Mr Pik Botha by Archbishop Desmond Tutu, foreign embassies and the South African Council of Churches, asking him to intervene in the situation.

Mr Finca said: "Leaders of the community have gone missing. Some are feared dead."

"The area of Peelton is under police and army siege with no one allowed to move in — not even clergy, lawyers, doctors and reporters."

"People are being assaulted and abused in many ways."

The Ciskei deputy-director for Foreign Affairs and Information, Mr Headman Somtunzi, said the people being evicted had illegally demarcated plots and built houses on them without permission of the tribal authority.

But according to residents, South African authorities gave permission to some to build new houses in 1986 and 1987.

## PEOPLE ARRESTED

However, after incorporation into Ciskei last year, Ciskei authorities refused to allow them to build houses and a number were arrested earlier this year.

Yesterday an urgent application was brought in the Bisho Supreme Court by Nkqonkweni resident Mr James Fikile Phindani for interim relief against his eviction and the restoration of his property.

The respondents are the Ciskei Government and the Minister of Justice and Commissioner of Police. — Sapa.



# Bulldozers move in as Ciskeian authorities refuse to let Nkqonkweni people stay

## 5 000 villagers left homeless in Peelton

By Winnie Graham

Mr Promise Simandla was at work when the Ciskeian authorities arrived last Monday to demolish his house in Peelton, a tiny Eastern Cape hamlet near King William's Town.

For three nights his wife and family slept in the bushes without shelter from the rain and cold. Then his wife was told to load their possessions on a truck with other Peelton people so that they could be relocated elsewhere.

### 'We want to stay'

"But we did not want to move to Ciskei," Mr Simandla said. "We are South Africans and we want to stay in our country."

About 1 000 families, roughly 5 000 people, lost their homes last week when, without warning, the Ciskeian authorities decided the Nkqonkweni people of Peelton could no longer stay where they were.

They were trucked to "transit camps" in the neighbouring village of Mdange, at Peddie,

Alice, Ethembeni and Hewu, where they were told they would stay until new sites had been allocated to them. Many, fearful of their future, have "escaped" to seek refuge with churches in King William's Town.

The plight of the Peelton people is threatening to become an international issue with the Border Council of Churches saying foreign embassies had given assurances it would be raised at the Commonwealth conference in Kuala Lumpur.

The refusal of the Peelton people to leave last week prompted Ciskeian security forces to seal off the area and impose expanded emergency regulations, giving the police power to eject people, demolish their homes and forcibly move them. The clergy, lawyers, doctors and the press were barred from the area.

Villagers said that when they would not go, vigilantes moved into the hamlet with sticks. About 60 or 70 people were badly hurt.

About 90 residents, including



Homeless people from Peelton rest in the Sacred Heart Church Hall in King William's Town on Saturday.

● Picture by Winnie Graham.

a mother separated from her week-old baby, were detained for several days. Some are still being held.

Mr Adolphus Mahanyana, one of the older men in the village, said he spoke for the people because their leaders had been detained. Not only had their homes been bulldozed, he said, but their possessions destroyed and their goats and cattle left unattended.

The villagers were particularly distressed because the pupils would not be allowed to write

the end-of-year examinations.

Those who left the "transit camps" did not take their possessions because, they said, they were afraid they would be stopped from leaving.

Father Bill Buckley, a Catholic priest in the area, said he opened up the Sacred Heart hall in King William's Town on Friday night when about 350 people came in search of shelter.

Church workers rallied to collect blankets and mattresses. Others arrived with food. "Refugees" continued to arrive

throughout the weekend.

"There could be 3 000 people here soon," he said. "We will not have enough accommodation for all and will have to appeal to other churches to help."

He felt the Peelton problem had arisen as a result of a "mistake" by the South African Government which had allowed the Ciskei to incorporate a section of the village on one side of the railway line.

"I cannot see a quick solution to the problem," he added. According to the Ciskei depu-

ty-director for Foreign Affairs and Information, Mr Headman Sontunzi, the Peelton villagers had "illegally demarcated plots and built houses without permission of the tribal authority".

According to the residents, the South African authorities had given them permission to build new houses in 1986 and 1987. However, after incorporation into the Ciskei last year, the Ciskei authorities had refused to allow them to build houses and a number were arrested earlier this year.



## Refugees mass in E Cape church

Own Correspondent

*Call 7414 24/10/89*  
EAST LONDON. — More refugees from Nkqonkqweni in Ciskei filtered into King William's Town yesterday to join the almost 700 homeless people already taking shelter at a church there.

The Ciskei government has been demolishing houses at Nkqonkqweni. According to the South African ambassador to Ciskei, Mr Christo van Aardt, the houses being demolished were temporary structures, but residents from Nkqonkqweni village at Peilton say many of the houses demolished were solid structures.

Yesterday the Black Sash estimated about 50% of Nkqonkqweni had been

displaced. It said about 100 Nkqonkqweni residents were in detention, another 100 dispersed in Ciskei and many were missing.

The Ciskei government has sealed off Peilton. Reports reaching here from the area said people who had been removed and dumped elsewhere were under guard and could not leave.

One Nkqonkqweni youth, who said he had just been released from detention, reported that at least six Nkqonkqweni detainees being held at Tamarha prison started a hunger strike on Sunday.

The village's entire leadership is missing and is allegedly in detention.



## 30 groups discuss support action for victims of removal

271 26/10/81 Staff Reporters

Last night about 30 organisations of the Mass Democratic Movement in the border region met to discuss support action for the Peelton people.

Proposals for community action were referred back to organisations for discussion.

Yesterday lawyers for the community went to the Ciskei Supreme Court to contest the validity of the state of emergency in the four villages in the Ciskei. Their arguments were dismissed by Mr Justice Heath who said the emergency regulations had been constitutionally drafted and were valid.

Leave to appeal was refused.

The emergency regulations make provision for removing people from one "commonage" to another.

In response to the argument that the Peelton people were not squatters but had lived in brick houses for years and could not be moved, Mr Justice Heath said: "There is no difference between a location and commonage."

The Government said yesterday that it was "eager to alleviate the situation" in Peelton East where more than 700 people have apparently lost their homes as a result of demolition by Ciskei authorities.

In a statement, the Minister of Foreign Affairs, Mr Pik Botha, said his department was taking all the steps it can possibly take.

Mr Botha said in his statement that in terms of section 6 (2) of the Status of Ciskei Act, residents of Peelton East became Ciskei citizens when the Act came into force in 1981.

## Call for SA action in Ciskei

The Argus Correspondent AGuc 3/11/89 (457) 571

JOHANNESBURG. — The British government has voiced its concern over the destruction of houses in the Ciskei village of Nkqonkwini, Peelton, and has called on the South African government to intervene.

A spokesman for the British Embassy in Pretoria said: "We have raised the matter with the Department of Foreign Affairs on several occasions and urged them to get the Ciskei authorities to stop it."

He said embassy officials had been following the situation closely and were sending a representative to investigate.

Trouble arose 12 days ago when Ciskei authorities began bulldozing houses in an area that was incorporated into the Ciskei last year. Residents refused to move saying they were South African citizens and had been granted permission to live there as far back as 1964.

A number were detained and the remainder fled. About 1 000 people are taking shelter in churches in nearby King William's Town.

A state of emergency has been declared in the area and lawyers, community and church workers prevented from entering.



# Lawaaikamp reprieve?

*Capt Tink 7/11/89*  
LAWAAIKAMP, the squatter camp outside George which has been threatened by forced removals since 1985, could be reprieved.

Last night George mayor Mr Wim Kiers said that he was confident that the squatter camp will be upgraded.

He was interviewed after meeting with the George Civic Association (GEOCA) on Thursday. Mr Kiers said no final decision had been taken about the future of the settlement.

"I am confident that Lawaaikamp will be upgraded, but this depends on

the co-operation of the community. It has to happen, they live under dreadful conditions," he said.

A GEOCA spokesman said Lawaaikamp's estimated 1 200 residents, living under fear of forced removal to the Sandkraal township for the past four years, believed that they had been granted a reprieve.

"Our meeting with the mayor, deputy mayor Mrs Hilda Burnett and town clerk Mr Carel du Plessis was very positive. Once funds are made available by central government upgrading can start," he said.

Own Correspondent

EAST LONDON. — The East Peulton refugee crisis in King William's Town was beginning to "reach boiling point" with the town's residents becoming intolerant of the situation, a Democratic Party MP has warned the government.

In a letter to the Deputy Minister of Foreign Affairs, Mr Leon Wessels, DP's nominated MP Mr Andre de Wet called on the government urgently to resettle the about 850 refugees, at

Peulton refugee crisis  
near boiling point

present in a church hall in the town, on South African soil as an interim solution.

However, a government spokesman said yesterday there was not "one single piece of land suitable" to resettle the refugees. He said the process of resettlement was a lengthy one.

Mr De Wet told Mr Wessels the refugees

were becoming agitated after their expectations had been raised by his visit to the area last week.

After his visit, the deputy minister said Ciskei's President Lennox Sebe dismissed the possibility of East Peulton being re-incorporated into South Africa as "unfeasible".



(105) (271)

### TAKING REFUGE...

Elderly residents from East Peelton villages in the grounds of the Catholic church in King William's Town where they have taken refuge after being evicted from their homes by the Ciskei government.



# Peelton — courage in crisis

LIVING together is not always easy. For a community of over 800 people, living practically on top of each other in one church hall and its surrounding grounds, has become a lesson in caring and co-operation.

The 850 men, women and children who have lived for over two weeks at a church in King William's Town are refugees who fled from East Peelton's Nkqonkwini village, where many were evicted, had their houses demolished and faced forced removal to areas scattered around Ciskei.

They possess nothing and share almost everything — food, clothing, space... There is little privacy and, for most, even less time to think about it.

At night they sleep head-to-toe, side-by-side. But they cope, astonishingly well.

Scenes at the Sacred Heart Catholic Church recall those at a very basic kibbutz. Babies are nursed by a handful of mothers in the hall while children play everywhere, sharing plastic balls donated by local

**PATRICK GOODENOUGH** who has been following the unfolding East Peelton crisis, takes a look at a community which has suddenly found itself living packed together in a church hall in King William's Town

firms.

Old men sit together under trees, sucking on long, traditional pipes and sharing stories from the past. A small group of women hover about large three-legged pots, engaged in the unenviable task of providing cheap, nutritious and tasty meals for more people than many luxury hotels cater for.

Others wash clothing continuously. The long clothes-lines are always heavily-laden. When recent rains threatened to cause a minor crisis, townsfolk offered the refugees the use of their tumble-dryers — a sensitive and practical way of showing their concern.

A clutch of youngsters in one corner listen to a

radio and share a newspaper, while one frowns over a science textbook. These teenagers were released recently after being detained by Ciskei police in mid-October. They were not charged. Some missed their end-of-year exams.

In another corner, a man carefully shaves a child's head with an open razor blade. Health workers recommended this as a simple initial step in fighting an outbreak of scabies among the younger refugees. The child runs off chuckling and rubbing her shining pate.

Young and middle-aged men are visibly absent. Residents in detention fall mainly within that group.

If the Nkqonkwini community was a close-knit one before the upheavals of the past month, it has since achieved a degree of unity not easily matched.

This is going to prove essential if the negotiations on its future become as drawn-out as the current spate of delegations and talks suggest.

EAST LONDON. — The South African government should act immediately to having Peelton re-incorporated into South Africa, the Nkqonkqweni interim residents' committee said yesterday.

In a statement, the committee said about 70 residents had been in detention for a month.

The community had laid down as a precondition for further negotiations with SA the release of their fellow villagers.

The residents said the Ciskei government had claimed that members of the community were guilty of "horrendous crimes of violence against other residents of east Peelton".

"After 36 residents spent a month in detention, all the Ciskei has been able to charge them with is attending an unlawful gathering."

Thirty-six Nkqonkqweni detainees appeared in a Zwelitsha court yesterday on charges of attending an unlawful gathering, an attorney representing the community, Mr Mike Smith, said.

The state opposed a bail application and the residents were remanded in custody for judgment today.

Peelton  
GMA Times 16/11/89  
residents'  
271  
call to govt



# R2,7m for Lawaai-kamp development

THE government has loaned the George municipality R2 761 000 interest free for the development of Lawaai-kamp.

The loan is to be paid back over a period of 30 years.

Residents in the squatter camp have fought the government for several years for the right to remain in the area. Several families have already been moved to Thembaletu.

Present inhabitants of Lawaai-kamp — 176 families — will be allowed to stay in the area and previous inhabitants can apply to be resettled there once an infrastructure had been created, the MP for George, Mr Hennie Smit, said.

Due to overpopulation, it had not been previously possible to establish a town there, he said.

To develop the area in an orderly fashion, Lawaai-kamp would have to be tidied up with the co-operation of the inhabitants.

Mr Smit said the government had agreed to the loan after representations from himself, the city council and the George civic association.

He said the Ministers' Council of the House of Representatives had decided to recommend that Lawaai-kamp be declared a free settlement area.

This application is still to be finalised. — Sapa and Staff Reporter

# Resettlement for squatters

By SOPHIE TEMA

MORE than 21 000 shack-dwellers from Orlando East and Chicken Farm may be moved to Orange Farm resettlement camp next year.

Soweto mayor Sam Mkhwanazi said his council would take a final decision next year.

The council would also decide on steps to take against Mshenguville squatters who objected to resettlement.

However, he said, Mshenguville residents would be given the option of whether to be resettled or not.

Meanwhile, it was reported this week that tension was growing between pro-resettlement squatters and those against the move.

This week, seven Mshenguville youths appeared in court on charges of trespassing. All were remanded in custody.

Mkhwanazi said the seven were arrested when police came to investigate a complaint that a Transvaal Provincial Administration truck, which was conveying residents from Mshenguville to Orange Farm, was fired upon.

Mkhwanazi said the truck windscreen was shattered by a bullet which missed the driver and passengers.

He denied allegations that Sofasonke Party members were threatening residents who were refusing to move.

Mandla Majola, a member of the Soweto Civic Association, this week claimed he was brutally assaulted by police, accompanied by members of the Sofasonke Party.

Soweto police PRO Captain Joseph Ngobeni said he had no records of the arrested youths or Majola's assault.



## 'Trespassing' community win back land

NINE years ago Joseph Cloete arrived at his stockpost in the Southern Richtersveld, an arid area of Namaqualand on the edge of the Namib desert, to find that it had been fenced off.

Two years later he was charged with trespassing, fined R150 and given three months to leave the area, which had been used as communal grazing ground by the 2 700-strong Richtersveld community for generations.

This week Cloete and his neighbours won back their land. Acting Justice Hofmeyr ruled in favour of a supreme court application brought by Cloete and seven others, ordering that communal grazing rights be restored to the community.

The judge ruled that neither the House of Representatives nor the management board for the region were empowered to subdivide or rent the land, which is part of the largest of 23 rural coloured reserves in South Africa.

"For this community, it means the land which was dispossessed is now being returned to them," said Sheh-naz Meer, an attorney from the Legal Resources Centre, which brought the application on behalf of the southern Richtersveld community.

The community's land had been carved up into farms and rented out to individual farmers. Cloete moved his sheep and goats to another area, and when he was evicted from there shifted to a small area of commonage outside the villages of Lekkersing where his family has lived. Over the years, his herd dwindled from 800 to less than 100.

The application which was not opposed was awarded with costs.

In papers before the court, Cloete, a stock farmer said his great grandfather had settled in Richtersveld, an area spread over 500 000ha, in 1870.

15-29/12/89

ships this week has been welcomed  
But although the violence has

## Peelton's reprieve rings a little hollower

The land victory of the East Peelton people appears to have been a hollow one with officials this week in conflict about the extent of the offer.

It appears that the actual offer of land in South Africa to the Ciskei refugees was either not understood by the Deputy Minister of Foreign Affairs, Leon Wessels, or was not communicated to him thoroughly.

Wessels told the community almost two weeks ago that its demand for South Africa to pressure Ciskei into reviewing the incorporation of East Peelton would take a long time.

He said that in the interim, 240 hectares of fertile land next to Ginsberg township in King Williams Town had been made available for the community to resettle.

The community understood that the land would be developed for such a semi-permanent settlement and that essential basic infrastructure would be implemented to enable the refugees to move in before Christmas.

By THUMIDA MAISTRY

However the King Williams Town municipality which owns the land said that the offer had been envisaged to last only six months and that the people would have to move at the end of May.

The town's mayor, Charles Webber, said that the offer had only been intended to defuse the pressure on the town by the presence of the homeless community in a church hall in the city.

Webber denied that there had been any agreement about developing the land for more permanent settlement. The conflicting interpretations of the settlement was realised this week when the municipality rejected the proposals from the Cape Province administration for the implementation of such infrastructure. Instead the town council said that it would provide emergency tents and water supplies for the six months.

Despite the Department of Foreign Affairs's involvement in securing the land grant, South Africa said that it was no longer obliged to see things through since the Department of Education and Development Aid had been delegated administrative responsibility for the area.

The community's Residents Association issued a statement condemning the delay in settlement of their future. Although the statement threatened more pressure for a speeding up of the resettlement, it is expected that the new developments will unleash much anger when the group is officially informed that they had been hoodwinked by the initial use of the words "temporary settlement".

Their call for clarification about the meaning of "temporary" earlier met with a satisfactory assurance that it was indicative of the period of time it would take to review the incorporation of their original land in East Peelton into the Ciskei homeland.

271 wmai 15-20/12/89



travellers at the start of their Christmas holidays.

*Print 18/12/89* *(370)*  
**Ciskei detainees freed** *(329)*

EAST LONDON. — Seven Nkqonkweni detainees, including the chairman and six members of the community's residents' committee, were released on Friday, seven weeks after being arrested in the troubled East Peulton village by Ciskei police.

# Peelton refugees get temporary homes

By Norman Chandler  
Pretoria Bureau

Hundreds of Peelton East refugees, living in church halls in King William's Town, moved to temporary homes at Ginsberg township, near the town, over the weekend.

The move followed an agreement reached between the refugees, the Deputy Minister of Foreign Affairs, Mr Leon Wessels, and the town council of King William's Town last month.

Hundreds of tents and temporary arrangements for water and sanitation were provided on the municipal commonage adjoining Ginsberg.

The Peelton issue — which came about when Ciskei security forces bulldozed houses in the Peelton East area, near Bisho, after residents said they no longer wished to be part of Ciskei — simmered for six weeks before Mr Wessels reached an agreement on their future.

Residents fled into King William's Town, and sought refuge at the Sacred Heart Catholic Church centre, opposite Dale Junior School, one block from the central business district.

The Border Council of Churches interceded on behalf of the residents and officials held discussions with the South African and Ciskeian governments in a bid to settle the problem.



RESETTLEMENT- 1990



Unemployment, hunger, disease rife

Star 24/1/1989

# The yawning gulf between the haves and the have-nots in South Africa

Poverty in South Africa is juxtaposed with opulence in a society characterised by a stark degree of inequality. Professor Wilson and Dr Ramphele in their report for the Social and Development Policy and Development in Southern Africa.

South Africa, they record, has been shown to have the highest inequality of nearly 60 countries for which comparative data is available.

The statistics, rough as they are, show the width of the gulf between grinding poverty and massive wealth," they write in their report, "Uprooting Poverty, the South African Challenge," published by David Philip.

Whites, who constitute less than a sixth of the population, own nearly two-thirds of the income. Blacks, who account for nearly two-thirds of the population, earn a quarter.

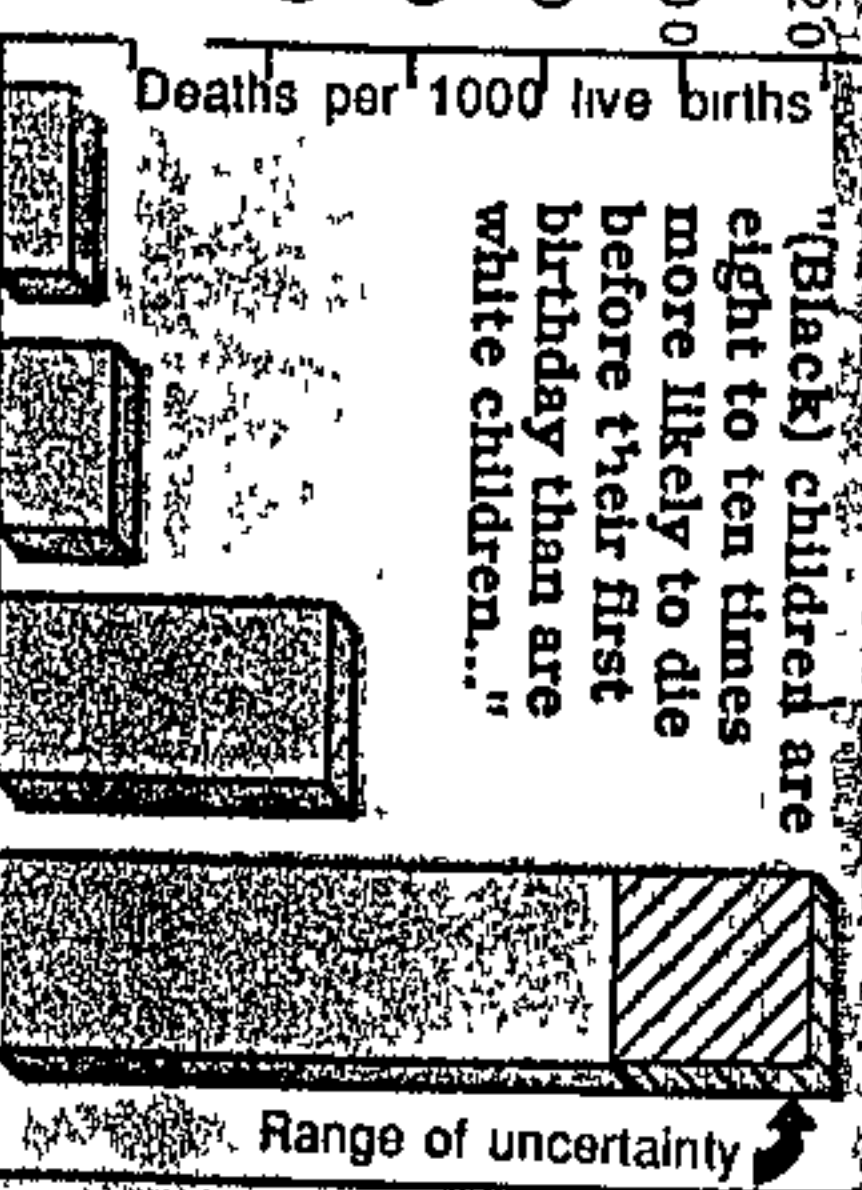
On poverty per se, Professor Wilson and Dr Ramphele say that its precise extent is subject of much debate. To degree, the level of poverty is on the yardstick used. They quote a British study of 1980 which estimated that 15 million of the 20 million black South Africans lived on less than R100 a month.

Pioneered by the University of South Africa, it includes the following items: food, clothing, fuel/lighting, washing/laundry, rent, transport, tax, medical expenses, education and replacement household equipment.

Professor Wilson and Dr Ramphele note the findings of Dr Charles Simons, a University of Cape Town economist whose studies of poverty and unemployment have won wide recognition.

According to Dr Simons, 10 percent of blacks in the reserves live in dire poverty. Within a high degree of inequality, there are reserves or "national states" where the income ratio between the richest 10 percent of households and the poorest is 15:1.

**HIGH INFANT MORTALITY** Similar disparities exist elsewhere in black communities in Transkei's situation.



Poverty exists on a vast scale in South Africa, permeating the lives of millions. The overwhelming majority of them are black. Professor Charles Wilson and Dr Ramphele's remarkable contribution to a single study, released today.



Services: he classifies a person who is able to get work for only 10 hours in a 40-hour working week as three-quarters unemployed (or one-quarter employed), officially, the same person will be rated as employed.

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3 MONTH COURSE  
STARTS 9 FEBRUARY



Jessie Tamboer loved her children so much that she could not bear to see them suffering. Unable to pay for their education and to buy them food and seeing no alternative, she decided to kill herself. (She) poured the litres of paraffin over herself and looked for a match. She did not utter a sound as she walked around the yard burning.

From "Uprooting Poverty"



*Botshabelo*  
*case decision*

**BLOEMFONTEIN.** — The Appeal Court has dismissed the application by the State President of South Africa and the QwaQwa government for more evidence to be led in the appeal on the incorporation of Botshabelo into QwaQwa.

Mr Justice Hoexter, with the concurrence of Mr Justice Smalberger, Mr Justice Vivier, Mr Justice Kumleben and Mr Justice Nicholas, said reasons for the order would be discussed at a later stage.

He ordered that the costs include those of two counsel.

Educationist Mr Gauta Lawrence Lefuo, opposing the application, said pupils had not returned to school mainly because they were opposed to incorporation. — Sapa

0104/16/2/90

## DE KLERK APPLICATION REJECTED

**BLOEMFONTEIN** — The Appeal Court here yesterday dismissed the application by President F W de Klerk and the QwaQwa government for further evidence in the appeal on the incorporation of Botshabelo into QwaQwa.

In the application it was said that in the Free State Supreme Court the application of Gauta Lawrence Lefuo against the incorporation had been opposed purely by law.

It was argued there might have been a different outcome had Lefuo's case been contested on the facts. It was for this reason that the Appeal Court was asked yesterday to receive further evidence on the case or for the case to be referred

back to the Supreme Court.

The application was opposed by Lefuo. Mr Justice Hoexter, with the concurrence of Mr Justice Smalberger, Mr Justice Vivier, Mr Justice Kumleben and Mr Justice Nicholas (acting judge of appeal), said reasons for the order would be discussed at a later stage. He ordered that the costs are to include those of two counsel.

I W de Villiers SC appeared with W H Olivier for the applicants, while C J Dugard and J Y Claassen appeared for Lefuo.

The appeal goes on on the basis of the record of the case in the lower court. — Sapa.

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## Villagers in unrest area flee to Bop sanctuary

MAFIKENG. — More than 100 residents of the strife-torn area of Braklaagte and Leeuwfontein have fled from these villages to nearby Haartebeeslaagte, apparently because of threats against them for refusing to oppose incorporation into Bophuthatswana.

Haartebeeslaagte farm was one of the farms incorporated into Bophuthatswana last year, according to Chief M Moila of Leeuwfontein.

The area has been rocked by unrest and demonstrations since the two villages were incorporated into Bophuthatswana early last year.

Chief Moila said the Bophuthatswana government was providing residents who had fled the area with tents at Haartebeeslaagte. — Sapa



**GRAHAMSTOWN.**

While resistance and repression seems to be on the decline throughout South Africa, a village in the Eastern Cape is engaged in a fierce struggle with the white community of a town three kilometres away.

From a distance Kubusie seems like just another rural village near the Ciskei border.

On hot days small children play in the river that runs through the village while the men and women go about their daily chores.

But this first impression is misguided. Accompanied by members of the residents association, I drove through the village. Outside a church hall they told me to stop the car as we had to walk the rest of the distance.

When we passed the church I saw that a trench, about three metres wide, had been dug across the road and covered with sticks and sand.

During the half hour that I spent driving around in the village, our car was stopped at least eight times by comrades who wanted to know what we were doing. And within 10 minutes of entering one of the houses, a crowd had gathered to ensure the safety of the person we had come to visit.

"Our village is a place where people have long struggled," said Michael Mambukwe, one of the 5 000 residents of Kubusie.

Mambukwe is no stranger to struggle. Sentenced to death in September 1987 for a murder he did not commit, he spent 18 months on Pretoria's Death Row before being released after the Appeal Court upheld his appeal against the conviction.

Mambukwe explained that people had been living in Kubusie for more than 100 years.

"When the Ciskei became independent, we were the first community to

# Kubusie tackles 'Goliath'

*A David vs Goliath battle is being played out in the Eastern Cape. A consumer boycott by residents of the tiny village of Kubusie has wrought havoc in the adjacent town of Stutterheim. Despite intimidation, the people of Kubusie are determined not to give up until their grievances are addressed. PETER AUF DER HEYDE reports.*

say no to Ciskei incorporation. And when Sebe asked us to vote for him, we refused. In fact, the few people who wanted to co-operate with the Ciskei left the village after seeing that there was no home for them here."

The community also refused to have the headman system introduced into the village.

When a nationwide consumer boycott was launched in September last year, Kubusie, as well as other villages and townships around Stutterheim, followed the call.

Residents formed the Stutterheim Co-ordinating Committee to co-ordinate activities in the area.

An executive member of the SCC, Mr Fezile Siziba, said that a group of community leaders met with members of the Stutterheim business community and the municipality.

"We handed them a list of national and local demands, including an end to the harassment of residents, the scrapping of the system whereby we have to pay for the use of grazing land, the upgrading of the communities, the re-instatement of workers who were fired during the stayaway over the elections, improvement of health services and the scrapping of the rent increase from R13 to R21,50."

The Stutterheim community began their boycott of all white businesses on November 15. They buy goods in King Williams Town, 38km away.

Residents claim that this has led to an increase in police harassment in the area.

"A meeting held in Kubusie on Christmas Day in solidarity with Death Row prisoners was broken up by police firing teargas and we col-

lected a bag full of empty teargas canisters afterwards," one resident said.

Police also allegedly took Mambukwe for questioning, but released him shortly afterwards.

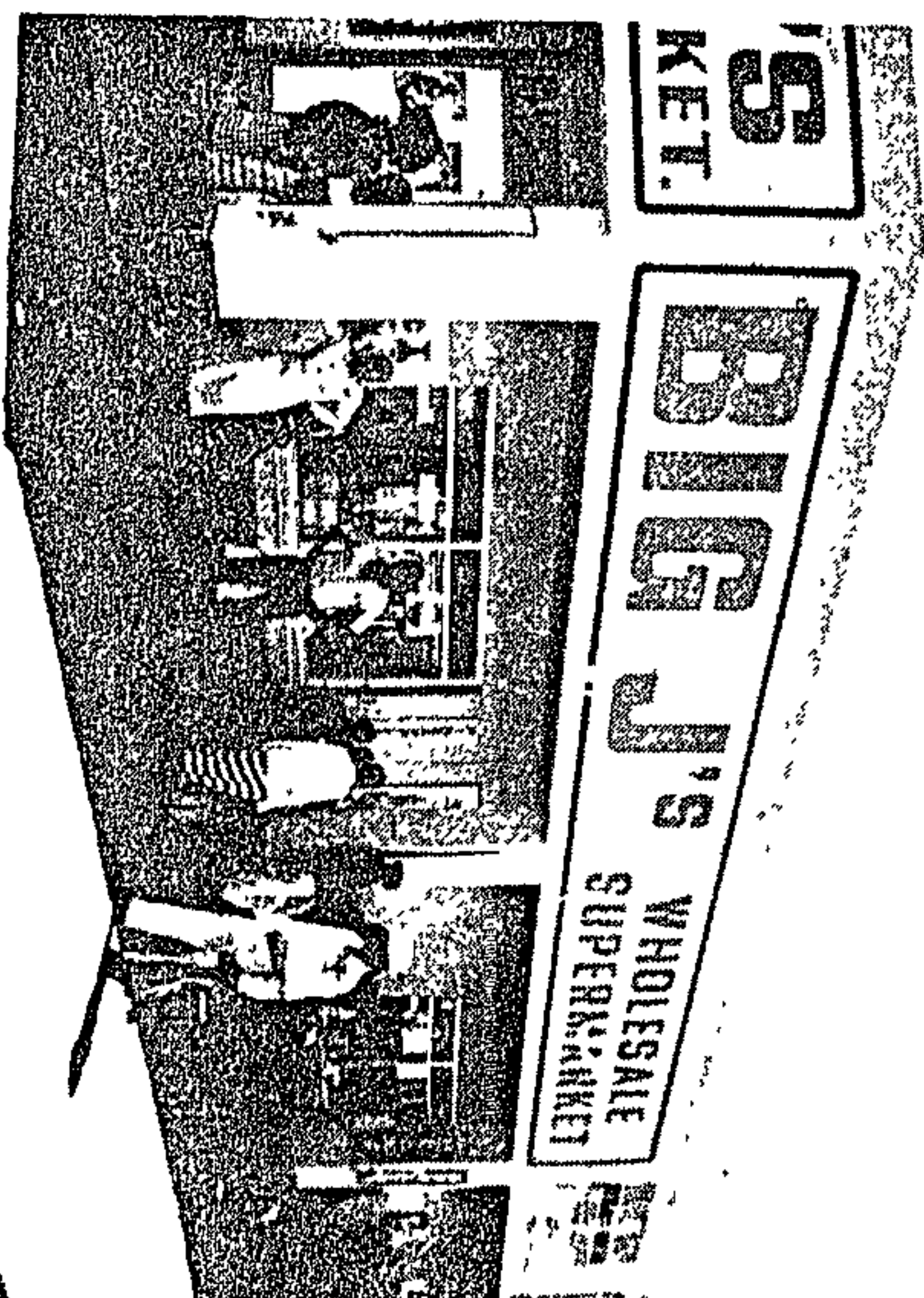
Other incidents of harassment and intimidation, claimed the residents of Kubusie and Mlungisi, include a smear pamphlet campaign against two priests and the beating up of two residents by a group of white businessmen.

Residents claim police broke up a protest march held by priests who were protesting against the continued detention of a priest in Mlungisi.

At least 10 businesses owned by whites in Stutterheim have had to close their doors to the public after a drastic drop in turnover.

The manager of a furniture shop, who asked not to be named, said many of his fellow whites in the

Streets are deserted in Stutterheim where a consumer boycott is in force



town were "still living in the old days".

The chairperson of the Afrikaanse Sakekamer in Stutterheim, Mr Coert Oosthuysen, described the situation as "a complete mess".

He urged the black people to "stop their boycott, as their demands are impossible to fulfill".

The town clerk, Mr Jimmy Joubert, said he had not been present at any of the meetings between the community and the municipality and that the only person who could comment on the matter, the mayor, was on holiday.

The acting police liaison officer for the Border region, Lt Dot van der Vyver, confirmed that Mambukwe had been taken away for questioning and that teargas had been fired at different times in Kubusie.

She denied the other allegations made by the residents.



# Protesting squatters teargassed

By MARIUS BOSCH

POLICE teargassed about 250 squatters and clergymen — including World Alliance of Reformed Churches president Dr Allan Boesak — to halt a protest march at the Uitkyk squatter camp in Kraaifontein yesterday. The protesters had planned to march to the Kraaifontein police station to hand over a memorandum protesting against the threatened eviction of the community. Before police acted, Bellville district commissioner of police Colonel H N Wright negotiated with squatter leaders. He warned them that the march would be illegal and that police would act. "The last thing I want to do is to use force," he said. "I don't want to have to hurt people unnecessarily."

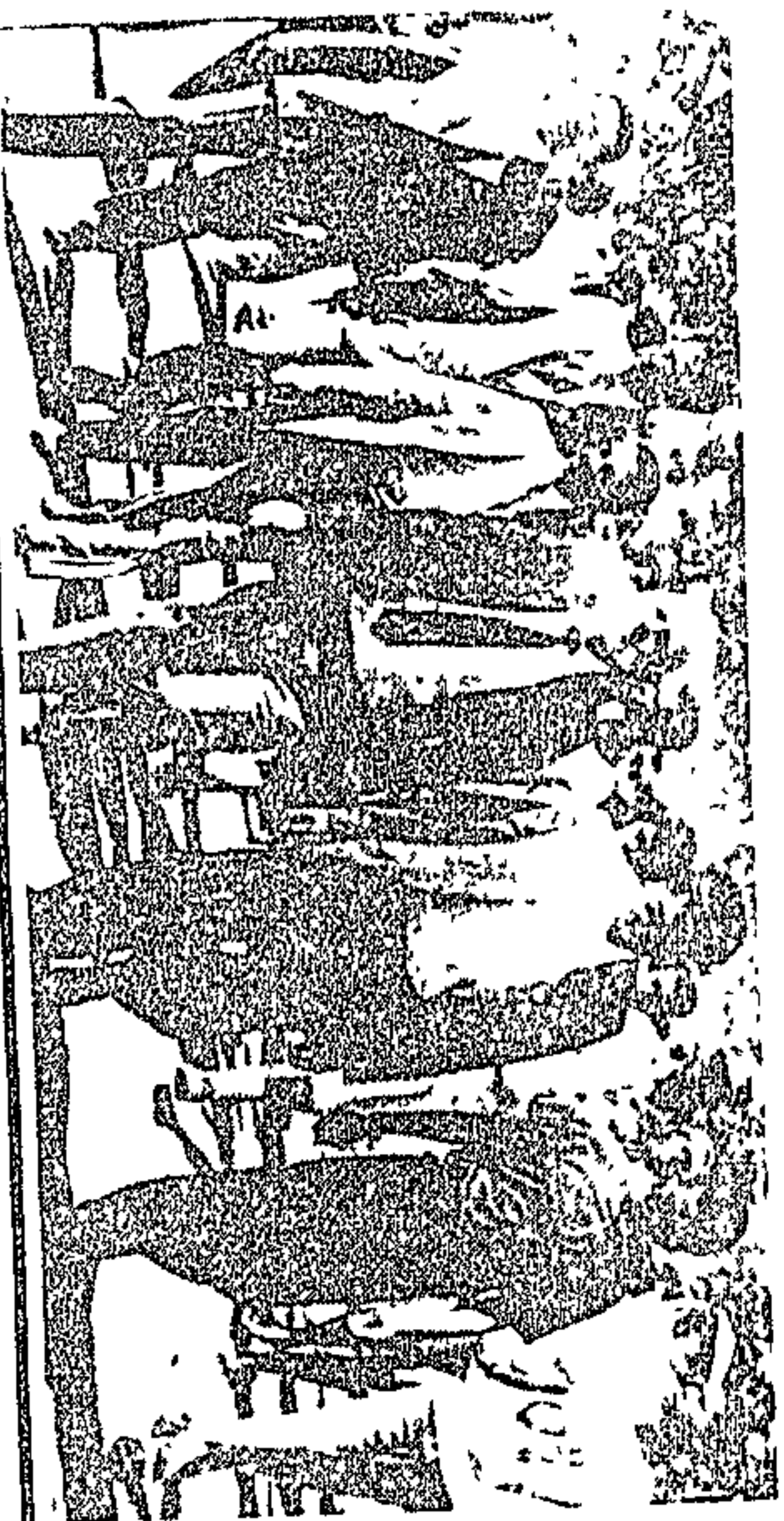
## Given one minute to disperse

He said he would accept the memorandum and hand it over to the relevant authorities. "It is not our job to evict people from private property but a civic matter," he said. About 3.30pm the marchers started walking from their shacks in rows of four. Police followed in vans.

A police officer warned the marchers that the protest was illegal in terms of the Internal Security Act and gave them one minute to disperse.

Police then blocked the entrance to the road and threw several teargas canisters in front of and among the marchers.

The leaders then consulted with Colonel Wright again and after receiving an assurance that police would not interfere with a prayer meeting, they handed him the memorandum.



ABOVE: Bellville District Commissioner of Police, Colonel H N Wright, negotiates with Kraaifontein squatters and their lawyer before police took action yesterday. LEFT: Clergy marching with about 250 Kraaifontein squatters to protest against the 200-strong community's pending eviction. Pictures: GLENN SHERRATT



# Victory for Kubusie

South 11/2-7/2/90

271

GRAHAMSTOWN. — The small Eastern Cape village of Kubusie gained a major victory in its three-month struggle against the white town of Stutterheim when it was announced the village would be re-proclaimed a black area.

Stutterheim mayor Mr Nico Ferreira made the announcement during a meeting between the residents' association and members of the city council.

Kubusie, one of the so-called black spots in the Eastern Cape, was proclaimed a white area more than 20 years ago. Many whites subsequently bought land there, expecting the black population to be resettled in the Ciskei.

During last week's meeting, Ferreira said the government promised to deproclaim Kubusie in the near future. Whites who presently own

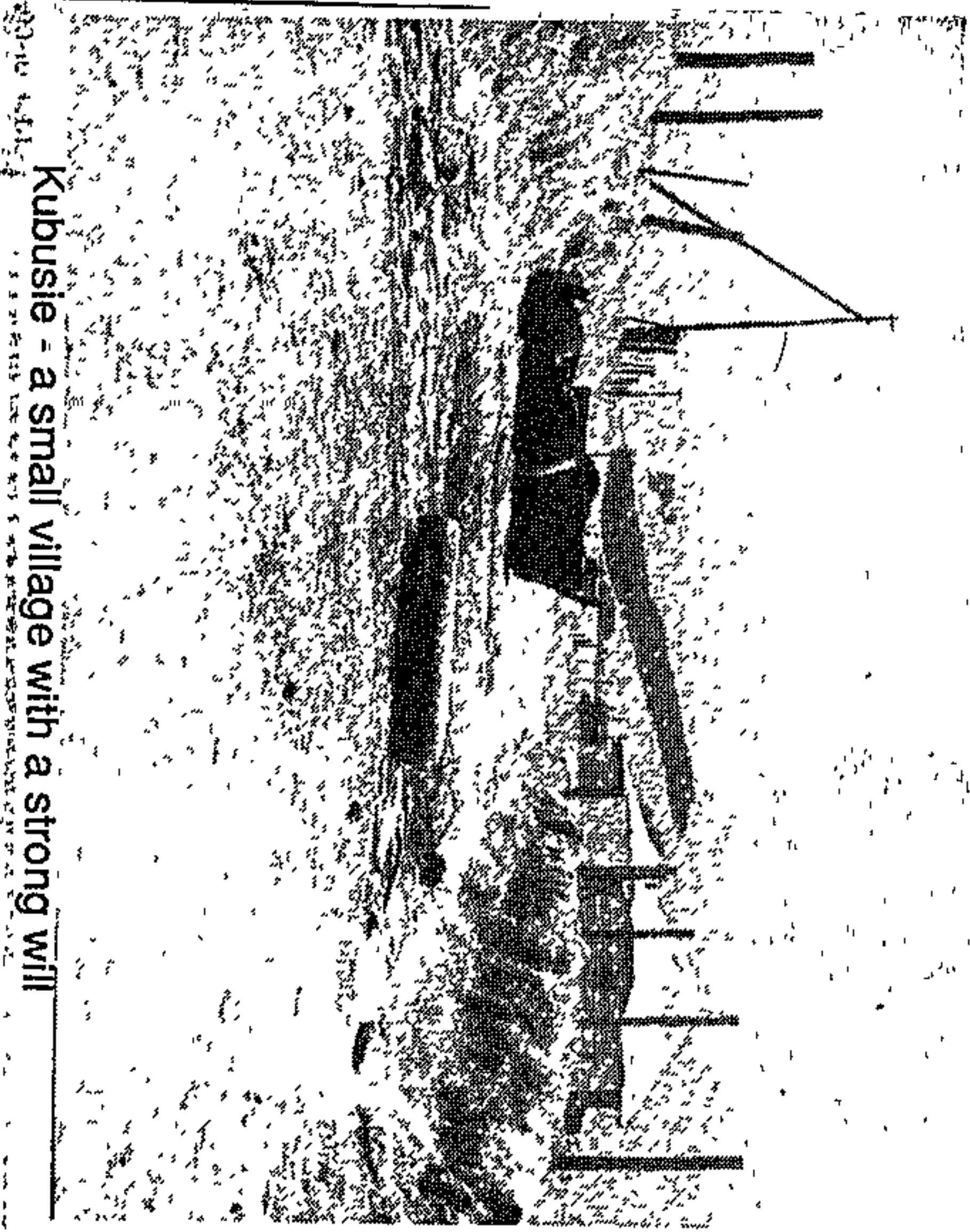
land there would have to sell it.

The council sought urgent talks with the residents' association after several white-owned businesses in town were forced to close down.

Residents, after the association's meeting with the council, decided to continue their boycott and call on the council to fulfil their immediate demands - that roads be constructed in the village, a community hall and creche be built, and that their water supply be improved.

The residents' association is to hold further talks with the council next week, at which they will brief the mayor on the feeling of the community.

ANA



Kubusie - a small village with a strong wall



# Community to resist inclusion

By Jovial Rantao

The small community of Haartebeesfontein, threatened with incorporation into Bophuthatswana, resolved at a meeting this week to peacefully and legally resist incorporation.

In a statement, a spokesman for the Haartebees Action Committee (HAC) said the community had been angered by an apparent delay by the State President, Mr F W de Klerk, in replying to three letters sent to him by the committee.

The spokesman also announced that the committee had met with the newly-appointed township manager, Mr T M Cronje to discuss the issue of incorporation.

Mr Cronje, the spokesman added, had agreed to arrange a meeting with the Minister of Constitutional Development and Planning, Dr Gerrit Viljoen,

later this year.

"The 5 000-strong members of the community also resolved that they would not be ruled by any foreign regime but the South African Government," the spokesman said.

1/2/90 URGED

A post office, tarred roads, a sports stadium and a bus-taxi rank are to be built and more telephones will be installed in an effort to alleviate living conditions in the area.

Students, according to the spokesman, urged parents to become involved in matters affecting the education of their children.

Haartebeesfontein was established in 1983 after people were forcibly removed from Machakaneng near Brits to Bophuthatswana, a move resisted by the community.

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## BYLAE

No. en jaar van Wet	Kort titel	In hoeverre herroep
88 van 1967.....	Wet op Fisiese Beplanning, 1967.....	Die geheel.
73 van 1975.....	Wysigingswet op Fisiese Beplanning en Benutting van Hulpbronne, 1975	Die geheel.
104 van 1977.....	Wysigingswet op Omgewingsbeplanning, 1977.....	Die geheel.
51 van 1981.....	Wysigingswet op Omgewingsbeplanning, 1981.....	Die geheel.
87 van 1983.....	Wysigingswet op Fisiese Beplanning, 1983.....	Die geheel.
104 van 1984.....	Wysigingswet op Fisiese Beplanning, 1984.....	Die geheel.
92 van 1985.....	Wysigingswet op Fisiese Beplanning, 1985.....	Die geheel.
109 van 1985.....	Wet op Streeksdiensterade, 1985.....	Bylae 3: alle bepalings tot wysiging van die Wet op Fisiese Beplanning, 1967 (Wet No. 88 van 1967).
97 van 1986.....	Wet op die Oordrag van Bevoegdheide en Pligte van die Staatspresident, 1986	Bylae 1: alle bepalings tot wysiging van die Wet op Fisiese Beplanning, 1967 (Wet No. 88 van 1967).

## SCHEDULE

No. and year of law	Short title	Extent of repeal
88 of 1967.....	Physical Planning Act, 1967.....	The whole.
73 of 1975.....	Physical Planning and Utilization of Resources Amendment Act, 1975	The whole.
104 of 1977.....	Environment Planning Amendment Act, 1977.....	The whole.
51 of 1981.....	Environment Planning Amendment Act, 1981.....	The whole.
87 of 1983.....	Physical Planning Amendment Act, 1983.....	The whole.
104 of 1984.....	Physical Planning Amendment Act, 1984.....	The whole.
92 of 1985.....	Physical Planning Amendment Act, 1985.....	The whole.
109 of 1985.....	Regional Services Councils Act, 1985.....	Schedule 3: all provisions amending the Physical Planning Act, 1967 (Act No. 88 of 1967).
97 of 1986.....	Transfer of Powers and Duties of the State President Act, 1986....	Schedule 1: all provisions amending the Physical Planning Act, 1967 (Act No. 88 of 1967).

(9 Februarie 1990)/(9 February 1990)

## KENNISGEWING 80 VAN 1990

## DEPARTEMENT VAN ONTWIKKELINGSHULP

## AANSTELLING VAN 'N KAPTEIN EN INSTELLING VAN 'N STAMOWERHEID

Hierby word vir algemene inligting bekendgemaak dat dit die Staatspresident behaag het om kragtens die bevoegdheid hom verleen by—

- (1) artikel 2 (7) van die Swart Administrasie Wet, 1927 (Wet No. 38 van 1927)—
  - (i) Kaptein D. M. Jongilanga af te sit as kaptein ten opsigte van die Newlands-, die Kwelera- en die Mooiplaasgebied in die distrik Oos-Londen; en
  - (ii) 01413002 Kaptein D. M. Jongilanga aan te stel as kaptein ten opsigte van Gedeelte 1 van die plaas Goodhope 1028 en Plase 1029, 1031 en 1032 in die distrik Oos-Londen; en
- (2) artikel 2 (1) en (2) van die Wet op Swart Owerhede, 1951 (Wet No. 68 van 1951)—
  - (i) die Nxaruni-, die Kwelera- en die Kwenzurastamowerheid te ontbind en 'n stamowerheid bekend as die Imidushanestamowerheid, in die distrik Oos-Londen in te stel; en
  - (ii) die gebied ten opsigte waarvan die stamowerheid ingestel word te bepaal as Gedeelte 1 van die plaas Goodhope 1028 en Plase 1029, 1031 en 1032 in die distrik Oos-Londen.

(Lêer 25/1/24/4/8)

(9 Februarie 1990)

## NOTICE 80 OF 1990

## DEPARTMENT OF DEVELOPMENT AID

## APPOINTMENT OF A CHIEF, AND ESTABLISHMENT OF A TRIBAL AUTHORITY

It is hereby notified for general information that the State President has been pleased, in terms of the powers vested in him by—

- (1) section 2 (7) of the Black Administration Act, 1927 (Act No. 38 of 1927)—
  - (i) to depose Chief D. M. Jongilanga as chief in respect of the Newlands, the Kwelera and the Mooiplaas areas in the East London district, and
  - (ii) to appoint Chief D. M. Jongilanga as chief in respect of, Portion 1 of the farm Goodhope 1028 and Farms 1029, 1031 and 1032 in the East London district; and
- (2) section 2 (1) and (2) of the Black Authorities Act, 1951 (Act No. 68 of 1951)—
  - (i) to dissolve the Nxaruni, the Kwelera and the Kwenzura tribal Authorities and to establish the Imidushane Tribal Authority in the East London district; and
  - (ii) to determine the area in respect of which the tribal authority is established as Portion 1 of the farm Goodhope 1028 and Farms 1029, 1031 and 1032 in the East London district.

(File 25/1/24/4/8)

(9 February 1990)



# Incorporation reprieve for Border villages

South 22/2 - 28/2/90  
From LOUISE FLANAGAN

EAST LONDON. — South Africa has dropped plans to hand over three areas to Ciskei after community representatives met with government officials.

The move is seen as a victory for the communities, but the fight is not over for other communities fighting against incorporation.

Until this week, the areas of Hanover, Silverdale Farm and East Chalumna were on a list of land which South Africa planned to hand over to Ciskei.

The list was gazetted late last year and is currently being discussed by a parliamentary committee. After it has been passed by parliament, it will be included in the Borders of Particular States Extension Act.

All the other areas still on the list when it becomes part of the Act will then be available to be handed over to homelands whenever South Africa wants to

do this.

Last week many communities from the nationwide "Stop Incorporations Campaign" — including representatives from Silverdale and Hanover — protested in Cape Town against the possible incorporations.

They met with the parliamentary standing committee and explained why they opposed incorporations. They told officials they had never been consulted on whether they wanted to become part of the homelands.

They also handed over a petition of 45 000 signatures opposing the incorporation of Hanover, Silverdale and Chalumna.

This week the committee dropped the three areas from the list of places to be handed over.

Recently attempts to incorporate Peelton into Ciskei failed completely, while an anti-Ciskei march took place in January by Silverdale and Needs Camp residents.

## QUESTIONS

†Indicates translated version.

For oral reply.

General Affairs:

State President

Certain group: petition

\*1. Mr P G SOAL asked the State President:

Whether he has received a petition from a certain group, the name of which has been furnished to the State President's Office for the purpose of his reply; if so, (a) when did he receive the petition, (b) what is the purport thereof, (c) how many signatures does it contain, (d) what was his response thereto and (e) what is the name of the group concerned?

B223E

The STATE PRESIDENT:

Yes.

(a) 12 February 1990

- (b) According to a related memorandum as well as the petition itself, it is demanded in the main that the incorporation of certain areas into independent states and self-governing territories be stopped, and that the areas already so incorporated be re-incorporated into the Republic in the case of the independent states and in the case of the self-governing territories, be placed under the control of the central government.
- (c) According to the said memorandum the petition contains some 43 000 signatures. A number of persons whose names are contained in the petition have clearly not signed in their own handwriting.
- (d) I have forwarded the matter to the ministers concerned for their attention.
- (e) Stop Incorporation Campaign.

(1) CASUALTIES BY DEGREE AND MAGISTERIAL DISTRICTS OF URBAN AND RURAL ROADS. (ALL VEHICLES)

1984				
Magisterial district	Total	Fatal	Seriously Injured	Slightly Injured
JOHANNESBURG	13 032	661	3 879	8 492
PIETERSBURG	579	52	184	343

## 1984

Magisterial district	Total	Fatal	Seriously Injured	Slightly Injured
POTGIETERSRUS	408	51	128	229
PRETORIA	4 845	243	970	3 514
RANDBURG	2 001	132	462	1 427
WARMBATHS	261	48	73	140
WATERBERG	240	28	58	154
WONDERBOOM	2 893	130	474	996

## 1985

Magisterial district	Total	Fatal	Seriously Injured	Slightly Injured
JOHANNESBURG	12 269	764	3 612	7 893
PIETERSBURG	620	51	176	393
POTGIETERSRUS	448	47	132	269
PRETORIA	4 440	253	755	3 432
RANDBURG	1 948	127	511	1 310
WARMBATHS	288	32	71	185
WATERBERG	315	40	81	194
WONDERBOOM	1 356	116	391	849

## 1986

Magisterial district	Total	Fatal	Seriously Injured	Slightly Injured
JOHANNESBURG	13 120	682	4 073	8 365
PIETERSBURG	769	82	193	494
POTGIETERSRUS	559	66	214	319
PRETORIA	5 482	253	975	4 254
RANDBURG	2 091	183	487	1 421
WARMBATHS	305	46	77	182
WATERBERG	311	35	74	202
WONDERBOOM	1 403	137	413	853

## 1987

Magisterial district	Total	Fatal	Seriously Injured	Slightly Injured
JOHANNESBURG	14 501	718	4 232	9 551
PIETERSBURG	894	114	247	533
POTGIETERSRUS	645	61	237	347
PRETORIA	5 725	276	1 022	4 427
RANDBURG	2 236	131	473	1 632
WARMBATHS	305	46	85	174



RESIDENTS from Mier, a small Namaqualand settlement, travelled to Cape Town this week to protest outside parliament against a bill which threatens to drive them off their land.

The delegation was led by Mr Christmas Tinto, second from left, Western Cape UDF president.

Surplus Peoples Project spokesperson Lala Steyn said the bill threatens to dispossess thousands of people of their land.

## Namaqualanders go to parliament



South 1/3 - 7/3/90

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Cape Times (271)  
3/3/90

Botshabelo:

## Govt loses

**BLOEMFONTEIN** — The proclamation to incorporate Botshabelo, in the Free State, into the self-governing territory of QwaQwa was invalid, the Appeal Court found yesterday.

The court dismissed, with costs, an appeal by the State President of South Africa and the government of QwaQwa against the judgment of the Free State Supreme Court that had declared the proclamation invalid.

Yesterday Mr Justice Vivier, with the concurrence of Mr Justice Hoexter, Mr Justice Smalberger, Mr Justice Kumleben and Mr Justice Nicholas (acting judge of appeal), found the court had rightly declared the proclamation invalid. — Sapa



B/Dug 5/3/90

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## BOTSHABELO RULING 'APPROPRIATE'

FRIDAY's Appeal Court ruling upholding a Supreme Court judgment rejecting the incorporation of Botshabelo — Bloemfontein's dormitory town — into QwaQwa accorded with the new political mood, Botshabelo legal representative John Dugard said yesterday.

The Appeal Court upheld the Free State Supreme Court's decision in August 1988 that the incorporation of Botshabelo into QwaQwa in 1987 was invalid.

The appeal was brought by the President and the QwaQwa government.

Dugard said the ruling ended a two-and-a-half-year struggle by Botshabelo residents. But he thought President F W de Klerk did not wish to return to Verwoerdian apartheid.

"The government realises this policy has failed and I don't think it would be

### EDYTH BULBRING

unduly upset by the Appeal Court decision," Dugard said.

The Appeal Court ruling meant Botshabelo would once again fall under the administration of central government, and services such as health and education would be withdrawn from the hands of the QwaQwa administration.

□ Sapa reports from Cape Town that DP homelands spokesman Peter Soal has welcomed the Appeal Court's decision.

"From the beginning it was a crazy scheme which was doomed to fail.

"There are more people in Botshabelo than there are in QwaQwa and not all of them are southern Sotho, which made nonsense of the government's ethnic-based homeland policy," Soal said.

# Token 'open areas' will compound problems needing urgent resolution

Std 8/3/90 (271)

My parliamentary postbag is overflowing with letters from residents anxious about the introduction of free settlement areas in Johannesburg.

The proposed free settlement area for the eastern suburbs of Johannesburg is extraordinary for both its composition — and its omissions.

The wide arc of suburbs currently under investigation represents a residential hodgepodge, a seemingly arbitrary line drawn on the map.

Since the plan apparently originates from the Ministers' Council in the Assembly, this extraordinary proposal suggests Government planning is at variance with the brave new world rhetoric of the State President, Mr F W de Klerk, who committed both South Africa and his Government to creating an equal and just society in the foreseeable future.

In theory at least, free settlement areas are an improvement on the group areas situation.

Caught between the contradictory right-wing demands for the enforcement of group areas and a general need to remove race as a criterion for residence, Government introduced a compromise in the form of the Free Settlement Areas Act of 1989.

In terms of Section 2 of the Act, any area may be declared to be a free settlement area.

There has been much speculation in both Government and opposition circles recently about whether it would be either possible or feasible to have free settlement areas proclaimed for entire municipalities.

**TONY LEON**, Democratic Party MP for Houghton, discusses the problems involved with the introduction of free settlement areas in towns and cities.

As far as the Free Settlement Areas Act is concerned, the whole city (excluding any area under the jurisdiction of a coloured or Indian management committee) could indeed be proclaimed a free settlement area. The problem arises with the Local Government Affairs in the Free Settlement Areas Act.

This legislation is intended to deal with the question of the franchise rights of residents living in a free settlement area. It provides for the creation of a "management committee" in each free settlement area.

A white municipal voter in a free settlement area who becomes a voter for the management committee in the free settlement area concerned accepts he is now a voter for a local government body which has extremely limited powers and functions, and which is in fact subject to the broader control of the parent local authority or municipality in respect of which he no longer has any voice.

## Disfranchising

The question arises whether a city council could continue to exist as such, with all its original functions and powers, in the light of a whole city being declared a free settlement area.

The only way that this could happen in terms of existing legislation would be for two parallel forms of local government —

one the original local authority which will be elected by essentially ghost voters, simply because most of the municipal voters will automatically be transferred to the new management committee set-up.

However, in terms of Section 2 (2) (A) of the Act, the Administrator is not obliged to establish a management committee for a free settlement area. Therefore, it is possible that the original municipal authority could continue to function if the whole city is declared a free settlement area.

But this would be at the cost of disfranchising free settlement area residents. That is why, if we are to have city-wide free settlement areas, it is urgently necessary for Government to amend the existing legislation and to create a single municipal voters' roll on which all residents have a vote and therefore a say in municipal affairs.

On the face of it, there is an argument which suggests that the only way we can change society is by introducing incremental change.

This reasoning then leads to the conclusion that since we cannot have an "all or nothing" doctrine in South Africa, we should take advantage of whatever limited space government opens up to residential occupation by all races.

The countervailing argument is simply that creating a few isolated group areas will compound the very problems that need urgent resolution.

This line of reasoning leads to the conclusion that the only realistic approach is to remove all restrictions wherever they exist.

The effect would be to disperse the population over a far greater residential area, with far less danger of overcrowding and over-population.

However, I think the real dangers of isolated free settlement areas lies in the uncertainty of municipal voting arrangements and the continued provision of city council services by two parallel forms of local government, one with real power (the existing local authority) and one with only advisory functions (the management committee).

It also seems inherently unfair that certain suburbs should be singled out for non-racial residential patterning, while others retain their all-white facade. This can only lead to distortions in property economics.

Clearly, the first prize would be the total, nationwide scrapping of the Group Areas Act. We should guard against marginal and discriminatory exercises designed to establish a few token integrated suburbs which will lead to the piecemeal fragmentation of our cities.

The advantage of city-wide free settlement areas, at least, is that they create larger, more realistic, more relevant open spaces for our cities to function as the crucibles of a changing South Africa.



# Reunification with SA is an open option Botha

CAPE TOWN — The initiative for any re-incorporation of Transkei, Bophuthatswana, Venda and the Ciskei (the TBVC states) into SA lay with those territories and it was for them to start negotiating on the issue with the SA government, Foreign Minister Pik Botha said yesterday.

Speaking in an interpellation debate introduced by Colin Eglin (DP Sea Point), he said the government had made it clear that re-incorporation was an option open to them. It realised that they had had difficulties in getting international economic recognition.

They would have to look at the matter carefully and then start negotiating with the SA government.

Eglin said the government should, in the interests of a new SA, state that it had a positive attitude towards reunification.

## Legislation

The trend towards unification was going to be inevitable and the DP was asking government to give a lead in the interests of SA.

Botha said re-incorporation could not take place unilaterally — the matter would have to be thoroughly studied and legislation would have to be passed by the SA Parliament.

Questions which would have to be addressed included the position of loans those states might have taken out with banks of foreign countries.

Eglin said he was not arguing about the details, but it had to be borne in mind that for years the SA government had not been neutral.

The choice given to the TBVC states had not been a neutral one, but a Hobson's

choice.

"We believe the time has come for the government to bring down the curtain on Verwoerdian apartheid."

Tom Langley (CP Soutpansberg) said Botha had not answered Eglin's question as to whether the government was prepared to take steps to enable TBVC states to be re-incorporated into SA.

Botha said he did not agree that the states had been forced to accept independence.

Andre de Wet (DP nominated) said it was common knowledge that the people of Transkei and Ciskei wanted to be re-incorporated.

"The whole area is calling out for help."

□ Sapa reports from Gaborone that Botswana's External Affairs Minister Gao-sitwe Chiepe said yesterday that any talk of a "bantustan" amalgamating with Botswana was totally misplaced and unacceptable.

It said that Chiepe, speaking in Parliament, stated Botswana had always been opposed to the fragmentation of SA, which was manifested by the bantustans strewn all over the territory.

"Therefore," she said, "any talk of any bantustan amalgamating with Botswana is totally misplaced and unacceptable."

Chiepe said Botswana subscribed fully to the OAU's declaration on the absolute need to recognise and observe colonial boundaries.

Recent media reports have quoted Bophuthatswana leader Lucas Mangope as having said his homeland would not be interested in re-incorporation with SA. Instead he would consider amalgamating with Botswana, as both housed one nation, divided by an imaginary border. — Sapa.

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THE BUSHMAN airlift is under way on the eve of Namibian independence.

Giant Hercules transport aircraft of the SAAF are ferrying 4 000 Bushmen — the families of former SADF members in Namibia — to their new home in South Africa.

For the past few weeks they have been packing their belongings in their former bases at Omega, in western Caprivi, and the Mangetti Block in preparation for this weekend's airlift.

They are being resettled at Schmidtsdriif, about 100km from Kimberley in the northern Cape.

Officials of the office of South Africa's Administrator-General, accompanied by senior Swapo officials, asked the San or Bushmen people a number of times whether they wanted to stay or go.

A UN spokesman said: "We have monitored all the discussions and the process for their departure, but I can't comment."

## RELUCTANT

Officials have been keeping their departure under wraps, knowing whatever happens to the threatened San people is an emotional issue for outsiders.

The hundreds of men, women and children who lined up on the apron at Grootfontein, Omega and the Mangetti Block airports were dressed in Western garb — jugging bows and arrows and stereo cassette players.

# SADF starts airlift of 4 000 fearful Bushmen to safety

By PETER KENNY in Windhoek  
Pictures: KATE WATSON

Set to take another reluctant plunge toward the fast world of technology, the group represent the families of about 4 000 troops who served in the South African-led forces, or about 40 percent of the troops.

Some decided to stay and others, many of whom came from Angola as refugees, said they wanted to go back there when there was peace.

"We asked them five times if they wanted to go," said their commander, Colonel Piet Hall.

But the Bushmen, who have become a military group akin to Britain's Gurkhas, have decided they do not like what independent Namibia has to offer.

Despite Swapo's vigorous policy of reconciliation and assurances given to the San people, some of those leaving said they feared people from the Kavango region to the west of Omega would kill them.

One man said: "The Kavangos have said they will kill us because we were not with Swapo."

"We are pleased we are going back to the states."

## CONFLICT

Last month Namibian president-elect Mr Sam Nujoma buried the hatchet between Swapo and the San people, who fought vigorously against the movement during the 23-year guerrilla war.

He assured two of the country's San communities when he visited them

that they would not be moved from the land they were on and that there would not be retribution against them.

"You will not be restricted to one area, you will be able to settle where you want and removing you from your land is out of the question."

"The conflict and war that was between us is over," he said.

But many Bushmen remain fearful of Swapo, believing a war-time myth widely disseminated by some sectors of the SADF that they would face genocide if Swapo took over in Namibia.

## DIFFICULTIES

A large number of those who fought in the Bushmen battalions had moved to Namibia from Angola, saying they faced extermination at the hands of the Angolan government forces and their Swapo allies.

The San soldiers and their two communities number about 10 000 people.

Namibia is believed to have about 35 000 Bushmen people, one of the world's largest concentrations of these one-time hunters and gatherers.

Because of the difficulties Bushmen encounter when they come into contact with technological civilisation, some people believe they should be given special treatment and allowed to retain their ancient ways.

Others say there is not enough space, even in sparsely populated Namibia, to allow hunters and gatherers to exist and that it is paternalistic to allow the San people to continue as they were



A woman waits dejectedly, her future uncertain

and ignore outside influences.

That view, however, ignores the trauma many Bushmen face in crossing the frontiers of hi-tech culture.

But as the Namibian newspaper reported: "For many Bushmen independence is not the unqualified blessing it is for other Namibians and many seem to fear their future under an independent government."



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**LEAVING ON A JET PLANE . . . Bushmen families pack their belongings into trucks in preparation for the long flight into the unknown**

# Peelton residents return to the place they fled

W/Ma 23/1 - 29/3/90

By THUMIDA MAISTRY  
and PHILA NGQUMBA

THE residents of Nkqonkweni village in Peelton may return to the village they fled last year.

This week, a delegation from the community met the Ciskei's new military ruler, Brigadier Oupa Gqozo, to tell him they would return so long as they were given a guarantee that the land would be returned to South Africa.

The meeting is being watched closely by rural communities all over the Ciskei. The rural rebellion against Sebe's rule played a key role in the coup that brought Gqozo to power, and the communities are now seeking assurances from the new rulers that their grievances will be dealt with.

Nicholas Matebese, a fieldworker for the Grahamstown Rural Committee (GRC), said: "The rural people feel Gqozo is better than Sebe, but they say that he is still the leader of a bantustan." They would be watching his actions "very carefully", he said.

Peelton hit the headlines last year when the community's campaign against incorporation drew a harsh crackdown from the Ciskei, including the detention of community leaders, indiscriminate assaults and the demolition of homes. The community fled to South Africa, and Pretoria finally accepted their presence and promised to find them land.

This was widely seen as a major victory for the community, and encouraged other rural communities to resist Ciskei rule until about two-thirds of the territory was in open revolt.

In this week's meeting, the community's delegation told Gqozo they wanted compensation for the homes and other property destroyed by the

## Council may quit

THE township council of Mdantsane, the Ciskei's largest urban area, is set to become the latest local authority to dissolve in the territory after the coup which toppled President Lennox Sebe earlier this month.

The council was due to meet today to discuss the issue, according to the mayor, Reverend Elijah Madikane. Dimbaza and Zwelitsha township councils have already resigned.

Most urban and rural authorities are highly unpopular because of their close association with the Sebe regime. In rural areas communities demand the new military rulers recognise residents' associations instead of the tribal authorities.

Meanwhile, Mdantsane is still reeling from the after-effects of the violence that broke out after the coup. There are still food shortages, transport is inadequate and telephones have been cut.

Mdantsane's Highway Shopping Centre, which bore the brunt of the looting, remains filthy and strewn with debris, and it may become a health hazard.

Last week, the township was declared a disaster area, and the military government has set up a relief fund in response to a call by industrialists. The committee seems largely concerned with getting industry back on its feet and also restoring essential services. — Elnews

Sebe regime, and asked that their residents' association be recognised.

The tribal authorities played a central role in propping up the Sebe regime. In most areas, it was the local chiefs who extorted taxes and other levies, and who demanded membership cards of the Ciskei National Independence Party (CNIP) before allowing access to local services.

Matebese said rural communities would "watch Gqozo very carefully" to see what he did about the hated tribal authorities and chiefs and whether he would recognise the residents' associations instead. — Elnews/Veritas



# Provincial rule over townships scrapped

W/Mw 30/3-4/4/90

By VUSI GUNENE

DEVELOPMENT Aid Minister Stofel van der Merwe has backtracked on the decision to place the townships of Soshanguve near Pretoria and Lehlabile near Brits under the control of the Transvaal Provincial Administration.

His department said that the move, which had been due to take effect on February 15, had been postponed indefinitely, pending consultation with the communities.

It was previously decided, in 1988, that these areas would be incorporated into Bophuthatswana, but this decision was also shelved after prolonged protests.

Since the formation of the United Democratic Front's campaign against the Black Local Authorities Act in 1983, Soshanguve residents have refused to allow community councils to be established in the township.

A march by more than 40 000 Soshanguve residents planned for Wednesday was cancelled after the eleventh-hour decision.

Residents had also resolved to march to the magistrate's office on Wednesday after they had called for a stayaway.

On Tuesday afternoon, the minister informed the leadership of the Soshanguve Residents Association (Sorea) of the reversal of the decision.

A mass meeting, which would have been the starting-point of the march, was still held on Wednesday.

The publicity secretary of Sorea, Dan Marule, described the decision of

the minister as a victory for the residents of Soshanguve.

"Our victory is in line with the mood of all communities across the country to get rid of community councils and the whole structure of the Black Local Authorities.

"It is also as a result of pressure that the minister realised that forcing the incorporation of the township under TPA would not be in line with FW de Klerk's much-talked-of question of negotiations.

"We are calling for one administration for one city. Let the taxes we pay in Pretoria also serve the interest of the people in the townships.

"We also demand a democratically elected, one city municipal administration chosen by the people and for the people," said Marule.

On the morning of the planned march several marshals gathered at the local Roman Catholic Church

were arrested by white riot policemen, who allegedly assaulted them.

Community leaders intervened and after protracted talks with senior police officers, the marshals were released without being charged.

Bophuthatswana security forces fired teargas at residents of Mabopane and Winterveldt after they had attended the meeting at the Soshanguve stadium.

A confrontation nearly broke out as hundreds of residents returning to the homeland *toyi-toyied* on a bridge serving as a border between the homeland and Soshanguve, which is not part of the homeland.

No taxis, buses or businesses operated in the township for most of the day, as thousands of residents heeded the call for a stayaway.

Opening the meeting at the local stadium, Dr Abe Nkomo, who spoke on behalf of the African National Congress, told the crowd to exercise "maximum discipline and vigilance".

## HOUSE OF ASSEMBLY

## QUESTIONS

Indicates translated version.

For written reply:

General Affairs:

Group areas legislation: charges in PE

49. Mr E W TRENT asked the Minister of Law and Order: *Henyard 18/4/90*

Whether any persons in the Port Elizabeth municipal area were charged under group areas legislation during the latest specified period of five years for which information is available; if so, (a) how many, (b) under what statutory provisions, and (c) when, in each case? *B71E*

The MINISTER OF LAW AND ORDER:

As far as could be ascertained, none.

(a) and (b) Fall away.

Disclosure of Foreign Funding Act: reporting organizations *B166E*

69. Mr A J LEON asked the Minister of Justice:

(1) Whether any organizations have been declared reporting organizations in terms of the Disclosure of Foreign Funding Act, No 26 of 1989; if so, (a) which organizations and (b) why;

(2) whether any steps have been taken by his Department to ensure that these organizations comply with the provisions of the said Act; if not, why not; if so, what steps? *Henyard 18/4/90 B166E*

The MINISTER OF JUSTICE:

(1) Yes.

(a) Only one organization—*Wilgespruit Fellowship Centre*—has so far been declared to be a reporting organization (with effect from 10 January 1990).

Black communities removed

113. Mr P G SOAL asked the Minister of Planning and Provincial Affairs:

(1) (a) How many Black communities were removed in each (i) magisterial district and (ii) province in 1989, (b) what was the (i) name and (ii) population of each such Black community and (c) where were the inhabitants of each such community resettled;

(2) what was the total (a) amount paid out in compensation for, and (b) cost of removing, each of these Black communities in that year? *B27SE*

The MINISTER OF PLANNING AND PROVINCIAL AFFAIRS:

*Orange Free State and Cape Province:*

(1) (a) (i) None.

(ii) None.

(b) (i) Falls away.

(ii) Falls away.

(c) Falls away.

(2) (a) Falls away.

(b) Falls away.

*Transvaal:*

(1) (a) (i) Vereeniging district: 1 community of which a portion was moved.

Heidelberg district: 1 community.

(ii) Transvaal: 2 communities

(b) (i) The community of Weiler's Farm (partially moved) and of Tamboekiesfontein.

(ii) Weiler's Farm: 819 families.

Tamboekiesfontein. 1 116 families.

(c) Weiler's Farm to Orange Farm (Vereeniging district) Tamboekiesfontein to Rietfontein (East Rand).

(2) (a) No compensation was payable as the communities were assisted to move and re-erect their own structures.

(b) Weiler's Farm: R117 117.

Tamboekiesfontein: R39 260.

The difference in expenditure is attributed to the fact that the Weiler's Farm community was resettled over a period of twelve months and more labourers were used as many families were assisted with the demolishing and re-erection of structures. The community at Tamboekiesfontein was moved in four months over a distance half that of Weiler's Farm.

*Natal:*

(1) (a) (i) Vryheid. 82 families.

Ladysmith: 5 families (104 to follow)

Mooi River: 3 families.

Weenen: 41 families.

(ii) Province Natal. 131 families.

(b) (i) Overwacht (Vryheid) and various other

White farms in Vryheid district Ntombi's Camp, Ladysmith Compton Verney, Mooi River Ngwenya Valley (Weenen) and various other

White farms in the Weenen district

(ii) 574 persons

30 persons

20 persons

246 persons.

(c) 23 families on SADT Settlement at Qudeni (Nkandla district)

7 families on SA Development Trust

farms in Babanango district

52 families on Mission farm in Vryheid district as well as KwaZulu area

in Nongoma district

5 families in Steadville Township (Ladysmith)

3 families in Bruntville Township (Mooi River)

27 families to Weenen Development Area

11 families on SADT Settlement at

Wahhoek (Ladysmith)

2 families on Umhlumayo Development Trust land (Ladysmith)



1 family on Hlanganani KwaZulu (Msunga district).

(2) (a) None.

(b) Vryheid R18 724,89  
Ladysmith (Ntombis Camp) Nil  
Mooi River (Compton Verney) Nil  
Weenen R11 770,79

#### Blacks moved to Black states

114. Mr P G SOAL asked the Minister of Planning and Provincial Affairs:

(a) How many Blacks were moved from Black communities to Black states in 1989 and (b) (i) from which Black communities, (ii) to which Black states and (iii) why were they moved in each case?

The MINISTER OF PLANNING AND PROVINCIAL AFFAIRS:

(a) None.  
(b) (i) to (iii) Fall away.

#### Free settlement areas

115. Mr A J LEON asked the Minister of Planning and Provincial Affairs:

(1) Whether any areas are being considered by the Free Settlement Board for promulgation as free settlement areas; if so, (a) which areas and (b) when is it anticipated that a decision will be taken in each case;

(2) whether the Board has received any representations to proclaim entire municipal areas as free settlement areas; if so, (a) from whom, (b) in respect of which municipal areas, and (c) what was his response thereto, in each case?

The MINISTER OF PLANNING AND PROVINCIAL AFFAIRS

(1) Yes.

(a) The following areas are under consideration by the Free Settlement Board:

1. Diepsloot (Pretoria)
2. Mayfair (Johannesburg)
3. Ottery/Wetton (Cape Town)

4. Zuurbeekom (Westonaria)

5. Cato Crest (Durban)

6. Waterval (Johannesburg)

7. Ironsdyde (De Dour)

8. Knysna (Fishers Haven)

9. Zeekoewal (Durban)

10. Messina (Extension 8)

11. Mooikloof (Pretoria)

12. Cosmo City (Randburg)

13. Alwyn Balmoral (Uitenhage)

14. Bishopstowe (Pietermaritzburg)

15. Cato Ridge (Inchanga)

16. The Reeds X4 and 17 (Pretoria)

17. King William's Town

18. Hillbrow.

(b) It is impossible to determine dates on which decisions will be taken as such dates depend on the progress made with the investigation of each application

(2) No. Rest of the question falls away.

#### Brown's Farm, Philippi

124. Mr J VAN ECK asked the Minister of Planning and Provincial Affairs:

(1) With regard to the area known as Brown's Farm near Philippi, Cape Town, (a) under which local authority does it fall and (b) which authority is in charge of the present planning and upgrading of the area;

(2) whether it has been decided to incorporate Brown's Farm into the area of another local authority; if so, (a) what local authority and (b) on what date; if not, whether it has been decided to declare Brown's Farm to be a separate local authority; if so, when;

(4) whether the Demarcation Board for Local Government Areas has been requested to inquire into and recommend on the zoning of this area?

The MINISTER OF PLANNING AND PROVINCIAL AFFAIRS:

This reply is based on the supposition that the reference to Brown's Farm is a reference to the development area approximately 219 ha in size situated in Philippi, south of Nyanga.

(1) (a) The area does not fall under any local authority

(b) The Provincial Administration of Cape Province.

(2) No.

(a) Falls away.

(b) Falls away.

(3) No.

(4) No.

#### Black townships: development of sites

125. Mr J VAN ECK asked the Minister of Planning and Provincial Affairs:

(1) With regard to his Department's involvement in the financing, planning and upgrading of land in the Greater Cape Town area for the housing and accommodation of Blacks, (a) how many sites are to be developed in (i) the KTC squatter camp, (ii) Old Crossroads, (iii) Khayelitsha, (iv) Brown's Farm and (v) other areas and (b) how many of these sites have been set aside for (i) conventional housing and home ownership and (ii) site-and-service development in each specified township.

(2) how many of these sites had been completed for (a) conventional housing and (b) site-and-service development as at the latest specified date for which information is available?

The MINISTER OF PLANNING AND PROVINCIAL AFFAIRS:

(1) (a)

(b)

	(b)	
	(i)	(ii)
(i) KTC	2 242	2 242
(ii) Ou-Kruispad	3 500	1 974
(iii) Khayelitsha	56 068	23 601
(iv) Philippi	5 012	194
(v) Noordhoek	Presently being planned	Particulars not available
Total	66 822	25 769
		41 053

(2)

(a)

(b)

	(b)	
	(i)	(ii)
KTC	1 974	14 074
Ou-Kruispad	14 217	+
Khayelitsha	(****)	(**)
Philippi	(****)	(***)

\*\*\*\*\*Sites under construction\*\*\*\*\*

(\*) 974 Sites will be available by May 1990.  
(\*\*) 8 318 Sites will be available by December 1990.  
(\*\*\*) 2 168 Sites will be available by September 1990.  
(\*\*\*\*) 194 Sites will be available by September 1990.



# Tucked into a tiny corner of kwaZulu, a forgotten people

IN a popular Zulu legend, Jeje, a brave warrior and King Shaka's right-hand man — like many other people who had fallen out with the monarch — escaped his king's grip by seeking refuge in the neighbouring Thonga kingdom.

But this land — which apartheid has relegated into a mere chiefdom, part of the kwaZulu homeland — is no longer a place to run to. The inhabitants are being removed to make way for the Kosi Bay Nature Reserve, a haven for those who are tired of cities and hanker after the tranquility of the *bundus*.

The local people have greeted with anger the installation of a 2m high fence and an inner circle electrified wire round the area which has been proclaimed as the nature reserve.

The dissatisfaction has reached such proportions that there is now a strong call for the secession of the whole Ingwavuma district — under which the Kosi Bay area falls — from kwaZulu.

The cold war for Thonga sovereignty has for a long time been fought by the Thonga Independence Party (TIP), which until the recent unbanning of South African political organisations, had operated clandestinely.

"We, the Thongas, fall in the same league as the Basothos of Lesotho and the Swazis of Swaziland who both have their kings. We are a sovereign state in our own right. But because of apartheid we now find ourselves under the rule of the kwaZulu government, a regime which has been imposed upon us," says Malcom Nkumane of the TIP.

"Rather than bowing before the kwaZulu government we would prefer to be on our own as a nation, or be part of the new South Africa that is fast emerging. As a nation and a sovereign state we have the right to decide our fate," says Nkumane.

Thonga culture has either been suppressed or completely swept off this

On a pocket of land between kwaZulu and Mozambique live a forgotten people, the Thonga.

Their land has been given to kwaZulu, but their culture and language are more Shangaan than Zulu. For years the Thonga passively accepted their fate, but now there are calls for secession and independence.

**FRED KHUMALO reports**

land, which lies on the border between kwaZulu and Mozambique. The Thonga language — which has remained oral — is fading away with the old folks, who spoke it freely for countless decades before trying to disentangle themselves from the dragnet of Zulu imperialism.

At local schools children are being taught Zulu and *Ubuntu/Botho* — Zulu nationalism as seen through the eyes of Inkatha.

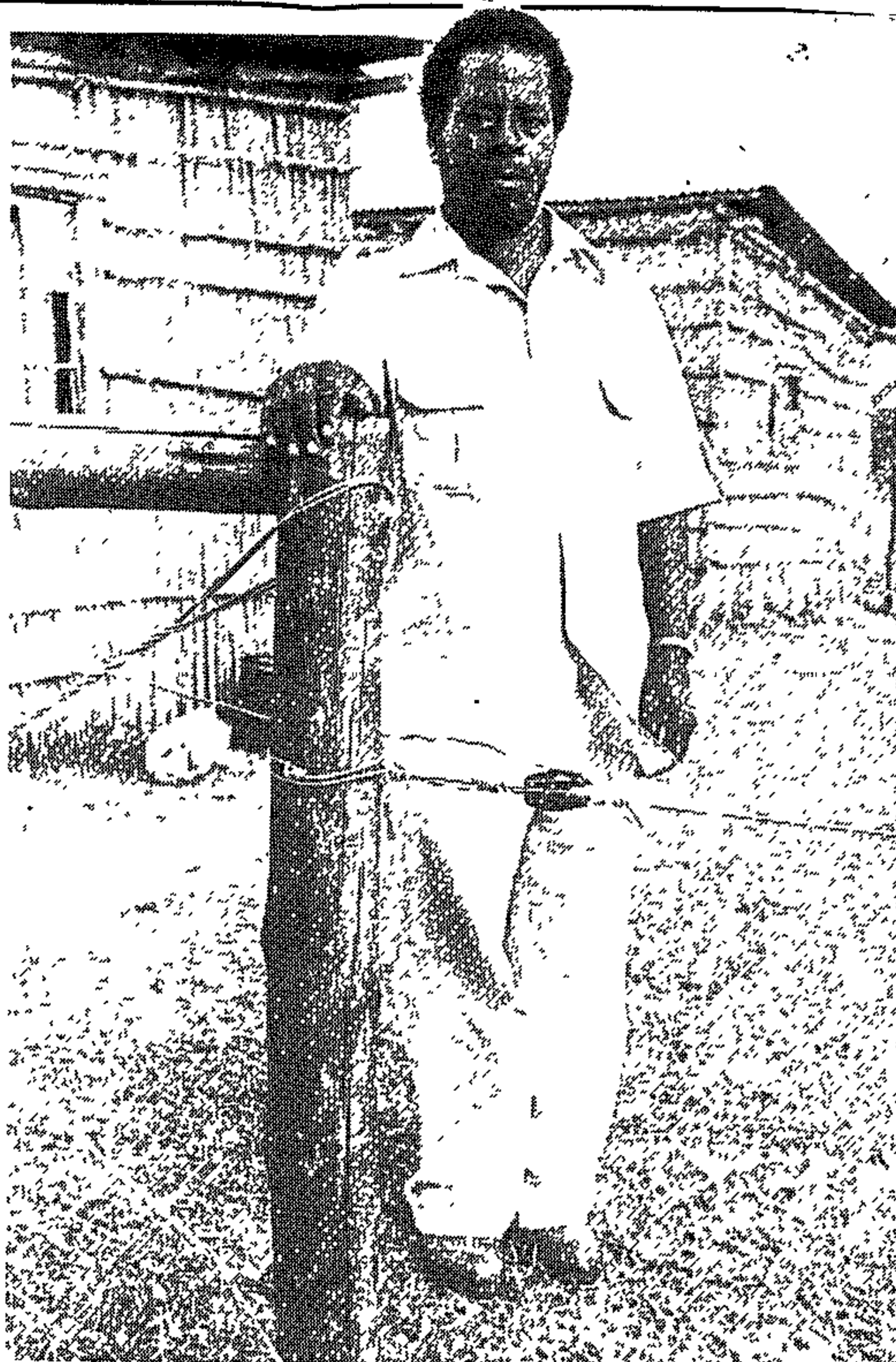
"This is quite unfortunate, but it's true. It's happening under my very nose," says Father Mooney of the Star of the Sea, a prestigious Catholic school in the area.

Father Mooney explains that he is not trying to promote tribalism, but he cannot hide his admiration for the Thonga people.

"I mean they are so different from the Zulus that even their marriage rites are different," he says, adding that while the Zulus are known for their bravery, the Thongas always avoid confrontation.

The language of the Thongas does not fall in the Nguni group of languages, which incorporates Zulu, Xhosa, Swazi and Ndebele. Their language is more at home among Shangaan dialects.

"Look my boy, I was born here, my father and grandfather before him, were born here. They tilled the



The proclamation of a nature reserve has meant the separation of this Thonga community's homes from their fields by an electrified fence

Picture: CEDRIC NUNN, Afrapix

soil, fished in the lakes and the sea for centuries upon centuries," says an irate MO Tembe, a family man from an area called eMalangeni which falls inside the area which has been proclaimed part of the reserve.

"Now the kwaZulu government, which we thought would understand and sympathise with us, is exacerbating our plight. It is uprooting us from our beloved land. Where are we supposed to go?"

Tembe is a member of what was the strongest clan in this region. Before the arrival of white people the land was ruled by monarchs from his clan. Even after colonisation the monarch reigned, although his powers were

curtailed by the British.

After Swaziland's declaration of independence from British rule, Thonga monarchy got back on to its feet.

But now the original ruler of this region, King Mzimba Tembe has been reduced to a chief of kwaZulu. Immediately under his control are 48 *indunas* — some of whom were originally chiefs during the rule of the Thonga monarchy.

For sure, had Jeje lived in present-day South Africa he would have been insane to seek refuge in this land with no identity of its own; no language, no culture, no shelter to protect its own offspring.



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## Amounts due on 31 December 1989

Magistrate District	Name	Rents	Services	Other	Total
Warrenton	Ikutseeng	21 729	270 192	205 302	497 223
Windsorion	Kutlwano	1 598	12 939	27 585	42 122
Worcester	Zweletemba	142 852	67 567	0	210 419
		<u>11 336 781</u>	<u>59 439 204</u>	<u>13 294 200</u>	<u>84 070 185</u>

## Urban land for Blacks

217. Mr P G SOAL asked the Minister of Planning and Provincial Affairs:

(a) How much land was set aside in each province in 1989 for urban occupation by Blacks and (b) where in each province is this land situated?

B542E

The MINISTER OF PLANNING AND PROVINCIAL AFFAIRS:

I refer the honourable member to the reply which was furnished to question 149, as put by Mr J J Walsh.

## Battered women: shelters

222. Mrs C H CHARLEWOOD asked the Minister of Planning and Provincial Affairs:

Whether the provincial administrations are responsible for any shelters for battered women in (a) Cape Town, (b) Durban, (c) Johannesburg, (d) Bloemfontein and (e) Port Elizabeth; if so, how many in each case; if not, why not?

B550E

The MINISTER OF PLANNING AND PROVINCIAL AFFAIRS:

- (a) No  
(b) No  
(c) No  
(d) No  
(e) No

The rendering of such services are undertaken by private welfare organisations and churches.

HOUSE OF ASSEMBLY

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(a) A final decision has not yet been taken but according to preliminary calculations a site with water and water-borne sewerage will cost approximately R3 500.

(b) The conditions are negotiated between the seller, the SA Housing Trust and the buyers.

## Nthorwane, Greylingstad: resettlement

239. Mr P G SOAL asked the Minister of Planning and Provincial Affairs:

(1) Whether, with reference to the new area in which the persons currently residing in Nthorwane, Greylingstad, are to be resettled, the local town committee is to build any new houses there, if so,

(2) whether these houses will be available for (a) renting and/or (b) purchasing;

(3) whether any assistance is available to residents in the form of loans to build houses; if not, why not; if so, (a) what assistance and (b) on what terms;

(4) whether a means test will apply to loans, if so, what are the relevant details;

(5) whether existing houses are available for (a) renting and (b) purchasing; if not, why not in each case; if so, (i) for how much, and (ii) from whom, in each case?

B609E

The MINISTER OF PLANNING AND PROVINCIAL AFFAIRS:

(1) The Village Council will not build any houses. The SA Housing Trust has erected 13 houses which are presently being rented with a view to the sale thereof.

Lapses.

(3) (a) The National Housing Commission has already approved in principle the granting of material loans to a maximum of R10 000 for the erection of homes in the new township.

(b) The standing conditions of the NHC will apply, i.e. loans are to be repaid over a period of 30 years.

(4) The subsidy scheme of the NHC will be applied. Payments are calculated according to a sliding scale and based on a person's income.

(5) The 13 houses erected by the SA Housing Trust, are being rented at R50 per month with a view to the sale thereof at approximately R20 000 per house. They still belong to the Trust.

All other sites are without improvements.

## Black social pensions

250. Mr J J WALSH asked the Minister of Planning and Provincial Affairs:

(a) What percentage of Black social pensions is paid (i) monthly, and (ii) directly into savings accounts, in each province and (b) in respect of what date is this information furnished?

B640E

The MINISTER OF PLANNING AND PROVINCIAL AFFAIRS:

## Transvaal

(a) (i) 78,07%.  
(ii) 8,6%.

(b) April 1990

## Cape Province:

(a) (i) 100%  
(ii) 8,5%.

(b) As at 31 March 1990.

## Orange Free State:

(a) (i) 50,35%  
(ii) 6,01%.

(b) 28 February 1990.

## Natal:

(a) (i) 38%  
(ii) 3,7%.

(b) 28 February 1990.

## Blacks: old-age pensions

291 Mr B B GOODALL asked the Minister of Planning and Provincial Affairs:

(1) (a) How many Black persons in the Republic applied for old-age pensions in 1989 and (b) how many of these applications (i) had been (aa) granted and (bb)

HOUSE OF ASSEMBLY

# Dispossessed Fingos can now buy back land

GRAHAMSTOWN. — Twenty years after being dispossessed, 246 titleholders from Grahamstown's Fingo Village are being given the chance to buy back their properties.

But there is now uncertainty about what is to happen to the people currently living on the properties. One of the residents said they had not been consulted or warned about the plan.

Fingo Village was one of the few areas in the country where African people could own land. But in 1970, African landowners in the township were expropriated because they were to be moved to Committee's Drift.

After a long struggle against the removal, the government called it off in 1982. *Swat 17/5 - 22/5/90*

Mr B.B. Zondani, the chairperson of the Fingo Village Ratepayers' Association, said the Rini Town Council had

resolved earlier this year that the original property owners be given 60 days in which to buy back their properties.

The town council has been given 44 of the sites, which belong to private individuals, by the East Cape Development Board (ECDB). The other properties belong to other bodies such as churches and the Grahamstown Municipality.

## Preference

Zondani said: "The people who are staying in those properties are going to get first preference to buy the properties". *(271)*

Mr Zondani said his association fought so that property owners could retain their properties.

Current residents fear they may now have to move. One person living on these sites said: "We know nothing about this development, nobody consulted us or warned us, we saw it in the newspapers". — ANA





Chiefs  
Sebogodi and Dadelik  
Majafa.

## Anti-homeland pressure likely

PRESSURE groups in West Germany are to petition President FW de Klerk to reverse the incorporation of Leeuwsfontein and Braklaagte into Bophuthatswana.

This was said by the "exiled" leaders of the Western Transvaal communities in Johannesburg yesterday.

Anti-homeland chiefs Papsey Sebogodi and Dadelik Majafa arrived from Germany where they briefed members of the South African Council of Churches Covenant Project on repression under incorporation.

By MATSHUBE MFOLOE

They said they were assured of support after "fruitful consultations" with various organisations in Germany.

A letter would be sent to De Klerk in which the twin villages would request:

- \* The reversal of the incorporation of the villages into Bophuthatswana;
- \* Urge President Mangope to withdraw his security forces from the villages.

Ciskei government: recognition by SA

\*13. Mr A E DE WET asked the Minister of Foreign Affairs: *Hansard 22/5/90* B1058E

- (1) Whether the South African Government has officially recognised the present Ciskei Government; if so, when, if not,
  - (2) whether the South African Government is considering doing so; if so, when will it do so; if not, why not?
- Hansard 22/5/90* B1058E
- The MINISTER OF FOREIGN AFFAIRS.
- (1) No.
  - (2) Consideration will be given to the matter in due course

Former inhabitants of Ngonkqweni: resettlement

\*14. Mr A E DE WET asked the Minister of Foreign Affairs: *Hansard 22/5/90* B1059E

- (1) Whether he has discussed with the current Ciskei Government the resettlement of the former inhabitants of Ngonkqweni on the land originally occupied by them, if so, (a) when and (b) with what results, if not,
  - (2) whether he will intercede with that government on their behalf, if not, why not, if so, when?
- Hansard 22/5/90* B1059E
- The MINISTER OF FOREIGN AFFAIRS.
- (1) The Deputy Minister of Foreign Affairs discussed the matter with the Council of State of Ciskei
  - (a) 7 May 1990
  - (b) The Council of State reacted positively to the resettlement of the former inhabitants at Ngonkqweni.
  - (2) Deliberations are held on a regular basis with the Council of State in this regard

Citizen Force members: arms/ammunition bought *Hansard 22/5/90*

\*15 Mr K M ANDREW asked the Minister of Defence: *Hansard 22/5/90*

Whether any arms or ammunition were sold and/or are being sold to individual members of Citizen Force units in the Cape Peninsula or anywhere else in the Republic, if so, (a) where, (b) why, (c) what arms and ammunition, (d) on what conditions and (e) on what basis are the prices of these items calculated?

*Hansard 22/5/90* B1060E

The MINISTER OF DEFENCE

Yes.

- (a) At all Citizen Force Units.
- (b) The weapons were phased out and the selling thereof to members of the Permanent Force, Citizen Force and Commandos has been part of the South African Defence Force's disposal procedures since 1961
- (c) .303 rifles, .38 revolvers and small arms ammunition.
- (d) Members
  - must be serving members with at least 5 years service,
  - must be in possession of a valid firearm licence;
  - may only buy one of a specific type of weapon; and
  - may not dispose of such weapons within 5 years of purchase, except in the case of finalisation of the members' estates.
- (e) Weapons are sold at book value plus General Sales Tax. Phased out ammunition is sold at purchase price plus General Sales Tax. Other small arms ammunition is sold at contract price plus General Sales Tax and a levy of 15%

Medical aid societies: funds for employees of local authorities *Hansard 22/5/90*

\*16. Mr J VAN ECK asked the Minister of Planning and Provincial Affairs.

- (1) What are the names of the medical aid societies or funds which are available to employees of the local authorities for the various race groups in the Cape Province,
- (2) whether employees of such local authorities are free to join any of these societies or funds, if not, *Hansard 22/5/90*
- (3) whether any employees are compelled to join medical aid societies or funds whose membership is restricted to one particular race group; if so, which (a) medical aid

societies or funds and (b) local authorities are involved, *Hansard 22/5/90*

- (4) whether any consideration is being given to changing rules compelling employees to join such societies or funds, if not, why not; if so, what steps have been taken in this regard?
- Hansard 22/5/90* B1061E
- The MINISTER OF PLANNING AND PROVINCIAL AFFAIRS.

The MINISTER OF PLANNING AND PROVINCIAL AFFAIRS.

- (1) Local Authorities Medical Aid Fund (Cape) (LAMAF)
  - Whites
  - Pro Sano Medical Aid Scheme
  - All race groups
  - Bonitas Medical Fund
  - All race groups
- (2) No, in respect of LAMAF
- (3) Yes.
  - (a) Local Authorities Medical Aid Fund (Cape) (LAMAF)
  - (b) All local authorities established in terms of the Municipal Ordinance, 1974 (Ordinance 20 of 1974) and the Regional Services Councils Act, 1985 (Act 109 of 1985)
  - (4) No. In terms of its rules, eligibility for membership is determined by LAMAF itself.

Eastern Transvaal: atmospheric pollution

\*17. Mr B B GOODALL asked the Minister of National Health and Population Development. *Hansard 22/5/90*

- (1) Whether her Department has ceased financing the monitoring of atmospheric pollution in the Eastern Transvaal by the Council for Scientific and Industrial Research, if so, why;
  - (2) whether this project is to be resumed in the future, if so, when; if not, why not;
  - (3) whether she or her Department has received any representations regarding such monitoring, if so, (a) from whom and (b) what was the (i) purport of and (ii) response to each such representation?
- Hansard 22/5/90* B1063E

The MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT *Hansard 22/5/90*

- (1) Yes, temporarily, in order to switch to a system where tenders are allocated for this task by the State Tender Board. Previously, this task was executed as a part of a CSIR research project,
- (2) yes, as soon as tenders has been allocated,
- (3) no. *Hansard 22/5/90*

SADF: IEM

\*18. Mr R J LORIMER asked the Minister of Defence. *Hansard 22/5/90*

- (1) Whether the Council for the Environment's procedures on Integrated Environmental Management (IEM) have been brought to his notice and/or that of the South African Defence Force, if so,
  - (2) whether the Defence Force is developing IEM procedures as a part of its internal physical development and planning procedures; if not, why not; if so, what progress has been made in this regard,
  - (3) whether the Defence Force is utilising IEM philosophies and procedures in the management of the land under its control; if not, why not, if so, with what results;
  - (4) whether the Defence Force will feed back its experiences and opinions on IEM to the Council for the Environment to assist the latter in improving and refining IEM procedures and guide-lines; if not, why not; if so, when?
- Hansard 22/5/90* B1064E
- The MINISTER OF DEFENCE.
- (1) Yes
  - (2) and (3) As a result of the guide-lines for Integrated Environmental Management issued by the Council for the Environment work is now being done on the policy and procedures for the application thereof in the South African Defence Force. The impact of the utilisation of Integrated Environmental Management philosophies and procedures will thus only be available in due course
  - (4) Towards the end of 1990.



# Govt<sup>CMT</sup> again<sup>T.M.V.</sup> shelves<sup>23/5/80</sup> Mier<sup>(87)</sup> land Bill<sup>(24/5/80)</sup>

## Political Staff

THE controversial House of Representatives legislation for Mier, which provides for the sale of land in the remote North-Western Cape community, has again been shelved.

The chairman of the Ministers' Council in the House of Representatives and leader of the Labour Party, Mr Allan Hendrickse, said yesterday that he had instructed that the Mier Rural Areas Bill be dropped from the order paper for the time being.

In a statement released by his office, Mr Hendrickse said he first wanted to discuss the proposed legislation with all interested parties.

A meeting had been arranged in this connection for this afternoon, the statement said.

A spokesman said representatives of the Mier community were expected to be at the meeting.

The Bill had been scheduled for debate this afternoon.

The Surplus Peoples Project (SPP) said in a statement yesterday that the residents of Mier had been horrified to hear the Bill was to be discussed today in the House of Representatives.

They had not been consulted and once again had to rush to Cape Town, more than a thousand kilometres away, in a desperate attempt to stop the Bill.

SPP said thousands of people could be dispossessed of their land if the Bill became law.

# 'Black spot' land to be returned?

*Cart Times 23/5/90*

*271*

By BARRY STREEK  
Political Staff

THE government last night stopped the sale of former black-owned agricultural land which had been expropriated for consolidation or to remove so-called "black spots".

The move will make it possible for areas like Mogopa, near Rustenburg, to be restored to their original inhabitants.

The decision to stop selling the former black-owned land was announced last night in a joint statement by the Minister of Agricultural Development in the House of Assembly, Dr Kraai van Niekerk, and the Minister of Education and Development Aid, Dr Stoffel van der Merwe.

They pointed out that President F W de Klerk announced during his budget vote that the Land Acts of

1913 and 1936 would be revised. These laws have prevented black people from owning agricultural land outside the 13% land, including the homelands, demarcated for black occupation.

This has resulted in blacks being prevented from buying farms since 1913 and the Land Act has long been cited as one of the original apartheid measures.

In their statement, Dr Van Niekerk and Dr Van der Merwe announced that "no agricultural land, which had previously belonged to black communities, and had been expropriated at an earlier stage in accordance with the previous consolidation policy, will be sold forthwith.

"Various inflated rumours regarding the sale of land are in circulation. "These rumours are hereby positively nullified," they said.

Their statement did not give any further details about these rumours.



Dr Van Niekerk



Dr Van der Merwe



## M-Net broadcasting licence

\*13. Mr D J DALLING asked the Minister of Home Affairs.

Whether, with reference to his reply to Question No 29 on 20 March 1990, the consideration of the application by M-Net with regard to amending its broadcasting licence has been completed, if not, why not, if so, with what result?

B1124E

## The MINISTER OF HOME AFFAIRS.

No, further particulars were requested. The matter is therefore still under consideration.

Mr P G SOAL. Mr Chairman, arising from the reply of the hon the Minister, when does he anticipate the Cabinet will take a decision and, secondly, what is his personal recommendation with regard to the suggestion that M-Net should be allowed to broadcast news?

The MINISTER. Mr Chairman, it will be done in a matter of weeks and the decision will be taken by the full Cabinet. There are no personal recommendations in this regard.

†Dr P W A MULDER. Mr Chairman, further arising out of the hon the Minister's reply, how extensively is he prepared to consult with a view to the recommendation to the Cabinet on the M-Net situation?

†The MINISTER. Mr Chairman, all possible relevant information is being gathered and after it is available, a decision will be taken. It should take place within weeks.

## The MINISTER OF LAW AND ORDER.

(a) to (c)

Three of the cases to which the hon member refers, namely those of Lydia Mazibuko, the Majoli family and the Mize family, are being investigated under the personal supervision of General Stan Schutte. The investigation of these cases has almost been completed and it is anticipated that they will shortly be submitted to the Attorney-General for his decision.

Victor Langa lodged a charge of assault at the South African Police, Plessislaer, after he had been arrested on a charge of attempted murder. However, this complainant refuses to assist the Police in their investigation. He informed the investigating officer that he would convey the information at his disposal to the Police, via his attorney. He was also not prepared to reveal the identity of his attorney. Up until now, no further information has been received from him or his attorney. He is at present awaiting trial on the charge of attempted murder.

In the instance of Lucky Ndllovu, no record of the complaint that was alleged to have been lodged, could be traced. If he would still like to lodge a complaint, it would be appreciated if he could immediately make an affidavit available to the South African Police.

\*15 Mr L Fuchs — Justice [Withdrawn]

## St Lucia wilderness area: KwaZulu

\*16. Mr J CHIOLE asked the Minister of Development Aid †

(1) Whether any portion of KwaZulu falls within the boundaries of the new larger St Lucia wilderness area; if so,

(2) whether the Government intends removing the portion concerned from the said wilderness area, if not, why not, if so, (a) in what way, (b) when and (c) what is the size of this portion? B1137E

## The MINISTER OF DEVELOPMENT AID.

(1) No. To avoid any misconception I however wish to point out that there is a portion of KwaZulu (Reserve No 1) which is surrounded by the St Lucia wilderness area.

(2) Falls away

B1125E

## Dukuduku forest: Black squatters

\*17. Mr J CHIOLE asked the Minister of Planning and Provincial Affairs:†

(1) Whether there are any Black squatters living in the Dukuduku forest near St Lucia; if so, (a) (i) how many are estimated to be living in this forest at present and (ii) in respect of what date is this figure furnished and (b) since when have they been squatting there;

(2) whether the Government intends taking any steps to remove these squatters; if not, why not; if so, (a) what steps and (b) when? B1139E

†The MINISTER OF PLANNING AND PROVINCIAL AFFAIRS

(1) Yes.

(a) (i) Estimated 400 families.

(ii) 30 April 1990.

(b) Squatting commenced immediately after the 1987 floods and gained momentum during 1989.

(2) The Department of Environment Affairs and the State Attorney have already instituted legal proceedings, and in terms of the *sub judice* rule, neither my colleague the Minister of Environment Affairs nor I can supply any further information at this stage.

## Smutsville: referendum

\*18. Mr A GERBER asked the Minister of Planning and Provincial Affairs:†

(1) Whether, with reference to his reply to Question No 4 on 15 May 1990, his Department and/or the Cape Provincial Administration has been informed that the town council of Sedgefield held a referendum among the Coloured community of Smutsville in connection with the settlement of approximately 35 Black families in their area; if so, what was the result of the referendum?

(2) whether his Department has been informed what steps the said town council has taken or intends taking in this regard; if so, what are the relevant details.

(3) whether these steps are in accordance with the policy of his Department? B1140E

†The MINISTER OF PLANNING AND PROVINCIAL AFFAIRS

(1) No. The Cape Provincial Administration ascertained telephonically from the Town Clerk of Sedgefield that a referendum was held on 8 November 1989. Of the 500 registered voters 114 voted against the settlement of Blacks in Smutsville and 21 voted in favour thereof.

(2) No

(3) As the reply to question (2) supra is no, it is not possible to supply an answer in this regard.

## INTERPELLATIONS

The sign \* indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language.

## Own Affairs

## New education models: additional information

Mr A GERBER asked the Minister of Education and Culture:†

(1) Whether he has submitted any additional information on the two new education models to the bodies which he had approached to advise him on them before 15 June, if so, what are the relevant details.

(2) whether at that time this additional information was also made available to opposition parties in the House of Assembly; if not, why not, if so, when? B1160E:INT

\*The MINISTER OF EDUCATION AND CULTURE. Mr Chairman, with reference to the two questions asked in the first part of this interpellation, my reply is that additional guidelines and not information, have in fact been given only to the advisory bodies on a confidential basis for assessment of the models, or for further inputs. The reply to the second part of the interpellation is no.

\*Mr A GERBER. Mr Chairman, what is happening in this House this afternoon is simply

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South 716 - 13/6/90

# 'Give our land back'

By CHRISTINA SCOTT  
DURBAN — Six farming communities have launched a "give our land back" campaign after years of concerted state efforts to clear Natal of "black spot" settlements.

About 160 000 people clinging to inherited freeland farms, hemmed in by white farmers since the 1913 Land Act, have been in limbo since forced removals were officially stopped five years ago.

The ending of forced removals was followed by the introduction of "forced voluntary removals", according to Association For Rural Advancement (AFRA) fieldworker, Mr Richard Clacey.

Each landowner wants the expropriated title deeds and mineral rights and a notice in the Government Gazette reprieving all threatened areas. But restoration of the land and a guarantee that boundaries will not be redrawn to fit inside KwaZulu are no longer enough, a community representative said.

A protest memorandum of the farming communities said:

"Some of us have had our land stolen by a stroke of the government's pen. Others of us have seen our families and tenants driven into resettlement camps while we waited in a state of insecurity about when we would be forced to follow suit.

"All of us have had to face bullying officials, threats and intimidation. Some of us have stood helplessly by as government officials have destroyed our schools and churches.

"All of us have been deliberately denied any help with the development of our community.

"All this has been done by a government which we have never had the opportunity to elect."

The men of Mawane's Kop, Steinkop, Roosboom, Stoffelton Stepmore and Cornfields were kept waiting for an hour on Monday before they could deliver the memorandum to Development Aid ministry officials in Pietermaritzburg.



# Peelton people to return home at last

W/Mail 8/6-14/6/90

By PHILA NGQUMBA

THE people of Peelton were due to return to their homes yesterday, seven months after a massive crackdown when the forces of Ciskei's President Lennox Sebe drove them away.

An agreement between the community and the South African government last week paved the way for their return, and the date was fixed earlier this week.

The community, about 850 people, had demanded their area be reincorporated into South Africa, or alternatively that the area be administered by South Africa rather than Ciskei. They also demanded compensation for property destroyed by Sebe's forces.

Their lawyer, John Smith, said government had problems with the demands since they did not want to create a precedent for other communities. After consultations with the Mass Democratic Movement and the African National Congress, the residents' association agreed that the demand was for re-incorporation into a post-apartheid South Africa, rather than the present one.

Smith said because winter was approaching, the community decided to go back and continue their fight for

re-incorporation. The group is living outside King William's Town in a tent town called Chikane village.

The settlement was named after the general secretary of the South African Council of Churches, Frank Chikane, who intervened to support them.

Albert Whittles — fieldworker for the Border Council of Churches — who also attended last week's talks, said the South African government had undertaken to continue paying pensions to residents regardless of where they decided to live.

The government also agreed to continue processing pension applications, to maintain residents' South African citizenship and to compensate residents whose houses were demolished.

Whittles said the residents were to meet Ciskei's new military ruler, Brigadier Oupa Gqozo, this week to clarify Ciskei's position on compensation for confiscated belongings and livestock.

The people of Nkqonkqweni village in Peelton hit the headlines last year

when Sebe's forces moved in to demolish houses and confiscate property. Many people were detained while the rest were taken to remote areas of Ciskei.

This came after many years of resistance by the community to incorporation into Ciskei. The village is divided from the rest of Peelton by a railway line, which also formed the border between Ciskei and South Africa for some time.

When Ciskei took action, a state of emergency was declared and the area sealed off. The community sought refuge in a Catholic Church in King William's Town.

At first, South Africa threatened to return the community to Ciskei but after a massive outcry, and direct intervention by Chikane and many others, agreed to find land in South Africa for the group.

Since then, the group has lived in terrible conditions in Chikane Village. But with the coup that toppled Sebe, there were hopes that the group could return home, especially when Gqozo said the community would be welcome to return. — Veritas

1951

FRIDAY, 22 JUNE 1990

1952

areas were persons moved, (c) in what specified areas were they resettled, (d) why was it necessary to resettle them and (e) how many persons were resettled in each case?

B1012E

*Hansard 22/6/90*  
The MINISTER OF DEVELOPMENT AID:

Yes.

(271)

(a) Continuously.

(b) (i) Zaaiplaats, district of Groblersdal;

(ii) Cornfields, district of Estcourt;

(iii) Inanda Dam Basin, district of Ndwedwe in KwaZulu;

(iv) Grootspruit (KwaNgema), district of Wakkerstroom.

(c) (i) Langkloof, district of Witbank;

(ii) Boschhoek/Craig, district of Estcourt;

(iii) Ntuzuma Town, district of Inanda; higher up in tribal area, district of Ndwedwe and Waterfall/Langefontein, district of Pinetown;

(iv) Elsewhere in KwaNgema, district of Wakkerstroom.

(d) (i) At the request of the families concerned and the KwaNdebele Government;

(ii) In terms of consolidation proposals, on voluntary basis;

(iii) Due to the building of the Inanda Dam;

(iv) Due to mining

(e) (i) 23 families;

(ii) 33 families;

(iii) 23 families;

(iv) 29 families

GST

450 Mr J J WALSH asked the Minister of Finance: *Hansard 22/6/90*

What amount in general sales tax was derived from (a) individuals, (b) companies, (c) the (i) building and construction, (ii) retail, (iii)

wholesale, (iv) manufacturing and (v) service sectors, and (d) any other specified sources, in the 1989-1990 financial year?

B1042E

*Hansard 22/6/90*  
The MINISTER OF FINANCE:

Statistics which distinguish between payments of sales tax by individuals and companies are not maintained. For statistical purposes collections of sales tax are analysed only under the groups specified below.

The analysis for the 1989-1990 financial year is as follows:

(i) Commercial	R 9 606 937
(ii) Manufacture	3 028 707
(iii) Taxable Services	1 348 664
(iv) Farming and Forestry	96 485
(v) Printing and Publishing	206 152
(vi) Fishing	1 435
(vii) Auctioneers	28 914
(viii) Mining and Quarrying	80 435
(ix) Accommodation/Hotel	344 610
(x) Financial Leasing in respect of Goods	1 525 752
(xi) Renting of Goods	275 375
TOTAL	R16 543 466

## Sales tax irregularities

451. Mr J J WALSH asked the Minister of Finance: *Hansard 22/6/90*

(a) How many cases of irregularities in respect of sales tax were discovered in 1989 and (b) what is the amount of tax involved?

B1043E

The MINISTER OF FINANCE:

(a) 11 554 cases of irregularities in respect of sales tax were discovered in 1989.

(b) Amount of tax involved: R188 265 832

Amount of penalties: 106 479 223

Total amount involved: R294 745 055

## TPA hospital posts

454 Mr A E DE WET asked the Minister of National Health and Population Development: *Hansard 22/6/90*

1953

FRIDAY, 22 JUNE 1990

1954

(1) How many posts had been established as at 31 December 1989 for (a) nurses, (b) paramedics, (c) medical staff, (d) administrative staff and (e) other staff at each hospital falling under the control of the Transvaal Provincial Administration;

(3) (a) how many applications were made from each of these hospitals in each category for the unfreezing and filling of posts in 1989 and (b) how many applications were (i) granted and (ii) refused in each case?

(2) whether any posts at these hospitals were frozen as at 31 December 1989; if so, how

B1047E

## The MINISTER OF NATIONAL HEALTH AND POPULATION DEVELOPMENT:

(1)	(a)	(b)	(c)	(d)	(e)
Head Office	26	—	1	3	18
A G Visser	134	3	12	20	100
Amajuba	72	1	9	12	74
Andrew McColm	239	—	—	23	145
Baragwanath	4 101	265	589	517	1 938
Baragwanath Nursing College	81	1	—	22	35
Ernest Bond Laundry	—	—	—	4	231
Barberton	239	3	22	30	191
Bernice Samuel	20	1	8	4	41
Bethal	141	4	18	47	212
Bloemhof	14	1	3	2	14
Boksburg-Benoni	684	16	94	114	492
Dunswart Laundry	—	—	—	4	412
Brits	68	1	10	9	45
Carolina	52	1	4	6	44
Christiana	36	—	5	5	35
Coronation	760	64	166	111	426
Coronation Nursing College	23	—	—	7	—
Delareyville	14	—	4	2	20
Duvelskloof	19	—	3	5	31
Edenvale	151	12	40	23	250
Ellisras	88	2	7	15	91
Elsie Ballot	13	—	3	2	23
Ermelo	249	4	18	30	164
Evander	82	4	4	12	46
F H Odendaal	122	3	17	17	99
Ga-Rankuwa	2 111	85	273	251	332*
Ga-Rankuwa Health Laboratory	—	—	24	4	165
Ga-Rankuwa Nursing College	37	—	—	10	—*
Gen Delarey Memorial Hospital	40	3	8	6	54
Groblersdal	24	1	5	6	35
H A Grové	12	1	7	2	26
Hendrik van der Bijl	212	3	25	39	180
H F Verwoerd	2 004	320	600	571	1 772
S G Lourens Nursing College	83	—	—	11	3
H A Grové Research Centre	1	1	—	4	32
Hillbrow	1 105	194	251	326	1 017
Ishelejuba	83	1	3	12	28*
J D Verster	47	3	6	9	47



010425/7/90 (271)

# Threatened rural people get reprieve

MARITZBURG — Residents of rural communities Cornfields and Thembalihle, living under threat of removal since 1966, have been granted official reprieves for "humanitarian reasons", a Department of Development Aid spokesman confirmed yesterday.

And the predicament of former residents of Steincoalspruit and Roosboom, "black spots" where land was expropriated and residents forcibly removed over a decade ago, was under investigation, the spokesman said.

Meanwhile Association for Rural Advancement (Afra) spokesman Richard Clacey said these relocated residents were now seriously considering going home.

The latest Afra newsletter says 11 188 Steincoalspruit residents were relocated in 1978, and a total of 7 353 of Roosboom's residents were relocated between 1975 and 1977.

One other area, Matlwane's Kop, had previously been reprieved.

He said that despite the government's commitment to suspend forced removals in 1985, an official reprieve was necessary because government had embarked on a policy of "encouraging" relocation after 1985.

Government had, after 1985, "forced incorporation of communities into the bantustans and developed more subtle strategies to

TIM COHEN

achieve the removal of communities in the name of apartheid development", Clacey said.

The latest reprieves were evidence of the beginning of a new phase in government policy, he added.

Clacey speculated that the new policy was a consequence of the government's recent abandonment of the homelands policy, which meant that the necessity to induce communities to relocate was redundant.

The Department of Development Aid spokesman said the reprieves meant that people who had freehold rights to land in the reprieved areas could return to their land.

## Squatters

The department announced on May 22 that no expropriated African rural land would be sold.

But this only applied to those with title to the land, and not to "squatters", the spokesman said.

Clacey questioned this interpretation, saying that legitimate tenants of those with freehold rights ought to be allowed to return as well.

In addition, Afra had called for the establishment of a development programme for the reprieved areas, he said.

The department spokesman said this would be assessed by a committee established for the purpose.

# The battle for land: Hopeful Mogopa tribe back in court

By JO-ANNE COLLINGE

THE protracted struggle of the people of Mogopa to return to the Ventersdorp farm from which they were unlawfully and forcibly removed in February 1984 shifts into focus in the Appeal Court in Bloemfontein today.

The court will be asked to rule whether the government has a right to evict members of the Bakwena ba Mogopa tribe who began re-occupying their land from late 1988.

The appeal is against a decision of the Pretoria Supreme Court in May last year, where it was ruled that the arguments raised by the people of Mogopa were inappropriate to eviction.

The government's right to evict was therefore held to be valid. But, in the face of government opposition, implementation of the eviction was delayed pending the outcome of today's appeal.

Mogopa people approach the Appellate Division with optimism — it was this court which ruled nearly five years ago that their initial removal was unlawful.

Section 5 of the Black Administration Act — under which they were removed — has been scrapped. The Transvaal Rural Action Committee said: "If the state does not return the land to the people who clearly deserve to return, what hope is there of a resolution of complex

land issues in a new South Africa?"

Trac observes: "The state is hypocritical in protecting its own ownership rights and those of white people, because when it comes to the property rights of black people who have owned and worked the land for decades, those rights are completely ignored."

The Mogopa defence against eviction rests on the argument that the government's expropriation of the land is invalid and is attacked because:

- It does not fulfil the requirement in the Expropriation Act that it is carried out for a "public purpose". The land has been leased to whites for grazing.

- It was executed in bad faith and for the ulterior purpose of circumventing the decision that the removal was unlawful.

- The Minister of Co-operation and Development, as trustee of the Mogopa land, transgressed his legal obligation to act in the best interests of the Mogopa by authorising the forced removal while proceedings were in the balance; ordering the expropriation of the land.

- The actions of the government are in bad faith, because section 5 of the Black Administration Act has now been repealed and other "black spots" — including Mathopetad and Motlala in the Western Transvaal — have been reprieved.





The skeleton of a land filled with pain. But tranquillity is being restored as the defiant people return to Mogopa

Pictures: JUSTIN SHON

# Life returns to a haunted land and hunted people

**T**HIS is a story of enduring love. Of a seven-year battle against enforced separation. And a willingness to risk all in this refusal to submit.

It is the tale of a people and their land, the farm known as Mogopa in the Western Transvaal district of Ventersdorp.

News headlines have trumpeted the experience of Mogopa as a fight against the apartheid policy of forced removal. And so it is. But it is a fight motivated not in the first place by antagonism to the government but by an indestructible attachment to this restful stretch of land, coloured even and shaped gently uneven, and nurturing of its humble owners.

Nearly seven years after their brutal removal — behind the weapons and the deterrent force of about 100 policemen — about 250 families are back at Mogopa. They are there without permission.

And the minister of development aid will have to deal with the passionate love of the Bakwena ba Mogopa for their land. Because, in terms of an unprecedented Appeal Court order, he must begin negotiations on September 20 in an attempt to reach an out-of-court settlement of the ineradicable grievances caused by South Africa's last "black spot" removal.

In 1983 the Department of Co-operation and Development began its first coercive attempts to get the Bakwena ba Mogopa to leave the land which their forefathers had bought in 1916. Government bulldozers moved down the hillside into the settlement and schools, churches and clinics were reduced to rubble. So were the houses of a sector of the community — a minority — who moved as Pretoria wanted them to.

But many people stayed on despite the removal of their water pumps, the termination of the bus service, difficulty in getting their pensions and pass book endorsements. They ploughed, they saw the rains come — and they waited.

On November 18 1983 the magistrate of Ventersdorp arrived in the village. It was a week day. Few of the working men were present. It was a crowd of women and worn men who heard that the state president and the minister of co-operation and development had signed an order in terms of which they were compelled to leave the farm by November 28 or be removed "with force".

A copy of the order was pinned to an old bluegum tree that rose above the heart of the stone-built settlement.

After years of persistent defiance the people of Mogopa simply returned to their land. Now the government must repair the damages of seven years of forced exodus.

By JO-ANNE COLLINGE

A last ditch court application to have the order declared invalid failed.

On the evening of November 28 church leaders converged on Mogopa — Anglican Bishop Desmond Tutu and Reformed Church leader Dr Allan Boesak being only the most prominent of a substantial group. They brought in their wake the international press corps. They prayed deep into the dark and drizzly night with the people — on the hillside, where camera lights dazzled occasionally, lighting the faces from which streams of angry words poured.

In the sad grey morning, people summoned by a bell to the hillside grouped together for comfort as they waited for the vehicles of destruction.

The removal trucks did not come that day. Nor the next. They chose St Valentine's Day 1984 to enter the village under cover of darkness and behind policemen toting guns.

Loudhailers in the pre-dawn wakened people to the last days at Mogopa. Residents were bundled into buses, their belongings heaped on to trucks — and they were taken forcibly to Pachsdraai, the government-selected resettlement area near Zeerust. Old men were swept away still in their pyjamas. Children were lost by their families.

Reporters, cameramen, lawyers and supporters of the Mogopa cause were kept at bay by the police. They followed the buses and the buses eventually had to stop along the road. Inside, people wept without sound, frozen in their shock, pathetically grateful at the hint of help from outside.

But the people of Mogopa did not remain passive. They rejected Pachsdraai and declared themselves refugees. They moved to the Bakwena ancestral land at Bethanie near Brits.

Rejoicing accompanied the exodus from Pachsdraai. It seemed that people were drunk with the heady wine of defying those who had reduced their homes to heaps of stone and mud.

But it was a joy misplaced. A few families, well compensated for their homes at Mogopa, were able to build at Bethanie. Others — those who had depended on subsistence crops and were now landless — lived miserably.

Tin shacks rested precariously on barren red clay, among thorn trees. Drinking water, tinged similarly red, was available only in a distant water hole shared with the livestock.

Into this misery, with the thrill of lightning, came the Appeal Court judgment of November 1985: the Mogopa removal was illegal because the removal order was defective.

But still the government refused to allow the people to return to the land Ventersdorp, which it had expropriated and leased to white farmers.

Realising Pretoria's intransigence, the Mogopa people decided to cut their losses. Churches abroad raised money for the refugees to purchase a former mission farm, Holgat, and start anew. The purchase offer had been accepted, but the change of ownership had yet to be registered, when the government expropriated Holgat.

The people of Mogopa decided a defiant reoccupation was their only recourse — a reoccupation to be attempted under Emergency rule.

The government warned it would meet defiance with force, that it would stand in the way of the convoy of trucks. The then minister of development aid, Gerrit Viljoen, offered a compromise: he would help shift people out of Bethanie to a temporary site near Sun City and would endeavour within three months to negotiate a suitable permanent home.

The Bakwena ba Mogopa, gathered under a bright mimosa tree, considered the options. Some of the youth warned that Viljoen could not be trusted, it was a ploy by the government to defuse the situation. But the majority decided to accept the compromise.

And, within days there were curious scenes in Bethanie of residents joyfully dismantling their homes and welcoming the removals trucks with their distinctive "hot cross bun" logo. The third move of the people of Mogopa was underway.

Whether Viljoen lied to the people of Mogopa is open to question. That the net result of the move was not what he promised is clear.

Months passed; a year and more. The only land offered to the Bakwena was patently unsuitable. Eventually peoples' patience expired. Life under these rootless and barren conditions was not more precious than death.

Having obtained permission to return to Mogopa temporarily to maintain the graves of the ancestors, a core of old men simply put up their shacks and sank their roots into Mogopa.

It was late 1988. They have not left since. For a year they lived in dreadful



The unfinished school is being rebuilt for the second time

solitude. They wintered there alone. They lived by trapping small game. At the end of a year, there were perhaps 70 permanent residents.

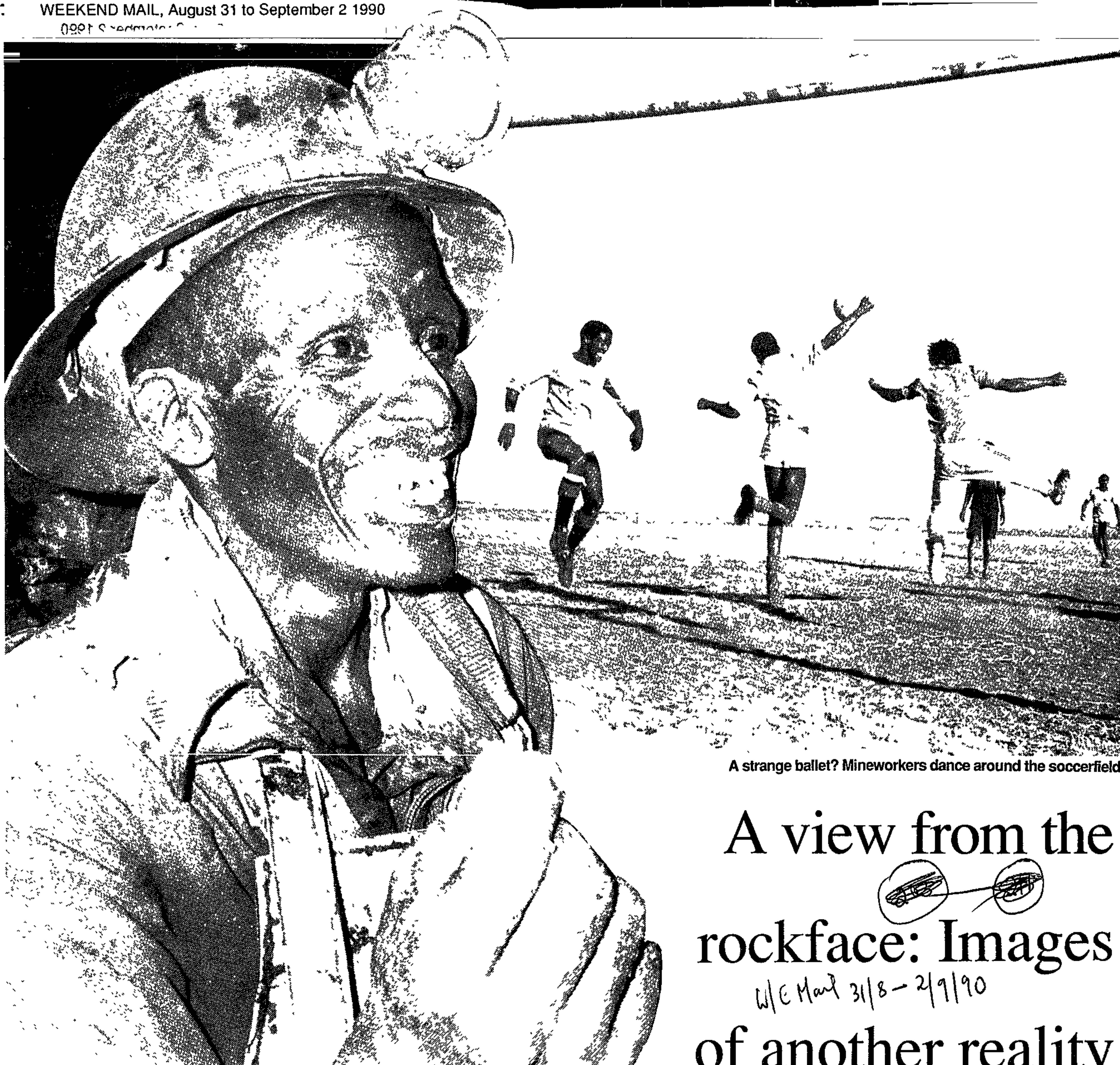
In early 1990, the real return began. At least 800 people are living in a strange landscape — tranquil yet haunted. Huge piles of rubble, the skeleton of a village, dominate the scene. But there is life within this — livestock, the glint of new zinc shacks, an unfinished school (re-

erected for the second time).

This refusal to be cowed is what the government will have to contend with in negotiating with Mogopa in the name of reform. It has conceded ground to "squatters" involved in mass land invasions. Elsewhere it has reprieved "black spots" from removal.

Can it offer a lesser deal to a people whom it unlawfully and forcibly removed and whose seven years of wandering is the state's own doing?





A strange ballet? Mineworkers dance around the soccerfield

## A view from the rockface: Images of another reality

W/E Mar 31/8 - 2/9/90

A beam of light in the darkness ... 'Gumboots' has been a mineworker since his youth



**F**ROM newspaper reports, one might believe that life on the mines is an ongoing battle marked by labour conflict, racial tensions and violence.

Life in the hostels as a migrant labourer, far away from home and family, offers few comforts. It is filled with frustration, loneliness — and anger.

Providing accommodation for families on the mines would go some way to solving their problems.

But has anyone asked the migrants what they want? And perhaps they do not want to leave their homes in faraway places. Yet they cannot earn a living in impoverished homelands.

But behind these facts lies another reality — that of the stubborn vitality of men who wring South Africa's wealth at the rockface.

They use it to forge another, more joyous, existence.

These images from the Free State gold fields were captured by Weekly Mail photographer JUSTIN SHOLK

A pigeon trapped in machinery becomes a meal for a miner



**T**HE first necklacing murder was committed in a township whose name belied the gruesome act as well as the lives of its residents.

It's called kwaNobuhle — the place of beauty, near Uitenhage: a description far from true for any but the most wealthy sections of a township.

The first occurrence in the Transvaal of this horrific invention was in another township with a misbegotten name — Duduza, which is meant to be a soothing place, but is not. In the Free State there's supposed to be happiness in Thabong but for most of this year its residents have lived in fear of their far-right neighbours in Welkom — a town in which they were not welcome, except as labourers.

There is something particularly South African, in keeping with "apartheid culture", about the official place names scattered around the country — a deliberately misleading practice that started with Acts of Parliament after the Nats took over the reigns of power in 1948.

The Suppression of Communism Act meant what it intended, but the euphemistically-named Mixed Marriages Act gave the law the powers to do exactly the opposite — no mixed marriages and imprisonment for any couple who dared to make white blood impure. And the purpose of the Extension of Universities Education Act was to prevent another impurity by abolishing integrated education, even if only a few black students ever entered the hallowed groves of academia.

Granted that this Act did "extend" universities by setting up establishments in the bush, but they were still not towers of learning. There was no academic comparison between Turfloop and the University of the Witwatersrand, as the students forced to trek to the northern Transvaal and Zululand for their education made clear often enough. They held strikes, boycotted classes and took other disruptive actions that led to the slogan "liberation before education"

That was rule by law — dictatorial — rather than the rule of law under which democracies are supposed to live. And all South African governments have claimed to be democratic, despite evidence to the contrary.

Then there's rule by propaganda. The first townships, known then as "locations", were given names that were memorials to people — Sophiatown outside Johannesburg after the wife of a land developer; Lady Selborne beyond Pretoria for the wife of a colonial master; and kwaMashu in Durban is the Zulu corruption of Marshal, the name of the farmer who previously owned the land. The inspirational names of the new-

er townships have been imposed by officials who think residents can be persuaded to believe that their lives under apartheid are as happy as those of their masters in, say, Sandton for those living in Alexandra township within sight of the posh Johannesburg suburb. Apparently some do believe the propaganda, if the number of rattle-trap cars bearing stickers which declare their love for that "dark city" are taken into account.

Alex was a bad enough slum when I skulked along its potholed streets, some of them cut off by *dongas* and streams in which sewerage floated. Only those denizens of the night, *tsotsis*, didn't skulk in the dark city which had no street lights. It is, sadly, much worse now, more of a sewer than a slum. The survival of freehold rights are about all that can be said in favour of Alex, although some residents will possibly disagree.

There is something peculiarly South African about the inspirational names bestowed on townships by officials deemed to know what is best for their residents, says  
**ARTHUR MAIMANE**

On a grander scale is the homeland named Bophuthatswana by propagandists in Pretoria. How could they believe that the jigsaw pieces of land allocated to the baTswana were enough to be a homeland for all of them when they obviously couldn't cope even for a weekend with a gathering of a fraction of all the baTswana.

North of mmaBatho, the Bop capital, is a bigger city with a gory name that was only too apt in the last century: Bulawayo — "where people are killed" — as they were by the Ndebele

kings who had fled into what is now Zimbabwe from the Zulu impis in Natal.

History does not say how many were executed in Bulawayo; and it is still not certain how many have been murdered in the current bloodbath along the Witwatersrand. Be it 500 or 600, the fighting has, unfortunately, provided proof that however inspirational the imposed names of the newer townships, the residents are not overjoyed by their lot as the wretched of a potentially wealthy land.

Phola Park on the East Rand has been a war zone rather than a place of relaxation. Neither has Kagiso been a place of peace; Thokoza a township in which to rejoice nor Katlehong the home of success. One name that was not imposed by propagandists and has the same gruesome ring of authenticity as Bulawayo is Mshayazafe — beat him to death. The residents of this

squatter camp accepted the name, whoever first thought it up, and Mshayazafe has been the scene of death and brutality during the Natal fighting.

Unlike the official name for a squatter camp in the Cape, Khayelitsha. The inspired propagandists expect its squatters to believe that the shacks they live in can be praised as new homes. The same goes for Letlhabile — "the sun has risen". It is the site to which the residents of Oukasie, near Brits, were forcibly "re-settled". And "resettled" is another false word.

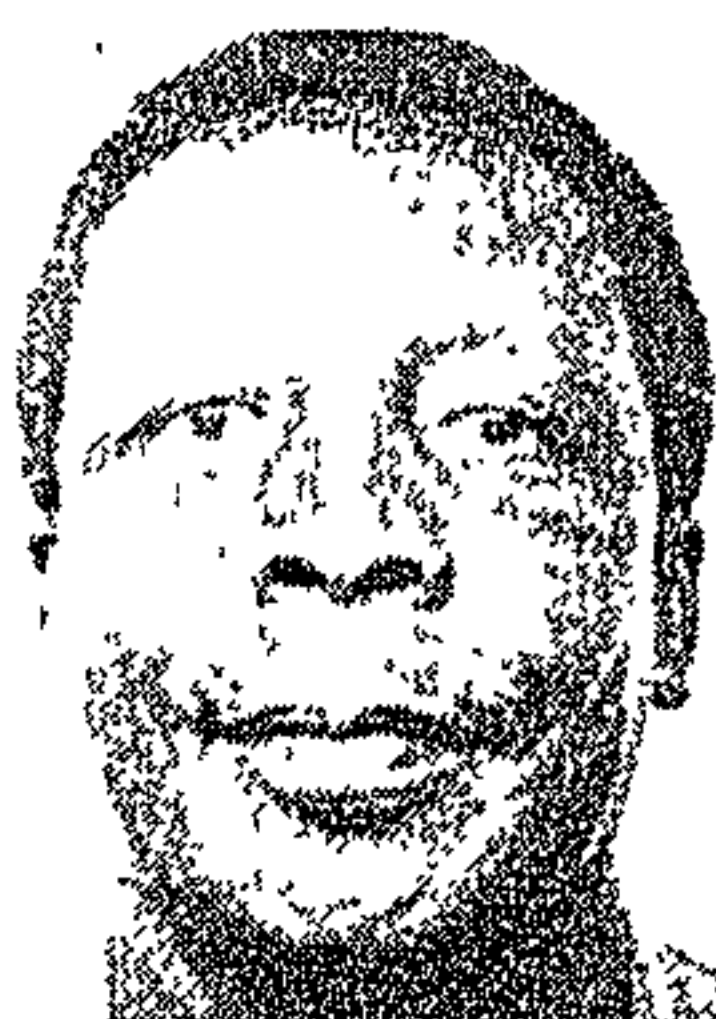
The Free State boasts Thabong as well as Botshabelo — "a place of refuge". The immediate question the name raises is why any African should require a place of refuge in his native land. The name has turned out to be prophetic now that its residents are refusing incorporation into Bophuthatswana.



## The ironies of South African place names



20/9/87



Mr Ernest Mcunu . . . create more positions for blacks.

## More top jobs for blacks (FS) demanded SMC

By Winnie Graham

South African business has been challenged to create more opportunities in management and in top executive positions for black men and women.

Mr Ernest Mcunu, a member of the executive board of the SA Institute of Management, believes this is the only way the country will be able to sustain its economic survival and compete favourably against other countries.

Writing on the frustrations of potential black executives in an SA Forum Position Paper, he says many black managers claim they have to be superstars in order to receive the same rewards as their white counterparts.

They believe they must consistently exceed their superiors' expectations of them.

Mr Mcunu writes: "A great

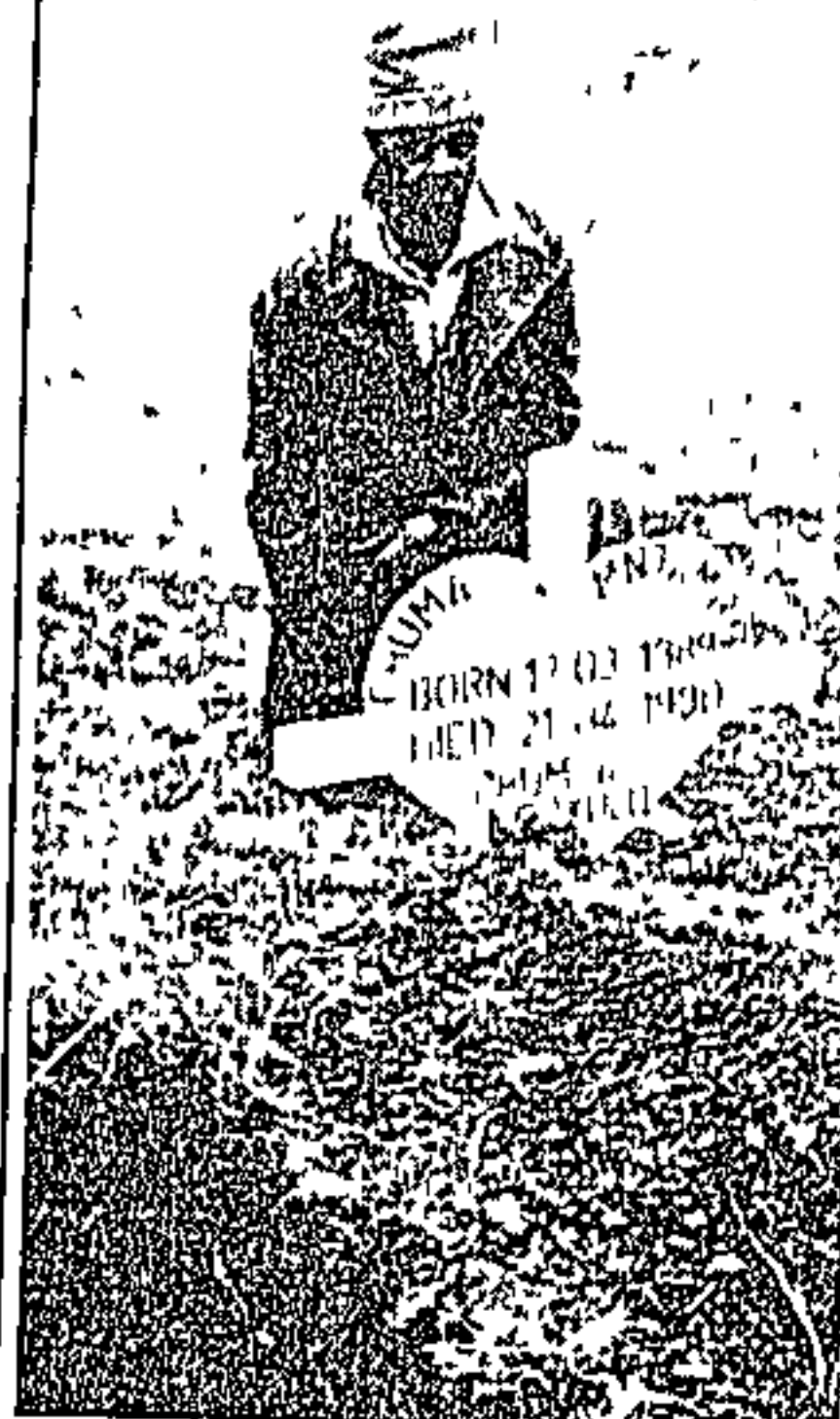
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MR LOMARIE said that a  
capital increase for the  
Bank, which he said should  
be \$40 to \$80 billion, was  
essential to expand its  
lending programme.  
"Courageous reform ef-  
forts are being hampered  
by a shortage of financial  
resources," he said. —



# Fingoes could regain paradise

By BILL KRIGE



GRAVESIDE VIGIL ... Hoses Hlela at the grave of a Fingo child

THE promised repeal of the Land Act has kindled hope in a small uprooted Fingo community, many of whom yearn to return to farms granted in perpetuity by Queen Victoria.

And their attempts to go home may create one of the first major rows over the explosive issue of land reform in a future South Africa. Things have changed in the 12 years since the last of 510 families in a "black spot" on the beautiful Tsitsikamma coast were loaded at gunpoint into buses and relocated to the Ciskei.

The area they occupied for 140 years — between Storms River and Humansdorp in the East Cape — was sold to white farmers who now nervously await political developments.

They know they stand in the path of a dream which many Fingo leaders believe may at last come true.

This weekend, a delegation left for talks in the Transvaal with another dispossessed group, the Mogopa clan of the Bakwena tribe in the Western Transvaal, to investigate a joint strategy.

The Fingoes hope to stoke fires which burnt fiercely as late as 1982 — four years after armed police dismantled the last homes and loaded the furniture and livestock of black bitterenders.

In 1982, Parliament debated the issue — just before dawn after an all-night sitting in the very last business of the session. It saw the PFP accuse the Government of insensitivity, cruelty and foolishness.

And it heard an explanation for the Minister of Co-operation and Development, Dr Piet Koornhof's refusal to meet a Fingo delegation. They were Ciskeians and had not gone through the right channels.

Today, the once tight-knit Fingo community has fractured.

The unity forged by bitter resistance has been eroded by time and poverty. It has driven hundreds off to find work in the cities and even to the Tsitsikamma farms which once were theirs.

## Graves

Others have settled happily at Elukhanyweni near Keiskammahoek, 400km away. They look with pride on their accomplishments and have little enthusiasm for a crusade to recover a paradise lost.

Some see the graves of those who have died in Ciskei as a reason to stay. There are about 350 on the slopes of the Amatola foothills, almost half are for children.

"When we arrived here the children died like flies, mostly of dysentery," said Mr Hoses Hlela, 63, a retired provincial roads labourer. "In the first months when there was nothing for us there was one, sometimes two funerals a week."

Some whites on the land he left are sympathetic to the Fingoes' plight but dubious that bringing them back will serve anyone's interests.

## Wars

"My hope is that something is sorted out," said Mr Peter Korkle who, in 1982, became the first of 19 whites to work land allocated in trust by Sir George Grey under the seal of Queen Victoria.

"These people were given land in gratitude for their contribution in the Frontier Wars, for fighting their own people. It was taken away and they were fed back into the jaws of the lion — to the Xhosas they had fought."

In common with many Fingoes he believes they had a "raw deal".

"I have farm workers who are Fingoes and they bear me no grudge. I wouldn't like to move. I have worked hard and the farm cannot be compared to what it was seven years ago. If the Fingoes want it back — well I don't know. I will have to wait and see," he said.

## Tech probe

A COMMITTEE appointed to investigate alleged problems affecting the administration of the M.L. Sultan Technikon in Durban will sit from November 1 to 30.

## Muslims get own political party

By NORMAN WEST, Political Reporter

THE first national Islamic political party in South Africa is to be launched later this month. It is the brainchild of the principal of a Cape Town private college, 36-year-old Mr Naushad Omar, a quantity surveyor.

The three main aims of the Islamic Party of South Africa will be to promote the ideology of Islam in the social, political and economic fields in a post-apartheid South Africa; to protect the interests of Islam and Muslims; and to make contact with political parties in other countries to strengthen the Pan-Islam Movement.

Mr Omar said that in the past the Muslim community and Muslim civic bodies have aligned themselves with other groupings who fought for a nonracial and anti-apartheid South Africa. The new party will offer them a new "political home".

## CAN YOUR SON SING?

The Drakensberg Boys Choir School has vacancies for boys who will be in Standards 2 to 5 in 1991. If your son has a good voice (not necessarily trained), and maintains a good academic standard, give him the opportunity to become a member of this world renowned choir.

Write to:  
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NNS 8



**T**HE government's announcement that the Land Acts of 1913 and 1936 are to be repealed can only be welcomed. These laws have had devastating consequences for millions of black South Africans, dispossessing them of their land and birthright.

They have created a situation where Africans may own land only in the bantustans and whites own 87 percent of South Africa.

Clearly they are terrible laws and must go, but what will be the effect of their abolition? In announcing the imminent repeal of these laws, President FW de Klerk has assured whites that their property rights will be protected. The Land Acts have played their role — they have destroyed black property rights and have entrenched white privilege. To drop them now will have only a minimal effect on the racial distribution of the land; only a tiny portion of blacks have the capital necessary to buy land at current prices.

The timing of the repeal is significant. White ownership of most of South Africa needs to be legitimised before a majority government comes to power. Laws which prohibit one section of the population from land ownership on the basis of race do not bode well for the prospects of white land owners under a black government. In this context, the fundamental ideological shift in government policy is a matter more of expediency than true reform.

Whatever the motivation, the abolition of the Land Acts will have immediate and immense effects in the rural areas. There is potential for both positive results and terrible destruction. If not done carefully, the abolition may lead to dispossession on a far worse scale than that caused by the policy of forced removal.

In most instances black property rights are not reflected in legal documents like title deeds. This does not mean that blacks have no property rights, it means that the state prohibited them from having such documents. Neither are legal restrictions on black ownership of land limited to white areas. There are restrictions in the homelands as well. These are complicated, but most stem from the policy that blacks should not own land, but that their land be held in trust by the state on their behalf.

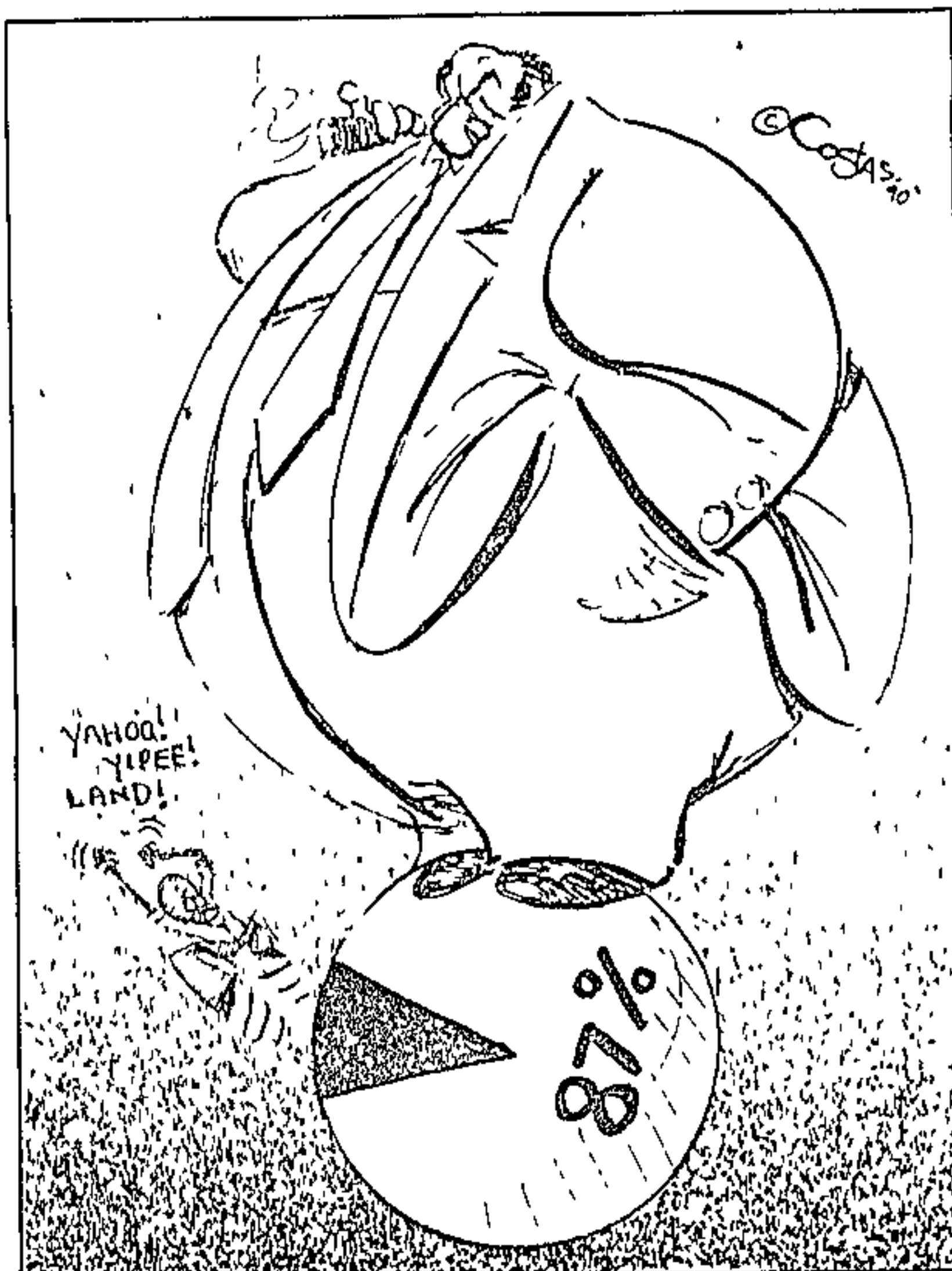
While the land in these areas may be nominally owned by the South African Development Trust, or a homeland government, or a chief, it is in fact occupied by millions of individual families and communities. In many cases these people have rights to particular pieces of land — whether by grants, certificates of occupation, purchase or inheritance. The fact that these rights are not registered on title deeds is a result of the bizarre and complicated maze of regulations, reservations and overlapping trusts that the state has imposed on black areas.

If these areas are simply opened up to the "free market", many people who have owned and occupied land for generations may find it sold from under them

# Reform and the tragic legacy of racial land laws

*The Land Acts cannot be undone simply by their repeal at this late stage. They must be carefully untangled to prevent even greater dispossession than forced removals.*

**BY ANINKA CLAASSENS**



by the nominal owners of the land. If this happens, there will be as much resistance as there was to the policies of "betterment", forced removal and incorporation into bantustans.

Rural people have suffered terrible and irremediable losses through the implemen-

tation of these policies. Now the state is introducing reform. It would be bitterly ironic if this "reform" finally dispossesses people of their real rights to land in the name of "private property" and the "free market".

We cannot wish away the legacy of ra-

cial land laws, it has to be carefully undone in a way which confirms the rights to land which exist in practice and not in documentation. For there to be stability and equity, the legal system must reflect the reality on the ground, and occupants and owners must be given documents that secure their status.

Constitutional Affairs Minister Gerrit Viljoen has commented on the need for transitional arrangements to protect specific community interests, especially those regarding land tenure for traditional communities and agricultural settlements. We hope this means protection for existing rights. But we can do no more than hope. The process of consultation is a closed one and the people whose destinies it shapes are not included. Instead, the matter is negotiated between the government and the homeland leaders — the nominal owners of most of the land in the 13 percent of South Africa set aside for black occupation. They are the very people who stand to gain from the sale of land — land which is densely populated by people who inherited it from their great-grandparents, land full of resettlement camps.

The occupants of this land have not been consulted about the proposed reforms, the government cannot claim that it does not know who they are. Viljoen himself has met some of them. There are rural communities all over South Africa who have petitioned the government about their land rights, whether in the context of removal, incorporation into homelands, secession from homelands, or security where they are.

There are also academics and lawyers who have done work on how the repeal of the Land Acts could be done in such a way as to confirm existing rights rather than destroy them. They have not been consulted or included in the working group which the state has set up with the homeland leaders.

It is a matter of great urgency that the process of developing a new legal framework be opened up to those with a direct interest and that the state draw on the expertise and knowledge of practitioners who have worked in the minefield area of black land rights for years. This is necessary to minimise the potential damage to existing rights and settlements of people should the Acts simply be repealed in a vacuum.

Beyond the defensive position of protecting existing rights is the issue of undoing the legacy of rural apartheid law and policy. When Viljoen was asked whether the reforms meant that people previously dispossessed of their land would be given first option to acquire land, he told *The Citizen* this principle would lead to a complete revolution throughout the world, beginning in the United States and Australia.

It is cynical to compare the situation of indigenous people who lost their land centuries ago in wars of conquest with that of the victims of forced removals in our country. Here we are talking of communities like the Monnagotlas, the Mfengu and the Bakwena baMogopa, whose land was expropriated in the last few decades, sometimes less than five years ago. They live in impoverished resettlement camps, and in many cases their land lies fallow, still registered in the name of the government.

If the present government does not have the grace to return such land to its rightful owners, it will find itself faced with innumerable court cases challenging the legality of its expropriations, with land re-occupations and with disillusionment and bitterness. When it tries to sell this land it will completely discredit its new non-racial land market — and rightly so.

Care and consultation are necessary to minimise the possible damage should the Land Acts be repealed in a vacuum and to undo positively the damage caused by this terrible piece of legislation.

© Aninka Claassens is a senior research officer at the Centre for Applied Legal Studies.



# Mogopa land dispute taken off roll

THE postponed appeal on the Mogopa land dispute has been removed from the roll of the Appeal Court in Bloemfontein for November 20.

The appeal was postponed by the court on August 24 this year to allow the parties to negotiate a possible settlement.

It is understood that the negotiations are progressing well, but that no settlement has so far been reached.

The appeal is against the confirmation of a "rule nisi" of February

24, 1989, whereby all members of the Bakwena ba Mogopa tribe - except those with written permission from the Minister of Education and Development Aid - had to vacate the farm Zwartrand and remove all residential structures.

Mr Justice W J van der Merwe, in the Transvaal Supreme Court on May 2, 1989, ordered that, if the members of the tribe did

not comply with the order within seven days of its issue, the Minister of Agriculture and Water Affairs and the Minister of Education and Development Aid were authorised to have the people and structures removed.

The Commander of the SA Police at Ventersdorp was authorised, with members of the SAP, to assist.

When the appeal of Mr

Daniel Molefe, of Zwartrand, and Mr Matheuw Mphse, of Mimosa section of the Onderstepoort Group Farms, who is chairman of the Mogopa committee, was called on August 24 Acting Chief Justice Mr Justice Joubert raised the question of a possible settlement.

After several hours of negotiation about a possible settlement, the

parties agreed to a postponement of the appeal to allow them to negotiate.

The appeal was postponed "sine die", with November 20 being suggested as a possible date for the appeal to continue if negotiations were unsuccessful.

The appeal has now been removed from the roll to allow more time for the negotiations.

The Mogopa tribe was moved from Zwartrand in 1983. The farm was later expropriated by the Government.

# SA land should be for all, clerics indaba told

*Sowetan 6/11/90*

SOUTH African Council of Churches president Dr Khoza Mgogo yesterday urged the National Conference of Churches in Rustenburg to adopt strategies to facilitate the re-distribution of wealth in South Africa.

Not to do so may retard the process of reconciliation, Mgogo said during the opening session.

"This conference must at least address one specific area. This is the question of land. We cannot avoid it," he said.

## Sowetan Correspondent

"The land must be returned to the people. The land cannot be owned by the few and worked by the many. The land is the future for the people and without it, the majority of the people will be lost."

## Issue

Mgogo said the issue of land could not be overlooked and would have to be at the forefront at every available op-

portunity during the five-day conference.

Leader of the Maritzburg-based Africa Enterprise Mr Michael Cassidy said the key question for the conference was whether it could confess, acknowledge and repent its "national sins", both before God and before those sinned against and to find a way to point and show the way to the future.

More than 250 delegates from 85 denominations are meeting at the Hunter's Rest Hotel near Rustenburg for the historic conference. - Sowetan Correspondent.



# Address land issue church told

JOHANNESBURG. — South African churches attending an historic conference near Rustenburg have been urged to adopt strategies to facilitate the redistribution of wealth.

The president of the South African Council of Churches, Dr Khoza Mgojo, told delegates attending the five-day National Conference of Churches that the process of reconciliation in South Africa would be retarded if these strategies were not adopted.

He urged the conference to address at least the question of land.

"The land must be returned to the people. The land cannot be owned by the few and worked by the many."

One of the aims of the conference, according to the Rev Barney Pityana, is to produce a joint document or a declaration setting out a set of Christian principles to be adhered to by a future South African government.

Pityana was the director of the Programme to Combat Racism of the World Council of Churches in Geneva. He was an executive member of the SA Students Organisation (Saso) and a confidante of Black Consciousness leader, Mr Steve Biko.

Pityana recently returned to South Africa after being in exile since 1977.



BARNEY PITYANA at the national conference of churches in Rustenburg this week

# ANC plea for sharing of South Africa

*Swelam 15/11/90*

*271*

*30*

THE ANC, in a report just released, has made an urgent plea for a major redistribution of land in South Africa as part of a State-run affirmative action programme, using nationalisation selectively.

The report is a detailed summary of last month's African National Congress Land Commission workshop, which was closed to the media.

It is the first in a line of comprehensive ANC documents which will form the basis for discussions towards a definitive ANC land policy, officials said.

Mr Derek Hannekom, administrator of the ANC Land Commission, said

what was notable about the workshop was that it highlighted the complexity of the South African land issue.

Discussions raised more questions than answers, he added.

## Report

The ANC expects its report will contribute to the growing debate on the emotive issue of land in the country - 87 percent owned by whites and the remaining 13 percent by blacks.

There was also an urgent need for a programme of affirmative action regarding the acquisition of land for black people and in support of aspirant black producers.

Importantly though,

the ANC said, the majority opinion was that nationalisation of land was not necessarily the only instrument for land redistribution.

The ANC said an example of the thoroughness of the workshop was that delegates went so far as to give detailed proposals on exactly how to compensate land owners whose land was acquired by the state - Sapa.



# ANC highlights state role in land issue

A REPORT on an ANC workshop on the land question, released by the organisation's land commission yesterday, shows widespread support for intensive state intervention in post-apartheid programmes to redistribute land. *BIDM 15/11/90*

Points raised at the workshop will be taken into account in the formulation of an ANC discussion paper on rural policy due to be completed before the end of the year.

Land commission administrator Derek Hanekom yesterday cautioned that the workshop, held last month, had not been a policy-making exercise. He said the report

ALAN FINE

should be seen as "the beginning of a process of consultation". It was the first time some of these concepts had been critically discussed. *271*

"It gave us a good understanding of people's aspirations. But the main thing to emerge from the workshop was the complexity of the issues," Hanekom said.

Participants included ANC regional delegates, rural community leaders and local and foreign specialists in various land-

□ To Page 2

## Land issue

related issues. *BIDM 15/11/90*  
A simulation exercise carried out during the week-long workshop suggested that a future government was going to find itself squeezed between people's aspirations and the power of the banks, he added.

The report said while nationalisation of land was seen as a means of acquiring land for redistribution, the dominant view was that land should not remain in state hands, but should be "given back to the people".

Arguments against fullscale land nationalisation included that it could cause economic collapse, increase state power and therefore potential for its abuse, and act as a disincentive against people carrying out improvements to the land.

The report argued the initial priority for state acquisition should be unused, abused, or under-utilised land. A second set of criteria would be those based on social considerations, where there had been human rights violations like forced removals.

Although initial discussions proposed the targeting for acquisition of farms owned by companies, this view fell away in favour of a system where taxation and other

aspects of agricultural policy should be geared to benefit individually and community-owned farms above company farms.

All land tenure forms should be permitted in a mixed economy, the report said.

Except in cases of unused and abandoned land, and cases of human rights abuses, the workshop adopted the view that compensation be paid for any land acquired by the state. A portion of the compensation — 25% — should be paid in cash and the remainder in industrial and 10-year government bonds.

The workshop examined land claims, for example by relocated individuals and communities to their original land, and the numerous areas of possible disputes.

Such disputes could arise, the report noted, between landowners and tenants, present and historical occupants, and claims based on chieftainship versus those based on civic associations.

It therefore proposed the establishment of a land claims commission charged with arbitrating on conflicting claims.

□ From Page 1



Alan Morris gives the background to the consumer boycott in Louis Trichardt

# 'Dumped' people fight back

See S112/40

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**T**HE present consumer boycott in the northern Transvaal town of Louis Trichardt has contemporary origins in that it is linked to the rise to local power of the Conservative Party and the hardening attitudes of local whites to black residents.

But the origins of the present militancy of black residents can be traced back to policies pursued very actively by the National Party Government and which they have never formally reversed.

The consumer boycott in Louis Trichardt is taking place in a context which bore witness to one of apartheid's worst forced urban removals.

In the early 1950s, the black residents of Louis Trichardt were removed from the existing township to a new township called Tshikota.

The rationale for the destruction of the original township is unclear, but was probably due to its being situated on a hill overlooking the town — the white residents had too clear a view of it.

Tshikota is only 2 km from the Louis Trichardt town centre but is not visible from the white group area. For most of its existence, Tshikota had a population of

about 6 000.

At some point in the 1960s, the authorities deemed that the new Tshikota township was too close to the white group area and thus had to be destroyed and its residents relocated.

The removal was set in motion in 1982, less than 30 years after the initial establishment.

By the end of 1985 there were only 40 families left and the authorities had destroyed most of the three and four-roomed houses they had built in the previous three decades. Perfectly solid houses were reduced to rubble.

In line with apartheid policies, the residents were removed to three different areas depending on the language spoken by the household head.

Venda-speaking residents were removed to a place called Vleifontein 25 km east of Louis Trichardt.

When residents were moved, they were promised that Vleifontein was to remain part of South Africa.

However, on April 1 1986, despite letters of protest, Vleifontein was incorporated into Venda.

Residents responded by electing a 12-person committee called the Vleifontein Crisis Committee (VCC) to negotiate the rescinding

of the incorporation.

If this was not possible, the VCC was to request that people be allowed to return to Tshikota.

Opposition to the incorporation was soon brutally crushed. All 12 members of the VCC were either detained or driven into hiding.

After nearly three months in detention, a great deal of which was allegedly in solitary confinement, the detainees were released. No charges were laid.

The main spokesman of the VCC was given 24 hours to leave Venda. The VCC was a spent force. Those members of the VCC who were not detained were forced, for their own safety, to leave Venda. None were able to return.

Tshikota's Shangaan-speaking residents suffered a similar fate to that of their Venda-speaking counterparts. They were moved 23 km away to a village called Waterval, in Gazankulu.

The Government's plans for the third linguistic group in the area, the Pedi, were the most bizarre. It planned to resettle Tshikota's entire Pedi population in Seshego, 107 km away, and most importantly for apartheid loyalists, in Lebowa.

Most of the 40 remaining fami-

lies in Tshikota are Pedi-speaking, the enormous distance they were expected to move having intensified their resistance.

Their main inspiration was an ex-headmaster of the local high school, Titus Kganakga. Mr Kganakga had lived in Tshikota since its establishment. He died in December 1987, aged 80.

Apartheid had already moved him once and he was adamant that he would not again witness the total destruction of his residential area. He was also determined to die in Tshikota and be buried next to his wife.

A letter written by him in May 1986, to Chris Heunis, then Constitutional Development and Planning Minister, sums up the feelings of the embattled community:

"It is clear to us that forced resettlement is nothing less than torture and tyranny to destabilise our families.

"The poor Vendas who have been resettled at Vleifontein, about 30 km away from Louis Trichardt, ... rue the day they ever thought of being relocated.

"They now have to pay R2 for a return journey to and from work when before relocation a return journey used to be only 60c.

"So also are the poor Shangaans

who have been resettled at Waterval also 23 km from Louis Trichardt. Some of these relocated people at Vleifontein and Waterval find it so burdensome to commute, that they were even indulging a hope of returning to the ruins of Louis Trichardt Location.

"They are really ruined by relocation, and really impoverished by the resettlement.

"If the conditions of resettlement are so abhorrent to the Vendas and Shangaans who still remain in the Soutpansberg and who have not lost their employment, to what degree will resettlement consume the Northern Sothos who are going to lose even their only source of living employment, dumped as they shall be 107 km away from their place of employment?

"The Northern Sothos staying in Louis Trichardt Location are employed and have no other source of income but their meagre wages ... Dumping them at Seshego 107 km away from their place of employment is just as good as throwing them in the street or veld, because they will not be able to pay their rentals unemployed. They appreciate their urban rights and will never out of free will desire to live in home-

lands ...

Mr Kganakga's letter, combined with general community requests to the Government to reverse the decision to remove Tshikota, received scant attention.

The Government, to this day, has never formally reprieved Tshikota. Instead it has allowed the township to decay.

The people participating in the present consumer boycott are people whose lives have been devastated by apartheid. The key question now is whether the Government will show it is truly committed to a new South Africa and allow those residents who were forcibly relocated back to their shattered township or whether the victims of apartheid are doomed to remain its victims as long as the National Party is in control.

The Government owes it to the black people of Louis Trichardt to rescind the relocation policy formally, to rebuild the shattered township and to facilitate the return of displaced residents to their old homes.

Merely to point fingers at the Conservative Party is not nearly good enough.

Alan Morris is a lecturer in the Department of Sociology at the University of the Witwatersrand. □



# Row as chief is deposed (271)

TENSION has gripped Mohlaetsi Village, where police have been deployed after Chief Kenneth "KK" Sekhukhune was deposed and replaced by another who is allegedly loyal to Chief Minister Nelson Ramodike.

Police spokesman, Lieutenant ML Tlomatsana confirmed that police were patrolling the area.

He said the situation was quiet but tense and feared that there could be attacks from both sup-

**By RUSSEL MOLEFE**

porters of the present and deposed chief.

Villagers said Mr Ryan Sekhukhune, the new chief, has refused them permission to plough in their yards, cut wood, collect cow dung and dig soil to rebuild their houses before paying a R50 levy to him.

They said this had not happened when "KK" Sekhukhune was still chief and are now demanding his reinstatement.

A villager, Mr Kgolane Daniel Hlakudi was served with summons to appear in the chief's court on charges of ploughing in his yard without paying a levy but did not go.

The villagers allege that Sekhukhune was now refusing to help people with pension and lost documents.

They said they were preparing to plough "no matter the consequences" and vowed that Sekhukhune may prepare "his guns as they prepare their

seeds". *Someday 27/12/90*

Last year over 600 people marched to his kraal where two men, Mr Nkoane Nixon Makgatha and Mr Baloshi Phala, were later shot dead allegedly by members of the Lebowa police.

The area remained tense yesterday and there was fear that an even bigger explosion may erupt than the one last year.

Tlomatsana said police were watching the area with a "critical eye" to avoid any violence that may erupt.

AFTER an eight-year struggle 58 families in Tshikota township, adjacent to Louis Trichardt, have won their battle against forced removal.

The news that Tshikota would remain a black township and be upgraded – after years of neglect – resulted in the defiant residents toyi-toying in the rubble-filled section already bulldozed by the authorities.

Now, however, residents are demanding that Tshikota be merged with Louis Trichardt to form a free settlement area with a single democratically-elected municipality.

The 58 families began the struggle for their right to stay after the Conservative Louis Trichardt Town Council decided in 1982 that Tshikota should be closed to black residential dwelling and that residents should be resettled in the homelands of Gazankulu, Lebowa and Venda.

Many families had already been forced to move before the 58 families decided to hold out.

The victory celebration for the families, the remainder of a once-thriving community of about 15 000 people, was the result of hard bargaining and protest action.

Tshikota was given a new lease of life this month when the government overruled the council's 1982 decision to resettle residents and demolish the township.

A daunting task awaits the residents in rebuilding their township, though. Tshikota is a mass of rubble, without infrastructure.

The Louis Trichardt council has already demolished many houses, churches and clinics. There are no sports fields or recreation facilities; residents use communal taps; there is no electricity and the bucket system is still in use.

According to chairman of the Tshikota Residents' Committee, Lazarus Legong, 35, the town council had earmarked Tshikota for a white residential area. Tshikota and Louis Trichardt are divided only by a street.

Legong, a school principal who defied the Department of Education and Training by spearheading the anti-removal campaign and was transferred from Tshikota as a result, said trouble between residents and authorities started in 1984 when families were divided according to their ethnic groups.

"Shangaans, Pedis and Vendas were living side by side in harmony before this division," said Legong.

Children, too, were divided in schools when the authorities established schools for all three groups.

Tshikota was established in 1957 in terms of the Black Consolidation Act, and residents came from a hill overlooking Louis Trichardt from the north.

Forced removals in Tshikota started in 1979 when over 7 000 people were moved to Vleifontein, about 27km from Louis Trichardt, before Vleifontein was incorporated into Venda.

Legong said Vendas were later moved to HaTshikota near Vleifontein, Shangaans to Waterval and Pedis to Seshego. Bulldozers then moved in and flattened all empty structures – but the 58 families refused to budge.

"We formed the Tshikota Residents Committee to oppose the move," said Legong.

The committee tried without success to resolve the dispute with the Transvaal Provincial Administration. They were instead given an ultimatum to leave Tshikota or their houses would be demolished.

**Tshikota Residents' Committee chairman, Lazarus Legong.**

"We approached the Legal Resource Centre for assistance in fighting our case and the Transvaal Rural Action Committee also stepped in to offer us assistance."

However, the committee also used other strategies and blacks from other areas who work and shop in Louis Trichardt started support committees that embarked on work-stayaways, protest marches and consumer boycotts.

## 58 families said 'NO' and forced government to stop removals



(271)

30/12/90



# VICTORY FOR THE PEOPLE OF TSHIKOTA

C/Pres 30/12/90

By ELIAS MALALUKE



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# Alex land row just one more chapter in a saga

8/0ay 31/12/90

THE furore over the proposed sale of 3 600 old stands in Alexandra is one more episode in a saga that has spanned 32 years of the township's 78-year history.

The Alexandra Civic Organisation (ACO) has locked horns with the Alexandra Town Council over its plans to sell the stands — some of which accommodate nine families — on freehold title to tenants who had been there the longest.

ACO president Moses Mayekiso contends that the council has no right to sell property on which more than one family resides; in fact no right to sell the property at all since it is still a subject of negotiations between ACO, the TPA and the council.

Resettlement of the original owners of the stands began in 1958 when the Peri-Urban Health Board took over as administrator. Previously the township was run by a health committee.

In 1961 the then manager of Bantu Administration of the board, CH Kotze, said the board was buying black-owned property in Alexandra as part of a plan to turn it into an area exclusively for Africans employed in the suburbs north of Johannesburg.

Most of the stands were worth about £1 400 with improvements, Kotze said.

"I don't think many of the stand-owners who have sold get the whole £1 400 or so into their pockets. Most of them have bonds and other charges on the properties," he added.

The stands were bigger than most in African townships, but many were grossly overcrowded. Policy was to lease the houses to blacks from Johannesburg's northern suburbs, not to sell them, Kotze

THEO RAWANA

said. According to one newspaper report, when the board took over Alexandra in 1958 there were about 96 000 people living on 415 morgen — an area that could hardly house 40 000 on a sound family basis.

The board began the removal of blacks, mainly tenants, to Meadowlands in February 1959 and then to Diepkloof and finally to Tembisa.

By 1961, 6 653 families — a total of 34 354 people — had been rehoused at Meadowlands and Diepkloof.

The Native Resettlement Board provided free passage to the new homes and the Peri-Urban Board supplied a day's rations on the day of removal.

By 1963 government had made it clear it planned to turn the township into a single-sex hostel complex.

It was commonplace for landowners to receive letters from the board offering to buy their properties — giving them 30 days to make up their minds and submit claims for compensation.

By 1965 the population of Alexandra had been reduced to about 11 000. The board had pledged that the removal would be completed by 1970. By 1969 families were being moved at the rate of 15 a day.

But now the population has swollen to about 120 000 through the influx of squatters and the sprouting of hostel complexes.

Alexandra was granted a reprieve in 1979, and in 1987 township administrator Steve Burger offered properties for sale. The Alexandra Town Council, which came into office in 1988, continued with the drive to sell the old properties.



RESETTLEMENT. —1991

occurred at 9pm.

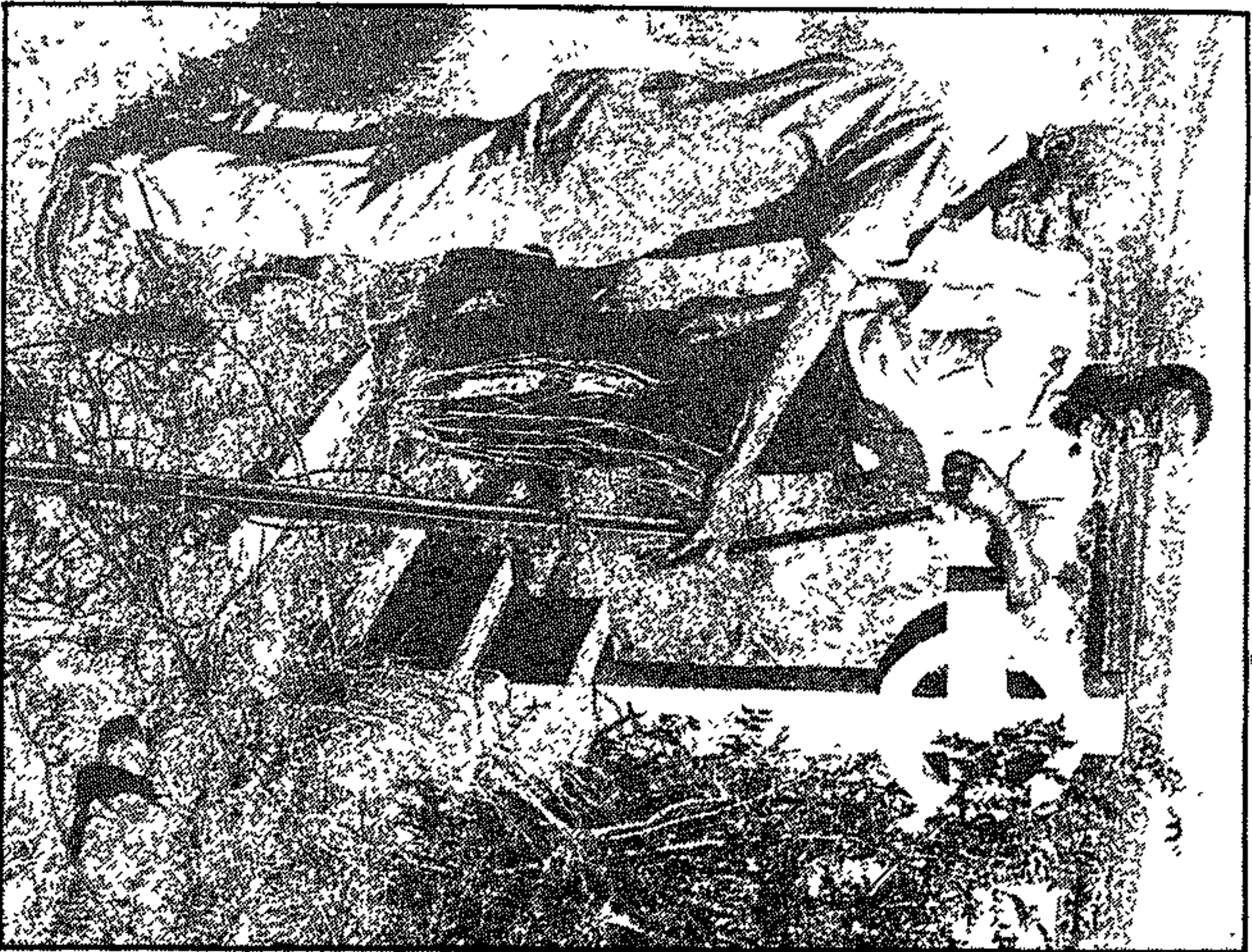
## Threat to remove tribe

POTCHEFSTROOM. — Eighty members of the Barolong tribe who were forcibly removed from their tribal lands in 1971, have been warned by the town council they will again be evicted after they re-occupied the land, called Machaviestad, yesterday.



# Uprooted tribe poised for confrontation with Govt

By Montshiwa Moroke



Land row . . . Israel Motsamai and Johannes Seroalo by the grave of a person called "Stuurman", in the resting place of their ancestors at Madiboa. Picture: Alf Kumalo.

The Barolong-Ba-Modiboa community, who were uprooted from Machaviestad near Potchefstroom more than 20 years ago, seem to be poised for a confrontation with the Government over the question of land.

Tribesmen returned to the land of their birth at Matlaong (also known as Machaviestad) on December 22 after they had been granted permission to remain there while they visited the graves of their ancestors until December 26 1991.

They intend remaining on the land, which they consider theirs.

On December 27 the town clerk arrived at Matlaong and told the people to leave.

They showed him the document permitting them to stay there for a year.

Yesterday, Johannes Seroalo, a spokesman for the tribe, said a white employee of the Potchefstroom Town Council had arrived with four policemen and told them their time to stay

on the land was up. They were told to leave the area.

A convoy of local and overseas pressmen met a truck carrying the four policemen.

Mr Seroalo said: "We came back here because this is our ancestral land."

Yesterday's spirit of resistance was reminiscent of that which resulted in the police being called to effect the removal of 184 families to Rooigrond near Mafikeng and to Ikageng, Potchefstroom's black township.

## Ceded

Ken Margo of the Transvaal Rural Action Committee, which together with the South African Council of Churches (SACC) sponsored the Barolong's reoccupation of Machaviestad, said the tribe claimed that the land had been ceded to them by Voortrekker leader Hendrik Potgieter in the late 1830s, but the document, called the Patch Kontrak, which could back up their claim, has been lost. The Government has not ac-

cepted the claim to Machaviestad, and has said that because the Barolong have no title deed, they are squatters.

In spite of resistance from the tribe from 1907 to 1971, they were continuously urged to move.

In 1968/9, the Department of Co-operation and Development agreed to give land to the Machaviestad people in a region referred to as Rooigrond.

The tribe rejected the offers and wanted to take the matter to court.

Shortly thereafter, people said they were surrounded by police and told to sign a blank piece of paper, which they said they saw years later in Mmabatho as a document agreeing to move.

On August 1 1971, Government trucks moved the Barolong to Rooigrond, and each family received about R18,50 as compensation for their houses. About 37 families moved.

The families believed they had only moved temporarily until their intended court case settled the matter.



# Barolong facing forcible removal

POTCHEFSTROOM — Eighty members of the Barolong tribe, who in 1971 were forcibly removed from their historic tribal lands called Machaviestad outside Potchefstroom, are faced with forced removal today after they re-occupied the land yesterday.

Their reoccupation of the land was issued as a direct challenge to the "free market" principles under which President F.W. de Klerk is expected to remove one of the last vestiges of apartheid, the Land Acts, within the next few weeks.

The Machaviestad land belonged legally to Potchefstroom municipality, which leased it "on a nonracial basis for grazing purposes", said acting town clerk Andries Viljoen yesterday.

He warned 75-year-old Ismael Seroalo, the vice-chairman of the Matloang Committee which is undertaking the resettlement action, that his people would be forcibly removed today if they refused to go voluntarily.

## Trespassers

Viljoen said the town council had given the Barolong people permission between December 21 and 26 1990 to visit and restore the graves of their ancestors at Machaviestad. However, due to a typing error on the municipal document which indicated the date of December 26 1991, the people decided to remain on the land until that date, he said.

Viljoen told them of the typing error and said they were now considered trespassers by the municipality.

He disagreed with their method of attempting to reoccupy the land and said the municipality would probably ask the police to charge people with trespassing if the people, now living in tents, remained there.

Seroalo said the 80 people would refuse to move — and that more people would be

settling there as soon as more tents could be found.

Ken Margo of the Transvaal Rural Action Committee, which sponsored the re-occupation, said the Barolong claim that the land was deeded to them by Voortrekker leader Hendrik Potgieter in the late 1830s — but the historical document which could back up their claim has since been lost.

Moroka, the famous Tswana chief, offered the Voortrekkers hospitality and military aid and in return asked them to recognise his headmen and chiefs and not interfere with them or their land.

Moroka died in 1840 but this agreement was officially recognised after 1885 in a document called the Patch Kontrak.

Government has not accepted the claims to the land, and said that because the Barolong had no title deed, they were squatters.

In 1968/69 the Department of Co-operation and Development agreed to give land to the Machaviestad people in a region referred to as Rooigrond.

The tribe rejected the offer and wanted to take the matter to court. At a meeting shortly afterwards, people said they were surrounded by police and told to sign a blank piece of paper — which they said they saw years later in Mmabatho as a document agreeing to move.

On August 1 1971, government trucks moved the Barolong to Rooigrond, and each family received about R18,50 as compensation for their houses. About 37 families moved, some with their cattle; others went to homelands or the township of Potchefstroom.

The families believed they had moved only temporarily until their intended court case settled the matter.

For 14 years, the people of Machavie have lived at Rooigrond in the hope that they would win a court case or that the contract would be rediscovered by historians. — Sapa.



## Police arrest 25 members of tribe

TWENTY-FIVE members of the Barolong tribe, who were removed from their tribal land of Machaviestad near Potchefstroom, were arrested for trespassing by police on Wednesday.

They appeared in the Potchefstroom Magistrate's Court on charges of trespassing and were freed at R150 bail each, according to Transvaal Rural Action.

By MATSHUBE  
MFOLOE

The group will again appear in court later.

Members of the tribe were given permission by the Potchefstroom Town Council to visit and restore graves of their ancestors between December 21 and 26 1990. Because of a typing error on the municipal document, which indicated the date December 26 1991, the community decided to remain on the disputed land until that date.

# Removing squatters 'not our job'

Star 4/1/91  
The police have issued a statement emphasising that police action in arresting 25 members of the Barolong-Ba-Modiboa community near Potchefstroom on Wednesday night did not involve removing the people from the land, but was merely a response to a complaint laid by the owner of the land.

"It must be immediately said that it is not the task of the SAP to remove squatters from any premises whatsoever," said Deputy Minister of Law and Order Johan Scheepers.

When police were approached they would, however, provide protection to owners who had the legal authority to remove squatters from their property.

"In the case of trespassing, police will investigate and take appropriate action," he said.

He said that police "have in the past never been involved in the physical removal of squatters from squatting settlements or the breaking down of their shacks".

A police presence in these cases was strictly confined to providing protection to authorities, Mr Scheepers added.

He said those arrested for reclaiming land at Machaviestad (Matlaong in Tswana) were brought before court yesterday and "the matter therefore now rests with that authority". — Sapa.

● Tribesmen out on R150 bail —  
Page 6.



# Trespass accused get bail

The Argus Correspondent 271

JOHANNESBURG. — Twenty-three of the 25 members of the Barolong-Ba-Madiboa community who were arrested at Matloang near Potchefstroom on Wednesday night for re-occupying their dispossessed land, have been released on bail of R150 each.

Two boys, aged eight and 15 years, who were also taken into custody when police swooped, were released without bail.

The men and the boys, who looked haggard after spending a night in jail, appeared before Mr Piet Myburgh in the Potchefstroom Magistrate's Court charged with trespassing.

The granting of bail followed two short hearings. The hear-

ing was initially postponed until Friday as lawyers for the defendants and the prosecutor could not reach agreement on bail.

However, as the case was "very sensitive", the senior state prosecutor contacted the Attorney-General after the accused's first court appearance who instructed bail to be set at R150, according to the defendants' lawyer, Mr James Sutherland.

The hearing was postponed to February 20.

The accused are Alfred Matlawe, 55, Piet Kwena, 65, Andries Mabaso, 46, Solomon Dinkebogile, 48, Esau Matlau, 65, Josiah Loate, 40, Alfred Masitile, 58, Jacob Magoro, 45, Wil-

liam Tsimane, 53, Ismael Motsamai, 78, and Moses Booysen, 76, Koos Kwena, 62, Ismael Seroalo, 75, Eskia Kobedi, 64, David Mokate, 65, Lavios Lerefole, 42, David Mathibe, 55, John Mathibe, 42, Lucas Rapulane, 62, Gabriel Gabaotswe (age not established), Sakaria Phakedi, 37, R J Ntsimane and Josiah Kgosimang, 47.

● The tribesmen were charged with trespassing by the Potchefstroom Town Council. The Barolong returned to their ancestral land on December 22 and re-occupied the land they had been evicted from in 1971.

They refused to heed the December 26 deadline set by the Potchefstroom Town Council.

# Court releases Barolong tribesmen on R150 bail

By Montshiwa Moroke *Stef 4/11/91*

The hearing was postponed to February 20.

Twenty-three of the 25 members of the Barolong-Ba-Madi-ba community, who were arrested at Matloang (Machaviested) near Potchefstroom on Wednesday night for reoccupying their dispossessed land, were released on bail of R150 each yesterday.

Two boys, aged eight and 15, who were also taken into custody when police swooped, were released without bail.

The men and boys appeared before Piet Myburgh in the Potchefstroom Magistrate's Court, charged with trespassing.

The granting of bail followed two short hearings. The case was initially postponed until today as lawyers for the defendants and the prosecutor could not reach agreement on bail.

However, as the case was "very sensitive", the senior state prosecutor contacted the attorney-general who instructed that bail be set at R150, according to the accused's defence council.

After the men entered the courtroom at about 2 pm, their relatives and about a dozen local and overseas reporters who filled the benches were ordered to leave because of the two minors.

Those before the court were:

Alfred Matlawe (55), Piet Kwena (65), Andries Mabaso (46), Solomon Dinkebo-gile (48), Esau Matlau (65), Josiah Loate (40), Alfred Masitile (58), Jacob Magoro (45), William Tsimane (53), Ismael Mot-samai (78), Moses Booysen (76), Koos Kwena (62), Ismael Seroalo (75), Eskia Kobedi (64), David Mokate (65), Lavios Lerefole (42), David Mathibe (55), John Mathibe (42), Lucas Rapulane (62), Gabriel Gabaotswe (no age given), Sakaria Phakedi (37), R J Ntsimane and Josiah Kgosi-mang (47).

Mr Seroalo and Mr Ntsimane are respectively chairman and vice-chairman of the Matloang committee.

The tribesmen were charged with trespassing by the Potchefstroom Town Council.



# 25 in court after bid to resettle tribal land

**POTCHEFSTROOM** — Twenty-three members of the Barolong-Ba-Modiboa community, arrested after trying to re-occupy their ancestral tribal land near Potchefstroom, were released on bail of R150 each yesterday.

Two youths aged eight and 15 were released without bail.

The 25 people appeared in the Potchefstroom Magistrate's Court yesterday afternoon after police arrested them on Wednesday night for trying to resettle at Machaviestad, (Matlaong in Tswana) about 20km from Potchefstroom.

The tribesmen returned to their birthplace on December 22 after being granted permission by the Potchefstroom Town Council to visit and restore ancestral graves.

The graves date from the early 1800s to 1971, when the community of about 184 families was forcibly removed by government to nearby townships. The only compensation granted to the families was £8 each.

A typing error on the council's document granted permission for the tribesmen to remain on the land until December 26 1991,

instead of 1990.

The Barolong decided to remain on the land as they had always claimed the area was rightfully theirs, spokesmen said.

On Wednesday night police, instructed by the council, arrested 25 people.

Lawyer James Sutherland, acting for the defendants, said: "The people are claiming their land on moral and historical grounds, as they were dispossessed without compensation."

If the case against the Barolong was pursued, he said, representations would be

□ To Page 2

## Tribal

made to the State President.

The case is expected to resume on February 20.

An SA Council of Churches (SACC) representative working with the Barolong, Charles Ndabeni, said Matlaong had been divided into smaller farms for grazing, and was leased by the council.

"No one lives there. If the government is

prepared to repeal the Land Act, why shouldn't it do something to restore these people's land?"

Ndabeni said the council's viewpoint was that if the Barolong wanted the land, they should buy it.

The defendants remained in custody overnight as they were unable to raise bail before the court closed. — Sapa

□ From Page 1

# SACC raises bail for 25 'trespassers'

ALL 25 members of the Barolong-Ba-Modiboa tribe, arrested for trespassing after reclaiming their ancestral land, were yesterday released from custody after the SA Council of Churches (SACC) raised bail for those who were unable to afford it.

SACC spokesman Charles Ndabeni said everyone had been released by 2 pm after bail of R150 for each of those arrested had been paid.

He said the tribesmen were planning to discuss a plan of action after their ordeal over the past week.

The members of the western Transvaal Barolong community were arrested on Wednesday night after they reoccupied land at Matloang (also known as Machaviestad) taken from them by the Government in 1971.

The 25, including two youths, all face trespassing charges and are to reappear in court on February 20.

Mr Ndabeni said a prayer service to pledge solidarity for the community's plight would be held at the weekend. The venue would be disclosed later.

— Sapa.



# Barolong demand return of their ancestral land

By DAN DHLAMINI *C/pnen 6/11/91* (271)

THE 30 year battle by the Barolong tribe to retain the land of their birth has started afresh.

The Barolong were forcibly removed from their Machaviestad land in 1971 after resisting a 1959 government order to move.

This week 22 men and three minors who tried

to reclaim their ancestral land were arrested and charged with trespassing.

Two minors, aged eight and 15, were released into the custody of their relatives while the other youngster, aged 17, was granted bail of R150.

The 22 men, whose ages range from 30 to 75, were also each released on R150 bail. They will appear again on February 20.

Their appearance recalled the April 1960 case in which Morris Gorekwang and others challenged the validity of the order for their removal from Machaviestad in the Potchefstroom Magistrate's Court.

The then Bantu Affairs Commissioner CJ Grobelaar told the court he was aware of the Pacht contract which stated that Barolong headmen and their descendants could live at Machaviestad from January 1, 1885.

The Barolong's hopes of regaining the land were boosted in 1989 when the government announced that the Maathopestad and Gamotlatla communities had been reprieved from forced removal.

Last September Reagile people near Koster also heard from the Legal Resources Centre that they would not be moved.

Barolong hopes were further raised by the Potchefstroom Town Council's approval in January last year for Chief Makodi's mother to be buried at Machaviestad.

The Barolong leadership is to brief the rest of the tribe today on events surrounding the arrests.



Ismael Seroalo at a Machaviestad grave.

# Azapo pledges support in Barolong fight

By MATHATHA TSEDU

THE Azanian Peoples Organisation has pledged support for the Barolong-Ba-Madiboa community in their fight for ancestral land and called on other similarly affected communities to reclaim land from which they were forcefully removed.

In a statement issued by the general secretary, Mr Don Nkadameng in Pietersburg, Azapo said it was "painfully aware that all black people were dispossessed of their land in similar ways".

The organisation condemned the action by the Potchefstroom Municipality which charged 25 community members with trespassing last week.

It said it would assist the community members with defence costs.

"We applaud the community for their decision to contest the expropriation of their land in the courts of this country, notwithstanding the fact that the track record of the exclusivity white supreme court shows that the courts have abetted more than resisted black land dispossession.

"In the same breath, Azapo encourages those forcefully removed in the past to reclaim their land by all means at their disposal," the statement stated.

Nkadameng said Azapo had at no stage in the past recognised the legality of black land dispossession.

"In our view the land issue is central to the struggle to our people.

"A succession of white minority regimes, from Jan van Riebeeck to FW De Klerk, has been violently and systematically taking away land from black people and handing it to white farmers."

Azapo said a nation that does not resist land expropriation becomes a party to its own oppression, exploitation, poverty and powerlessness.



# Struggle for land

By Montshiwa Moroke

The struggle for land between the Government and black rural farming communities who were dispossessed of their land could become a contentious issue at the next sitting of Parliament.

The emotive land question again made headlines last week after the Barolong people tried to reoccupy land the community was uprooted from about 20 years ago.

Twenty-three men and two boys, aged eight and 15, who were found on the land during a police raid last week, were kept in the Potchefstroom police cells before appearing in court the next day for trespassing.

The men were granted bail of R150 each. The minors were placed in their grandfather's custody.

The group's belongings have been removed from the area and are being stored by the Potchefstroom town council. The council has placed a new lock on the main gate, one of eight, leading to the spot which the Barolong had re-occupied.

But their struggle against the Government for 70 years while in Machaviesstad and more than 19 years while in Rooigrond, Bophuthatswana, is not about to end.

The Barolong-Ba-Madiboa or the Rooigrond community are believed to have made their home in Matloang, 5 km outside Potchefstroom, in the 1830's (the area is also known as Machaviesstad). They were forcibly removed from the area in 1971.

Since 1971, the Matloang people have returned every year to their land to clean graves of their ancestors.

This year, however, the community became more determined than ever to reclaim the land.

On December 22 last year, the Barolong people were granted permission to re-enter the land to visit and re-store ancestral graves.

The Potchefstroom municipality, under whose jurisdiction the land now falls, meant to allow them to remain in the area until December 26.

## Mistakenly

However, "due to a typing error" they were mistakenly given permission to stay on until December 26 1991. The people decided to remain until this date.

Acting Potchefstroom town clerk, Andries Viljoen, visited the area and told tribesmen of the typing error and said they were now considered trespassers.

The mood of the people was summarised by the vice-chairman of the Matloang Committee, Ishmael Seroalo, when he said: "We are not leaving, we are going to stay here. This is our place, our place of birth. It was taken from us with force by apartheid."

Mr Seroalo (75) is a bespectacled and dignified man, whose lithe frame belies his age. He was born in the area and members of his family lie in one of the five graveyards on the land.

Mr Viljoen disagreed with the Barolong's method of attempting to reoccupy the land and said the municipality would ask the police to charge them. "If they wanted to talk about this land, they should have used the route of negotiating with the council."

According to the Transvaal Rural Action Committee,

tee (Trac) the Barolong were given the land in the 1830's by the Boer leader Potgieter, in return for their assistance in retrieving cattle from Chief Mzilikazi.

However, they never received a formal title deed.

The story of the Machaviesstad people, says Trac, epitomises the breakdown of relationships in South Africa.

"It is a story of black hostility, sympathy and assistance ... resulting in white betrayal and oppression."

"Many patches of the history of South Africa have yet to be written, but the story of the Machaviesstad people will be remembered as one of a community which clung to its sense of justice against all odds."

"It was prepared to suffer in the hope that justice would one day prevail, that the white man's word is his bond and that the Afrikaner government would pay its historical debt to these people," Trac said.

The Machaviesstad people have ancient historical roots in the area. They stem from the Modiboa clan of the Barolong tribe. They originate from Moroka, a famous Tswana chief in the Matloang area.

When Moroka left and settled in Thaba Nchu, in the Free State, some of the clan stayed under his brother, Ntshinogang.

In the 1830's, Voortrekkers arrived in the area and their leaders, Potgieter, Maritz and Uys asked Ntshinogang for a temporary place to stay. The response was one of hospitality and the Boers were allowed to settle on the banks on the banks of the Mooi River.

Later, some Boers who had moved to Thaba Nchu approached Moroka to help them retrieve cattle that had

# brings past into future



Dark clouds gather ... over Matloang, which the Barolong people are hoping to reoccupy 20 years after they were removed. Here they discuss their plight with journalists. Picture: Alf Kumalo

been stolen by Chief Mzilikazi. Again the Barolong were sympathetic. Moroka agreed to help and came to Matloang to get recruits.

In return, Moroka merely asked that the Voortrekkers recognise his headmen and chiefs and did not interfere with them or their land at Thaba Nchu and Matloang.

## Missing

Moroka died in 1840, but apparently this agreement was officially accepted after 1885 in a "Patch Kontrak" which recognised Ntshinogang as chief of the area and his right to the land.

This document has since gone missing.

The Government, however, does not accept the Machaviesstad people's claim to the land.

It says that because the Barolong have no title deed, they are squatters.

From 1907 to 1971, the

Government attempted to evict the Machaviesstad people, but met with fierce resistance. Taxes were levied on animals and houses, many parts of Machaviesstad were fenced off, livestock was impounded and in 1966 the local school was deregistered and forced to close.

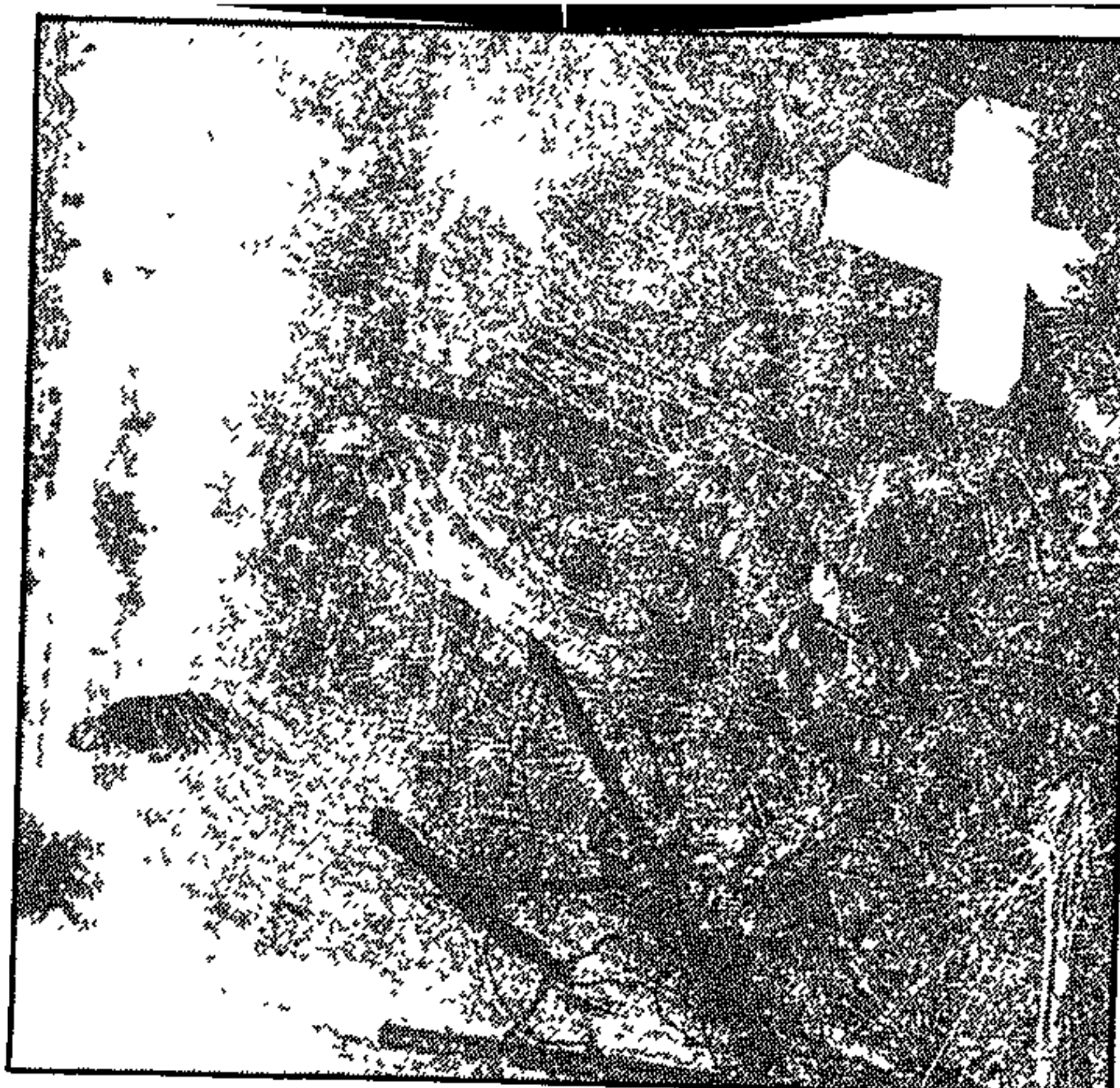
Roads to the area were also closed.

On August 1 1971, Government trucks arrived to move them away.

The people took a few cattle along, and each family received about R18,50 as "compensation". About 37 families were moved to Rooigrond, near Mafikeng, while others went to reserves or the Potchefstroom township of Ikageng.

Today, the displaced people have nothing.

They have seen their children handicapped through inadequate schooling. Nevertheless, there is still a sense of dignity and hope.



Spiritual bond ... members of the Barolong people have returned regularly to visit and restore ancestral graves, viewed here by a visiting reporter.



# Braklaagte refugees watched

271  
Soweto  
11/11/91

A SOUTH African Police intelligence unit has allegedly placed refugees from Bophuthatswana's violence-torn Braklaagte village under surveillance.

Two men identifying themselves as intelligence officers yesterday visited a Roman Catholic Church in Ikageleng, Zeerust, which is providing refuge, according to a leading Braklaagte ac-

tivist staying there. The activist said the officers, one white and one black, wanted to take a certain refugee with them, presumably for interrogation.

He said the refugee refused and referred the officers to the villagers' lawyers in Zeerust.

The local police liaison officer was not immediately available for comment.

Several Braklaagte

villagers have taken refuge in the churchyard after a week of fighting between ANC supporters and alleged pro-government elements.

Meanwhile, yesterday, the Roman Catholic Church in nearby Rustenburg appealed to South African and Bophuthatswana authorities to peacefully resolve the violence. - Sapa.



Imbeleko Women's Organisation yesterday donated clothes to more than 300 refugees at the Natalspuit Hospital. The refugees fled to the hospital following the violence at Zonk'izizwe and Thokoza.



# Give us a home, they say

EAST LONDON. — Fifteen years after thousands of people moved in search of a better life in Thornhill, Ciskei, they have threatened to move once again — this time across the border to occupy South African land they claim has been promised to them.

Thornhill residents have tried in vain for 15 years to get promised alternative land from South Africa.

This week they threatened to cross the border unless the government indicates by today when they will be given new homes.

Ciskei, however, has attributed the problem to the South African government's refusal to give more land to the homelands, and said a move by the residents onto South African land would be a "great favour" to Ciskei.

The 12 000 strong Thornhill community moved from the Herschel and Glen Grey districts in 1976 to escape homeland-style independence in Transkei.

They were promised sufficient land and grazing to compensate them adequately for the homes they left behind.

Despite 15 years of petitioning they have not received the promised land.

In July last year hundreds of men, women and children left the Thornhill dustbowl and crossed Ciskei's border into South Africa where they occupied domestic quarters on a farm called Merino Walk, which

is owned by the South African Development Trust.

The farm, originally earmarked for incorporation into Ciskei, is about 20km from Thornhill and several kilometres inside South Africa.

Nine days after the move, Ciskei troops allegedly forced more than 300 of the refugees to return to Thornhill — claims denied by the South African and Ciskei governments.

The Thornhill community then said it would no longer negotiate with the Ciskei government but would liaise directly with South Africa.

On Wednesday, the chairman of the Thornhill Residents Association, Mr Boilingwater Siswana, warned that if Pretoria did not end its "tongue tied" approach towards the community's plight by January 10, the residents would re-cross the border and occupy "vacant South African trust land".

## SEPTEMBER DATE

At a meeting last year between representatives of the two governments, Mr Siswana said, it had been agreed that Thornhill residents occupying Merino Walk farm should be permitted to stay there until a final decision had been taken on the land issue.

It had also been decided that residents would not be forcibly removed from the

farm, and that a meeting to finalise the handover of land would be held on September 3 last year.

Mr Siswana said one thing which had not been clear was whether the land, once handed over, would fall under South Africa or Ciskei.

If the land came under Ciskei's jurisdiction this would contradict South Africa's decision that no more land would be incorporated into Ciskei.

Ciskei's military ruler, Brigadier Oupa Gqozo, said on Wednesday that if the community moved back into South Africa they would be doing him "a great favour".

"I have been fighting for the land they are referring to and I told the community that South Africa says that because overall land policy in the new South African context will be dealt with over the negotiating table, the South African government is no longer prepared to give an inch of any land to any homeland.

"The more they pressurise me the more they get themselves into problems with me because I cannot squeeze water from a stone."

Brigadier Gqozo said he had held three meetings with South African ministers about Thornhill and they had all maintained that there would be no more land.

South African officials could not be reached for comment. — Sapa.



# Misery of a brave tribe

BY DESMOND BLOW *C/Pers 13/1/91*

SEVENTEEN kilometres from Matleng in Bophuthatswana's Rooigrond area lies the desolate village of Dhaishwana.

It's an isolated collection of mud and other huts perched on stony, arid land. A borehole provides the only water, which is about a kilometre away.

This is home to remnants of the proud Barolong ba Modibos tribe, who were forcibly removed from their fertile farms at Machavesiat near Potchefstroom which they had occupied for nearly 150 years.

They were dumped on barren ground with their furniture and a few sheets of corrugated iron 20 years ago. The 44 families, comprising about 314 men, women and children, were given R18,44 a family as the trucks trundled away, leaving the tribe to build homes with mud and iron.

In 1968, an independent valuation of their land at Machavesiat was set at R32 000, but the Potchefstroom municipality put the value at R2 400.

The municipality later purchased the land under draconian apartheid laws.

The tribe were told their "home" at Rooigrond was temporary. They would be there for three months until a permanent home was found for them.

For two decades the Barolong people have been fighting for the rightful return of their farms, which were awarded to them by Voortrekker leaders last century for their help in wars with an unfriendly chief.

The tribe sent appeals to then State President PW Botha, and to President FW de Klerk, asking for the return of their land.

That they have survived at all is a miracle, as nothing useful grows on Dhaishwana's barren land.

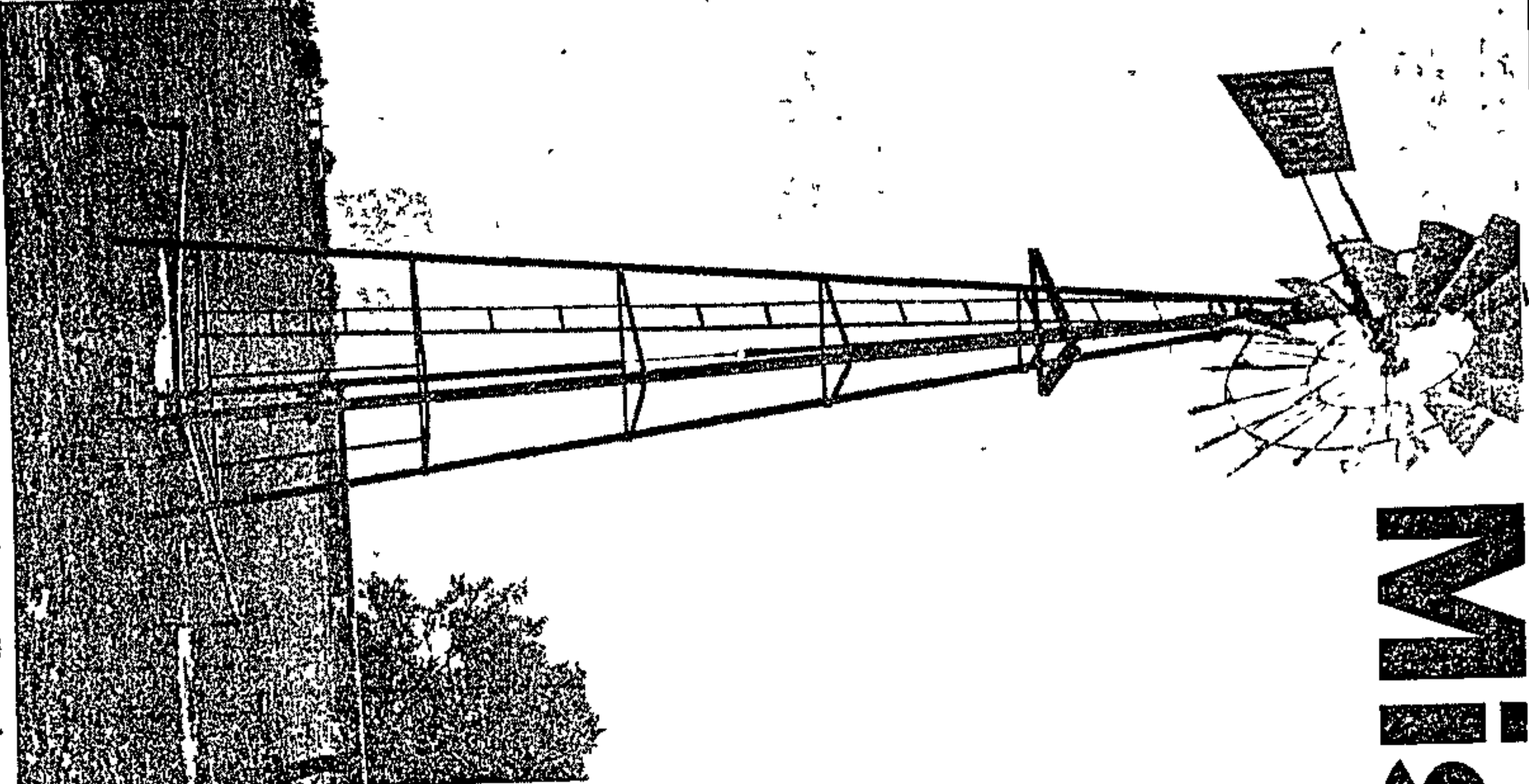
They do not receive assistance from the Bophuthatswana (Bop) government, which says it's a South African problem. The South African Government has claimed it's a Bop problem.

Their stock of 250 cattle and 450 sheep or goats has dwindled because of the lack of grazing and water.

The village is full of women and children without men or fathers. They survive on money sent by the men and women who also left the village to work elsewhere.

No improvements have been made to the village in 20 years. Residents built themselves a school of two rooms in 1984 for 77 children aged between five and 15 years.

Their only source of life-giving water... Dhaishwana villagers have no choice but to trudge one kilometre to this lone windmill and if anyone's too sick to do so, there's no clinic or hospital nearby.



## They fight for justice after being dumped on wastelands

daughter Sabina says she remembers with longing the decent school they were forced to leave behind in Machavesiat.

"Our first school at Rooigrond was in the house of a woman who taught us what she knew. Later I was sent away to boarding school by the SACC.

"After I matriculated I came back to help teach the other children. I'm not qualified but I help give the children a green light for the future."

There is no transport, no clinic and the mortality rate has been high among old people and children.

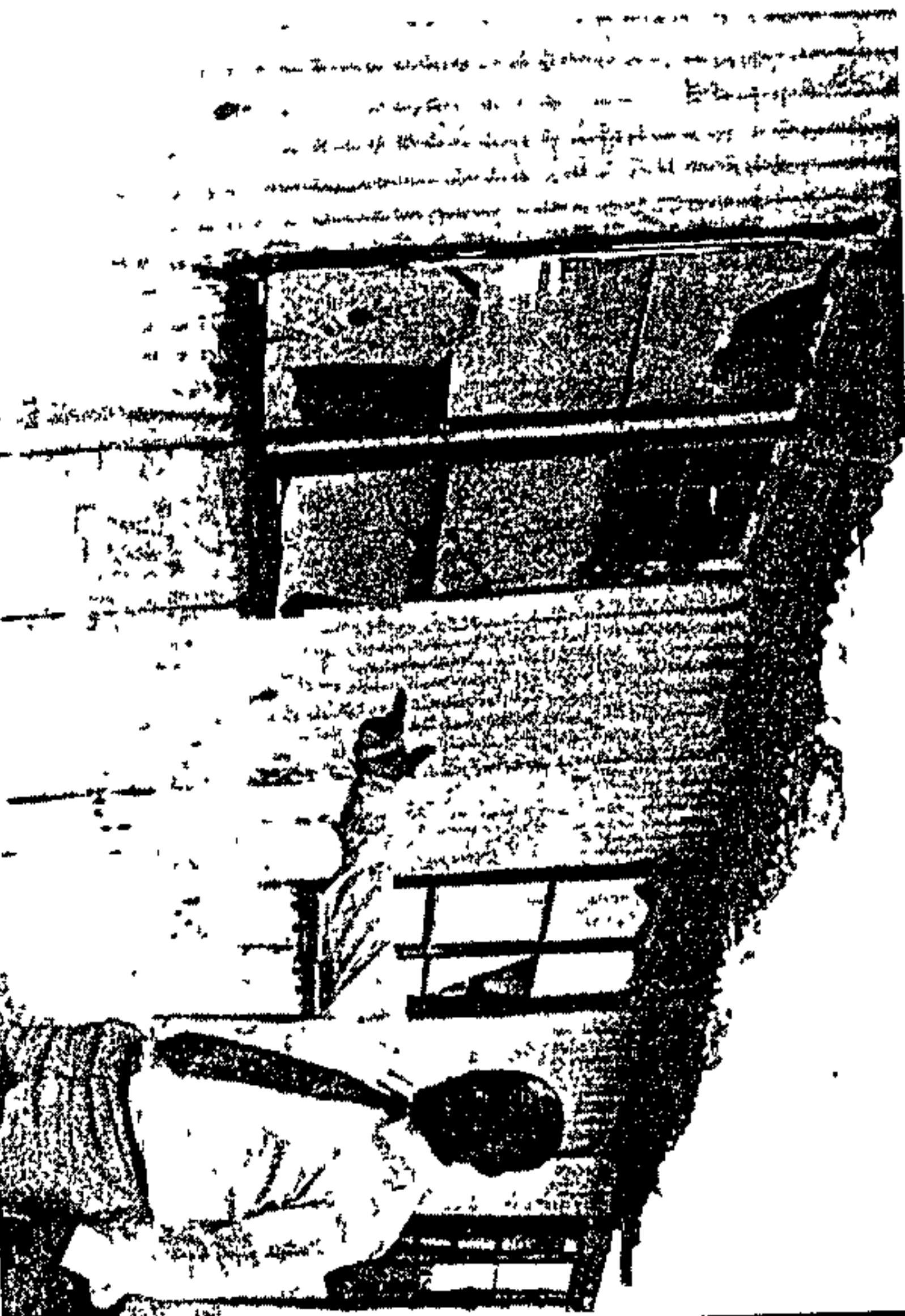
If anyone falls ill, they have to be taken two kilometres to the nearest road where they rely on passing motorists to give them a lift to hospital.

"Many people have died before we could get them to hospital," said chief Makodi.

Chief Israel Mokate, who was in charge of the tribe when they were moved, fought the remainder of his life believing that one day the Barolong's land would be returned to them.

Permission had to be obtained from white authorities for chief Mokate to be buried in the tribal burial ground at Machavesiat.

A church group in Germany has also



The most "luxurious" house in the village... chief Simon Makodi points to his ramshackle hut which leaks and is surrounded by barren, stony land on which farming is impossible.

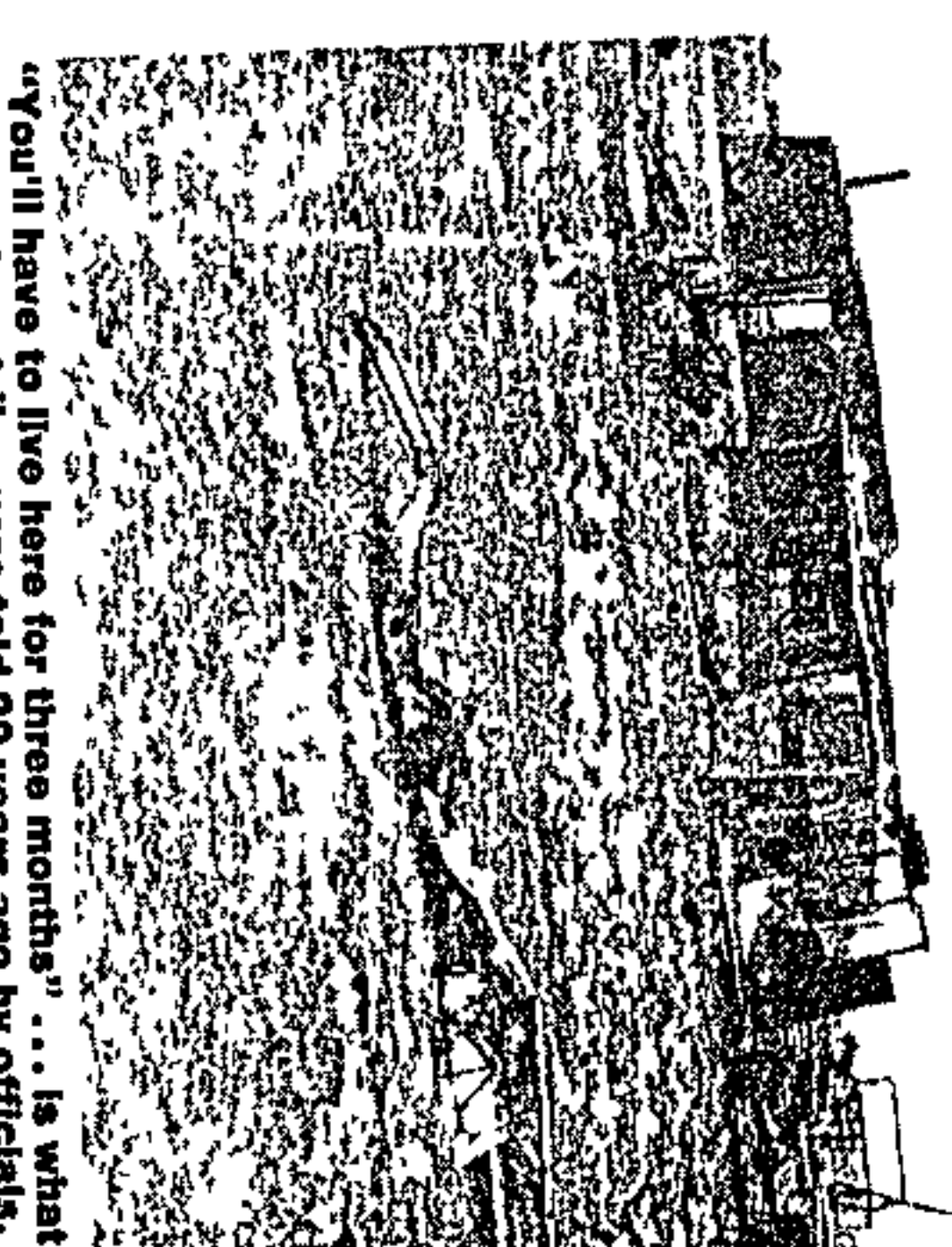
been fighting for the tribe and has made several appeals to PW Botha and FW de Klerk on their behalf.

The group also appealed to Bop President Lucas Mangope not to evict the tribe from Rooigrond, which he threatened to do in 1986.

Chief Makodi pointed out that even in a history textbook for Sid 4 Afrikaans students, it is recorded that the Barolong people assisted Gerrit Maritz against Matebele chief Mzilikazi.

However, the Department of Development Aid claimed that in 1893, when Machavesiat had belonged to the tribe for 60 years, the land was registered in the name of the Potchefstroom municipality.

In 1987 the department told the tribe "You must accept that you cannot return to the old Machavesiat - not now and not in the future."



"You'll have to live here for three months"... is what the Barolong tribe were told 20 years ago by officials.



# Roosboom folk reclaim their rights and roots

By S'BU MNGADI

A CRISIS is looming in northern Natal following the reoccupation of expropriated freehold land by its former inhabitants.

Since September, 30 families have been defiantly staying in Roosboom, which is seven kilometres from Ladysmith and was expropriated by the government in the mid-1970s.

On December 21, the regional office of the Department of Public Works and Land Affairs gave the returnees seven days to vacate the land or face prosecution.

When the families refused to budge, the authorities applied to the Ladysmith Magistrate's Court for an order to have them removed and their shacks demolished.

The application, which was to be heard in court on Friday, was postponed indefinitely because the applicants did not turn up in court.

Eighty families have indicated their determination to reclaim Roosboom, according to the Maritzburg-based Association for Rural Advancement (Afra).

The entire Roosboom population of over 7 000 people were resettled at the KwaZulu border township of Ezakheni, and the vacated land was hired out to white farmers. Only three families remained.

However, State President FW de Klerk's historic speech on February 2, 1990, encouraged the relocated people to explore ways of having their land restored to them.

Between June and October last year, assisted by Afra and their newly-

formed Roosboom Interim Committee, the landowners sent two memoranda to the Department of Development Aid in Pretoria.

The memoranda contained demands for the right to return to the freehold land and to have title deeds restored before Christmas. But no response was forthcoming from the DDA.

Instead, events last year indicated confusion in the government's policy towards Roosboom.

Constitutional Development Minister, Dr Gerrit Viljoen, said in early October the government would not consider restoring land to communities which were forcibly removed as this would lead to a worldwide revolution starting in the US and Australia.

The minister's statement caused dismay and outrage in the Roosboom community.

Four freehold communities, Steinkoalspruit, Matiwane's Kop, Cornfields and Thembalihle, which were under threat of removal, were reprieved by the government in July, and the DDA promised them development aid.

Afra said the former Roosboom community was now asking why the government was hesitant to allow people who had suffered removal to return to their land and to be granted similar development aid.

During the campaign to remove Roosboom in the 60s and 70s, the white Ladysmith and District Farmers Association claimed that, apart from the problems of straying cattle and soil erosion, the area - which lies on the main Durban-Johannesburg road, the N3 - was an eyesore to passing motorists and tourists.



# Misery of a brave tribe

By DESMOND BLOW C/Pers 13/1/91.

SEVENTEEN kilometres from Matifeng in Bophuthatswana's Rooigrond area lies the desolate village of Dihashwana.

It's an isolated collection of mud and other huts perched on stony, arid land. A borehole provides the only water, which is about a kilometre away.

This is home to remnants of the proud Barolong ba Modiboa tribe, who were forcibly removed from their fertile farms at Machaviesiat near Potchefstroom which they had occupied for nearly 150 years.

They were dumped on barren ground with their furniture and a few sheets of corrugated iron 20 years ago. The 44 families, comprising about 314 men, women and children, were given R18,44 a family as the trucks trundled away, leaving the tribe to build homes with mud and iron.

In 1968, an independent valuation of their land at Machaviesiat was set at R32 000, but the Potchefstroom municipality put the value at R2 400.

The municipality later purchased the land under draconian apartheid laws.

The tribe were told their "home" at Rooigrond was temporary. They would be there for three months until a permanent home was found for them.

For two decades the Barolong people have been fighting for the rightful return of their farms, which were awarded to them by Voortrekker leaders last century for their help in wars with an unfriendly chief.

The tribe sent appeals to then State President PW Botha, and to President FW de Klerk, asking for the return of their land.

That they have survived at all is a miracle, as nothing useful grows on Dihashwana's barren land.

They do not receive assistance from the Bophuthatswana (Bop) government, which says it's a South African problem. The South African Government has claimed it's a Bop problem.

Their stock of 250 cattle and 450 sheep or goats has dwindled because of the lack of grazing and water.

The village is full of women and children without men or fathers. They survive on money sent by the men and women who also left the village to work elsewhere.

No improvements have been made to the village in 20 years. Residents built themselves a school of two rooms in 1984 for 77 children aged between five and 15 years.

Barolong chief Simon Makodi's

271

## They fight for justice after being dumped on wastelands

daughter Sabina says she remembers with longing the decent school they were forced to leave behind in Machaviesiat.

"Our first school at Rooigrond was in the house of a woman who taught us what she knew. Later I was sent away to boarding school by the SACC.

"After I matriculated I came back to help teach the other children. I'm not qualified but I help give the children a green light for the future."

There is no transport, no clinic and the mortality rate has been high among old people and children.

If anyone falls ill, they have to be taken two kilometres to the nearest road where they rely on passing motorists to give them a lift to hospital.

"Many people have died before we could get them to hospital," said chief Makodi.

Chief Israel Mokate, who was in charge of the tribe when they were moved, fought the remainder of his life believing that one day the Barolong's land would be returned to them.

Permission had to be obtained from white authorities for chief Mokate to be buried in the tribal burial ground at Machaviesiat.

A church group in Germany has also

The most "luxurious" house in the village ... chief Simon Makodi points to his ramshackle hut which leaks and is surrounded by barren, stony land on which farming is impossible.



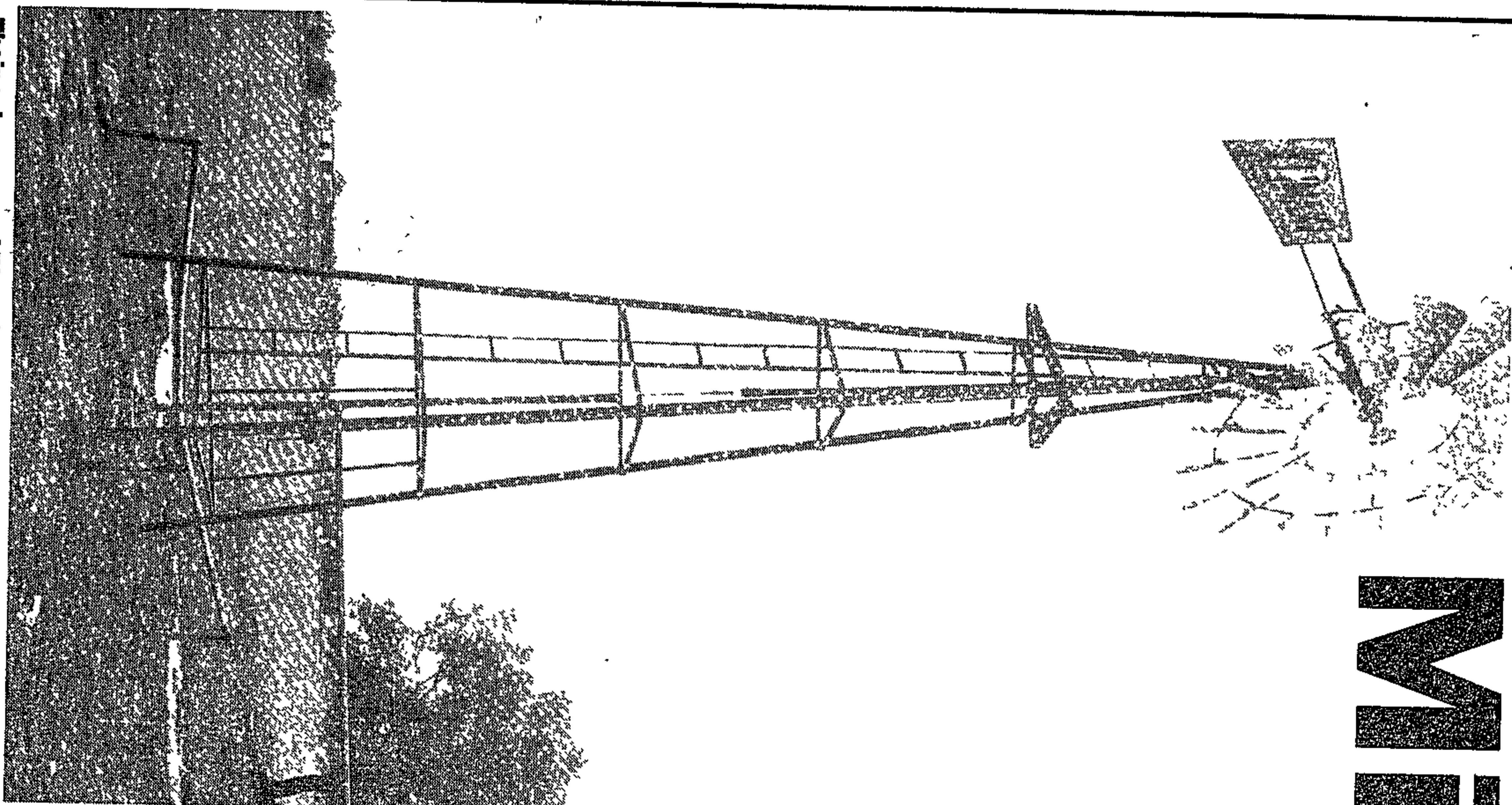
been fighting for the tribe and has made several appeals to PW Botha and FW de Klerk on their behalf.

The group also appealed to Bop President Lucas Mangope not to evict the tribe from Rooigrond, which he threatened to do in 1986.

Chief Makodi pointed out that even in a history textbook for Std 4 Afrikaans students, it is recorded that the Barolong people assisted Gerrit Maritz against Marebele chief Mzilikazi.

However, the Department of Development Aid claimed that in 1893, when Machaviesiat had belonged to the tribe for 60 years, the land was registered in the name of the Potchefstroom municipality.

In 1987 the department told the tribe: "You must accept that you cannot return to the old Machaviesiat - not now and not in the future."



Their only source of life-giving water ... Dihashwana villagers have no choice but to trudge one kilometre to this lone windmill and if anyone's too sick to do so, there's no clinic or hospital nearby.



"You'll have to live here for three months" ... is what the Barolong tribe were told 20 years ago by officials.



# They're isolating me from my tribe, says angry Barolong chief

By DAN DHLAMINI

City Press 13/11/91

AS controversy rages over the return of Machaviestad to the Barolong Ba Modiboa tribe, its chief has accused the Barolong Action Committee (BAC) of trying to isolate him from his people.

In reply, Ikageng-based BAC chairman John Ntsimane said the committee had on several occasions tried to convince chief Simon Makodi to involve the committee in his negotiations with the government regarding the return of Machaviestad — also known as Matloang — to the tribe, but he had refused to do so.

Chief Makodi, who was in Potchefstroom last Sunday but did not attend a Barolong meeting, told *City Press* Ntsimane's committee was undermining him and trying to isolate him from the community.

He said the committee did not bother to inform him about their abortive attempt to reoccupy Machaviestad.

Asked if he would welcome unity talks initiated by the South African

Council of Churches, Makodi said he was prepared to meet the committee to solve the problem for the sake of the Barolong.

Makodi said the BAC and its followers had not felt the wrath of apartheid and resettlement because they had been living comfortably in their township homes for the past 20 years while his followers suffered, living as squatters in shacks and mud huts in Rooigrond.

In 1971, when the tribe was uprooted by the government, 140 families settled in Potchefstroom's Ikageng township while chief Makodi and about 48 families were resettled in Rooigrond, near Mafikeng, where he still lives.

He said: "I have been engaged in peaceful negotiations since our resettlement 20 years ago and I am optimistic that, with the changes brought about by State President FW de Klerk, we will win back our land."

Last week, Ikageng-based Barolong tribesmen and two minors aged eight

and 15 were arrested after they had attempted to reclaim the land. The Barolong were granted permission by the Conservative Party-controlled Potchefstroom Town Council, which owns the land, to go to Matloang and restore their forefathers' graves from December 22 to December 26.

But on the letter of permission it was stated they could stay there until December 26 1991, which the Potchefstroom council said was a typing error.

BAC deputy chairman Ishmail Seroalo refused to accept the council's excuse and the men were arrested and charged with trespassing.

They were released on R140 bail each and will appear in court again on February 20.

Their tents, beds, blankets, three dogs, a fowl and three bicycles — which were left at Matloang when they were arrested — are being held by the Potchefstroom municipality.

Potchefstroom acting town clerk A Viljoen told *City Press* this week the goods were taken for safekeeping and the owners were free to claim them.



Chief Simon Makodi, who says nobody told him of the failed attempt to reoccupy Machaviestad.

# Effects of forced removals need 'urgent attention'

27/ Own Correspondent  
JOHANNESBURG. — Three-and-a-half-million people have been forcibly removed under apartheid legislation, during the past 40 years, says the National Land Committee (NLC).

In its latest Land Update the organisation, made up of several rural action committees, said the effects of the Land Acts should be addressed urgently. The return of land to removed communities, land for the urban homeless, and development of rural and urban communities, had to be examined.

The NLC believes that for land reforms to succeed the communities should be consulted.

Communities say the areas to which they have been moved are not habitable, and that the forced removal from their homes is unjust. Examples given by the NLC are:

● The people of Mogopa near Vryburg, Western Transvaal, were forcibly removed in 1984 from two farms which they had owned for 73 years. After being resettled twice, they won an appeal case declaring their removal unlawful. However, they were unable to return to their land as it had been expropriated by the state.

Although the government allowed the people to return to Mogopa in 1988, they were again evicted

and negotiations with government were continuing; and

● The people of Sedawa in the north-eastern Transvaal were moved by Lebowa's government in August 1990. They now share the London Mission with other communities, but there is no water and the plots are small.

Other affected communities are the Madiboa of Machaviesstad, near Potchefstroom, the Tsitsikama Fingoes, and the people of Roosboom in Natal.

The NLC believes that continuing evictions and demolitions of squatter camps place severe doubt on the government's promises of land reform.



# 3,5-million removed by apartheid, report claims

POLLY JONES

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The NLC believes that continuing evictions and demolitions of squatter camps place severe doubt on government's promises of land reform.

## Red Cross to launch project to help Braklaagte refugees

THE International Red Cross and the northern Transvaal branch of the SA Red Cross will launch a joint project today to assist more than 5 000 Braklaagte refugees in Zeerust.

The refugees, who have fled fighting between factions opposing or supporting the Bophuthatswana government have been accommodated in six Zeerust churches since last week.

Local church and community leaders have requested assistance from the Red Cross as the local community cannot provide relief for the growing number of refugees indefinitely.

Red Cross International (RCI) representative Alex Brunwalder said yesterday RCI and the SA Red Cross had discussed the plight of the refugees.

The two organisations, he said, had agreed to launch a joint project.

RCI would supply the financial back-up, while the SA Red Cross

EDYTH BULBRING

would handle the distribution of resources and provide the manpower.

The extent of the financial aid could not be assessed until the RCI representative who visited the area yesterday had reported back.

Brunwalder said they would be in a position to start an assistance programme in Braklaagte today.

It was possible, though, that some sort of relief could have been initiated by late yesterday afternoon.

Attacks on the Braklaagte community, which opposed incorporation into Bophuthatswana, were allegedly carried out by members of a vigilante group supporting Bophuthatswana President Lucas Mangope.

Sapa reports from Zeerust that journalists were ordered out of Braklaagte by Bophuthatswana police and soldiers yesterday.



# Reprieve for Kalahari Bushmen on game farm

By JOHN VILJOEN  
Staff Reporter

AN enterprising farmer who has re-established a Bushman settlement on his Cedarberg game farm said the project was a "rescue mission" not exploitation of the little people as a tourist lure.

At Kaggga Kama, 250km from Cape Town, Paarl farmer Mr Pieter de Waal, his father Willie and their partner Mr Pieter Loubser, proudly presented a band of 28 Bushmen they have rescued from abject poverty in the Kalahari.

The 28 made a bizarre entrance in two mini-buses to face a barrage of media attention at their new game farm home where they will work as guides and make traditional crafts.

San hunter-gatherer people disappeared from the area about 200 years ago.

"It is possible that people will think we are exploiting the bushmen," said Mr De Waal, "but we spoke to people who had who had regular contact with them and they assured us that their living conditions were just deteriorating where they were."

"They could not carry out their normal lifestyle. I have no doubt that they will be able to lead a better life in Kaggga Kama than they did up north."

## Living museum

They would be much more than a mere living museum exhibit. "Kaggga Kama will benefit when people visit, but it doesn't only revolve around that. It is about giving the bushman a better existence."

"It is a rescue action to help the Bushman become self-sufficient again," he said.

Anthropology professor Mr Hennie Steyn from Stellenbosch University said exploitation of the Bushmen was possible, but he had faith in the project's owners.

"I'm sure they will be better off here. The owners are fully aware of the dangers of exploitation. I have faith that it won't happen."

"They have undertaken to keep in close contact with the Bushmen and their needs. If they see them being exploited they will have to make changes."

"This environment is very different from where they were but it is beautiful and I'm sure they will think so too."

Mr Dawid Kruiper, leader of

the group of 28, said they had returned to the land of their forefathers.

He found it hard to say if Kaggga Kama was a better en-

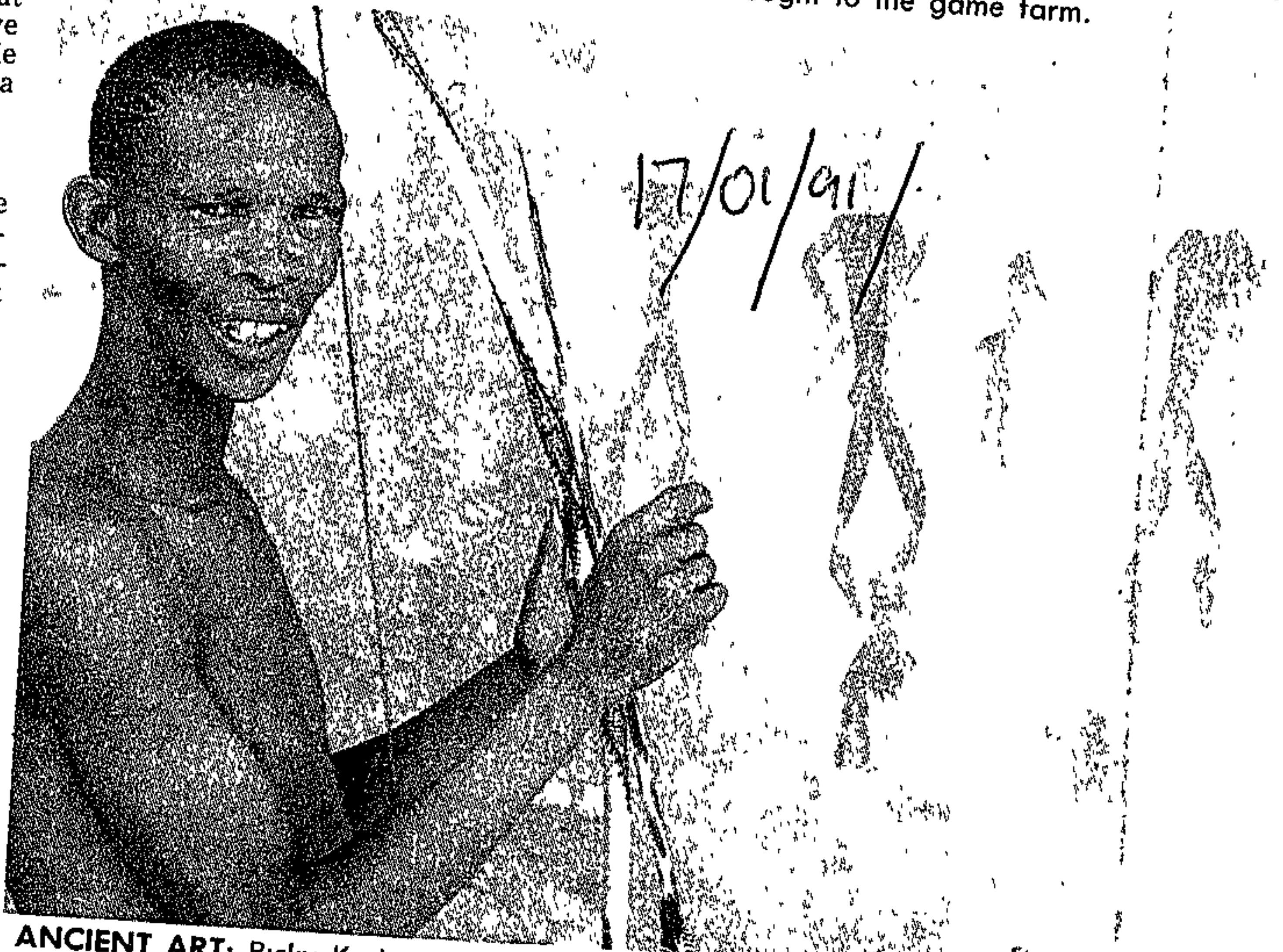
vironment than the Kalahari — but it was certainly different.

"I feel very happy here already, and all my people are happy," he said.

Captour managing-director, Mr John Robert, said Kaggga Kama would be a definite attraction for visitors with a special interest in Bushman cul-



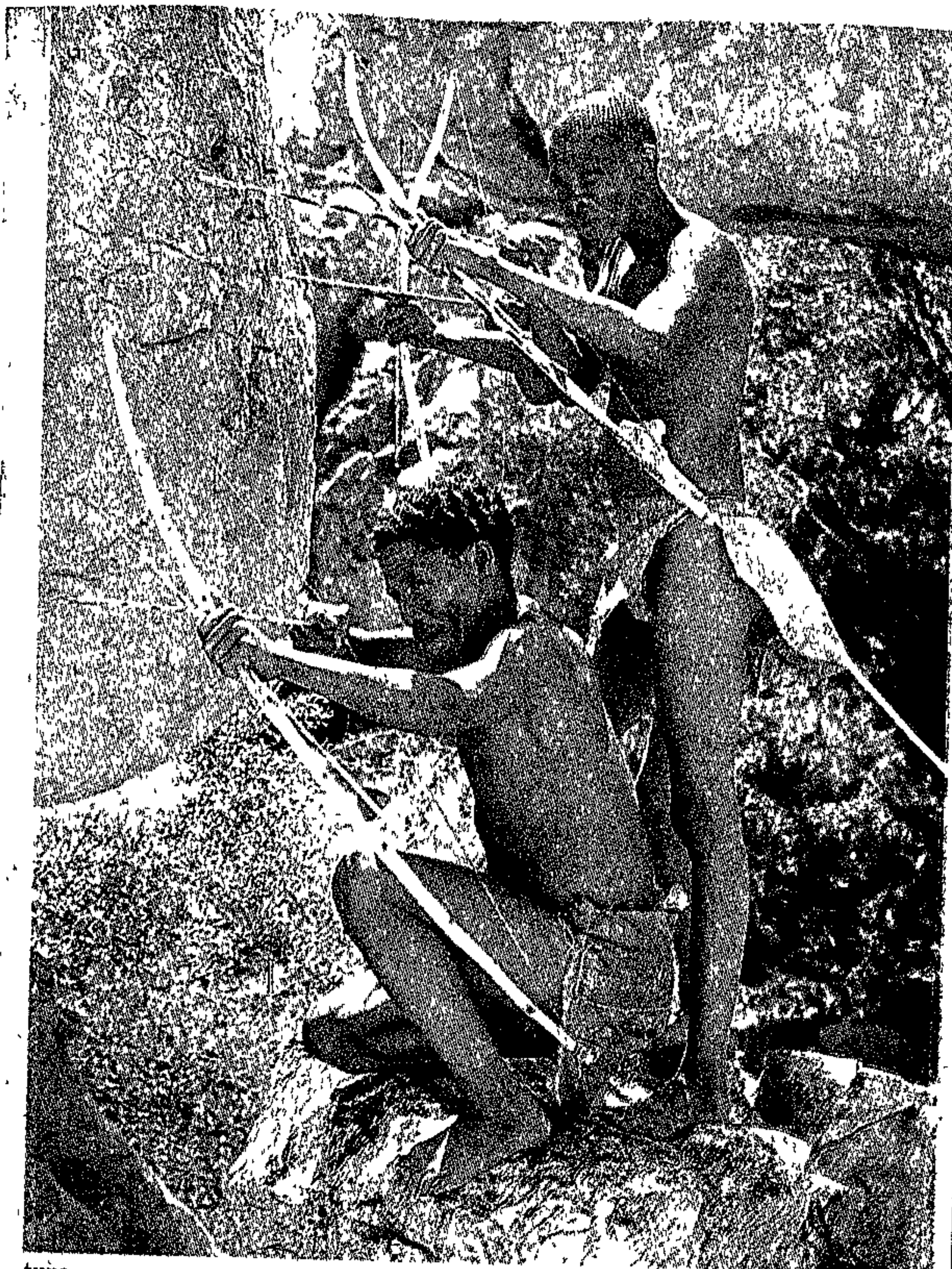
**WHITE HUNTER:** Mr Pieter de Waal, co-owner of Kaggga Kama, makes for an odd sight among the Bushmen he has brought to the game farm.



**ANCIENT ART:** Ricky Kruiper admires paintings at least 200 years old depicting Bushmen in a trance at a post-hunt feast.



17/01/91



Pictures. WILLIE de KLERK, The Argus

**STALKING:** Perched on a rock, hunters Hendrik Kruiper and Ricky Kruiper scan new horizons for game. Kagga Kama owner Mr Pieter de Waal has granted the Bushmen limited hunting rights.



**SMOKE BREAK:** A Bushman woman finds time to light up her first smoke in her new surroundings. Women among the group resettled from the Kalahari will be occupied making traditional crafts for visitors to Kagga Kama.

ture.

"It is a treasure house, an untouched outdoor museum," he said.

But the location's fragile wealth would have to be handled with sensitivity if it was to survive.

"Not everybody comes here with preservation in mind. Visitors with a special interest in the spot will be sensitive, but those who are not must be prevented from damaging it, he said."

Mr De Waal first became aware of the community's plight a few years ago when they were shown on television living in pitiful conditions and surviving on handouts.

After further television attention he decided to intervene and the "rescue operation was launched.

"We went to the Kalahari five months ago and as a result of this expedition and as a result of a meeting we had with Dawid, as leader of the group we have them here today," Mr De Waal said.



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## Oukasie people win land battle

PRETORIA. — After years of resisting government attempts at resettlement, remaining Oukasie residents have finally won permission to remain permanently where they are.

Transvaal Administrator Mr Danie Hough said here yesterday that the cabinet had decided this week that Oukasie should be upgraded.

"Such upgrading would mean that the present residents may live there permanently," said Mr Hough.

At present there are about 7 000 people in Oukasie, near Brits. — Sapa

# Oukasie residents win battle to stay

AFTER years of resisting Government attempts at resettlement, remaining Oukasie residents have finally won permission to remain where they are permanently.

Transvaal Administrator Danie Hough said in Pretoria on Friday the cabinet had decided this week that Oukasie should be upgraded.

"Such upgrading would mean that the present residents may live there permanently," said Hough.

At present there are about 7 000 people in Oukasie, near Brits.

"The final decision was taken after the cabinet this week approved proposals and execution plans concerning the upgrading and expansion of Oukasie as submitted by the Transvaal Provincial Administration last year," said Hough.

"As the upgrading process will be very expensive, groups and organisations that propagated the reservation of Oukasie are asked for financial support so that the upgrading and expansion may be accelerated."

Hough said a recent threat by the Civic Association of Oukasie had not influenced the cabinet's decision. - Sapa.



# Land Act repeal: start of obstacle course

*Sowetan 5/2/91.*

*271*

**SOUTH** Africa's hidden political volcano is beginning to rumble. It threatens to be activated by Government moves towards land reform.

The potentially explosive issue arises from the tragic legacy of apartheid in land ownership and the dispossession of millions of people through forced removals.

If not handled carefully, this emotive issue could erupt into a storm that would overshadow some of the major political crises of past decades.

In essence the looming clash is between long-established white privilege and black demands for a fair deal in land distribution and ownership rights.

White fears were echoed once again this week during the "siege of Pretoria" by protesting rightwing farmers.

And among black organisations fears are expressed that rightwing pressures will prevent the Government from fully undoing the legacy of the Land Acts and grand apartheid.

Ironically, the spark that could set off an eruption is the long-awaited repeal of the Land Acts and the Group Areas Act.

Specialists in land reform have warned that the promised abolition of the Land Acts, if not done carefully, may lead to dispossession on a far worse scale than that caused by the apartheid policy of forced removals.

Even at a time - until now - when the Government has been tight-lipped about its intentions for handling land reform, demands have been building up for a fair distribution of land and removal of restrictions on ownership. The issue is being studied by various land reform bodies that have sprung up in recent years.

On all sides it has been claimed that the removal of the apartheid laws will not remove the awesome legacy of apartheid. The unequal distribution of land will remain, and so will the effects of injustices suffered by millions of people who were dispossessed under the system. Among them are 3.5 million people forcibly

Experts have warned that the scrapping of the Land Acts and the Group Areas Act will not be enough to remove the tragic legacy of these apartheid measures. Removals of these laws, some say, will merely set the scene for the real battle for a just distribution of land.



removed under apartheid legislation over four decades.

Senior research officer Ms Aninka Claassens, of the Centre for Applied Legal Studies at the University of the Witwatersrand, has described the consequences of such dispossession for black South Africans as "devastating". The Land Acts, she says, created the situation where Africans may own land only in the Bantustans, while whites own 87 percent of the country.

"The Land Acts have played their role - they have destroyed black property rights, and they have entrenched white privilege. To drop them now will have only a minimal effect on the racial distribution of land. Only a tiny proportion of blacks have the necessary capital to buy land at its current price."

## Disaster

Claassens warns there could be potential disaster for many people if the Land Acts were to be repealed "in a vacuum" without special measures to protect and restore the rights of black people.

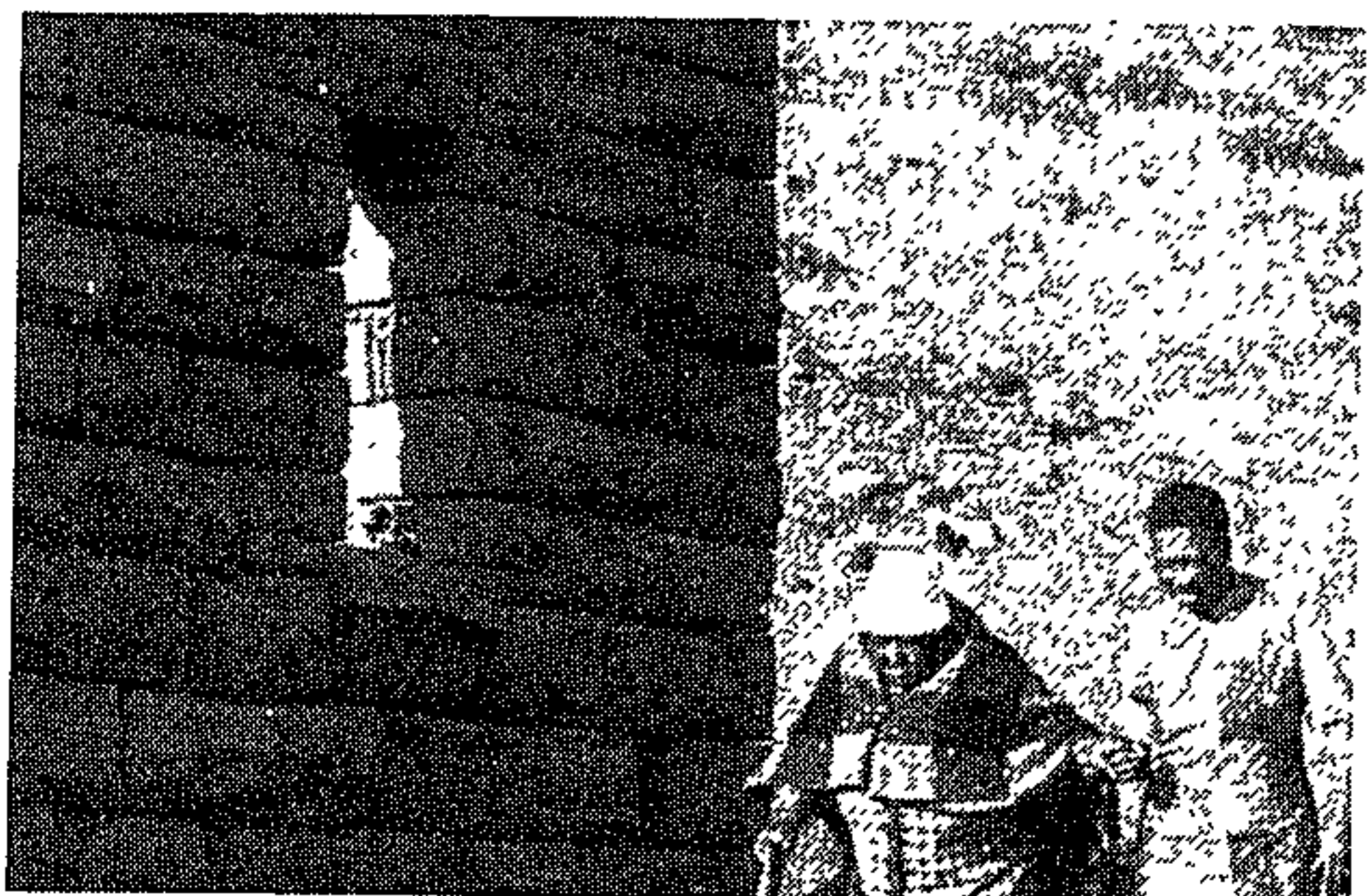
She explains that in most instances property rights are not reflected in legal documents like title deeds. This does not mean blacks have no property rights; it means the state prohibited them from having such documents.

Legal restrictions on black ownership of land are not limited to the white areas.

There are restrictions in the homelands as well. While the land in these areas may be nominally owned by the SA Development Trust, or a homeland government, or a chief, it is in fact occupied by millions of individual families and communities, whose rights are not registered on the title deeds.

If these areas are simply opened up to the "free market", many people who have owned and occupied land for generations may find their land sold from underneath them by the nominal owners of the land.

"Rural people have suffered terrible and irretrievable losses through the implementation of these policies. Now, having put these policies behind it, the state is introducing a reform. It would be



**Mrs Ellen Kuzwayo escorting her Aunt Blanche to her former home which was declared a black spot in 1984. Will such land be given back to its people?**

bitterly ironic if this 'reform' finally dispossesses people of their real rights to land in the name of 'private property' and the 'free market'."

According to the National Land Committee, the critical question is: What reform measures will be legislated to replace these Acts? And what mechanisms will be introduced to redress the history of dispossession in South Africa? The government's present approach to these questions is regarded by the committee as a matter of "grave concern".

It accuses the Government of having planned its reforms on this complex and politically sensitive issue behind closed doors.

Why don't the policy-makers open up the debate and consult

widely? the committee asks.

"Reforms don't work if they don't have support from the people affected by them. The Government must surely know this by now."

Ominous signs of a looming showdown over the land issue emerge from a clash of opinion between Minister Gerrit Viljoen and members of land reform bodies. The NLC, for example, says Viljoen's dogmatic refusal to consider ways of restoring land to its former black freehold owners is unacceptable.

The Minister argues that such a step would "lead to a revolution" and that the same would

happen if land ownership patterns were changed thus in countries like the US and Australia.

To this the NLC replies that the Minister ignores the fact that "we are not talking about dispossession in the dim and distant past, but about Government policy which has robbed people of their land as recently as the 1980s".

"For over 40 years black landowners were systematically deprived of their ownership and rights to land. They were forcibly removed, wholly inadequately compensated, and abandoned to barren, unproductive resettlement camps. Now they are expected to buy back land, and if they don't have ready cash they will lose their ancestral lands forever to the highest bidder."

# 'No new land laws' <sup>South</sup> 28/2 - 6/3/91

SPRINGBOK. — No new laws about land ownership should be made after the scrapping of the Land Acts until all South Africans could elect a democratic government, residents associations of 10 Namaqualand communities said in a joint statement this week. (271)

Communal ownership and farming had to be protected against private ownership and had to be encouraged, with communal trust lands protected by a special clause.

"We welcome the scrapping of apartheid laws such as the Land and Group Areas Acts, but if nothing more is done to justly redistribute land, then this is another form of economic apartheid." (271)

"Our land claims must be considered on the basis of usage, birthright, inheritance, title deed, justice and productivity," the communities said.



## Land reform must redress apartheid's distortions

THE National Land Committee says any resolution to the land question must have popular legitimacy and support for it to work.

In a statement reacting to President FW de Klerk's announcement last Friday of the scrapping of the Land Acts, the Johannesburg-based committee said it welcomed the news that the government would produce a white paper on land reform. *South 7/2-13/2/91*

"Until now, the government has formulated its plans in secret," the Committee said. *271*

"We have always believed that any resolution to the land question must have popular legitimacy and support for it to be workable. In particular it would have to recognise and be able to redress the wrongs and distortions that apartheid has meant for black South Africans and society as a whole. *271*

### Aspirations *271*

"Such a lasting solution which meets the needs and aspirations of South Africans can only be found through a representative and consultative process," the Committee said. *271*

It reiterated demands of many communities for a new system of land ownership. These included:

- Land lost by black people as a result of forced removals be restored immediately; *271*

- The government must ensure that legislative reform does not deprive black people of existing rights to land; and

- The government must commit itself to a programme of affirmative action that would make land and resources available for blacks, particularly for the landless and women who constitute the bulk of the farming population in the homelands.



# Peelton villagers celebrate victory

The Nkqonkweni community's battle against incorporation into Ciskei dragged on for three years but the villagers have now won the right to live in South Africa — and R500 000 compensation.

By CLAIRE KEELTON and PHILA

NGQUMBA

1992-21/2/91

THE Nkqonkweni community in east Peelton has bounced back after a year and a half of violence under the Ciskei government, to secure an unprecedented R500 000 compensation from the South African government and an agreement that they be taken back by South Africa, the land of their birth.

The compensation is for homes which were bulldozed by Lennox Sebe's Ciskei government in 1989.

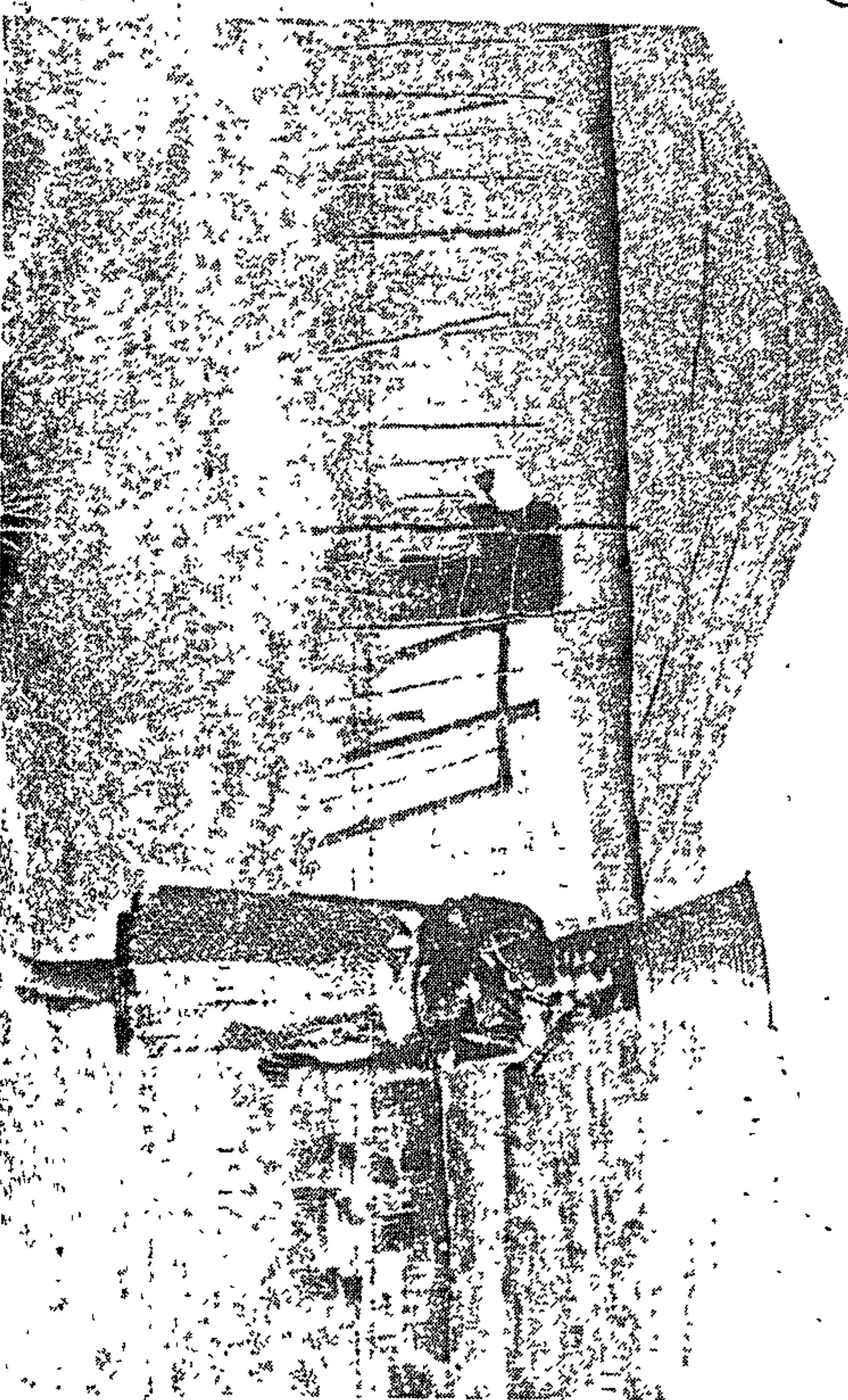
The elated mood of the residents reflects not only the victories they have won from the two governments, but also that they have secured these agreements largely by themselves.

They negotiated directly with the South African ambassador to Ciskei, Pieter Goosen, and his deputy, Izak Heath, calling on their lawyers to assist them only when it was "tough".

The previous ambassador, Chris van Aardt, consistently refused to help the community and at one point even admitted he knew in advance that Ciskei planned to demolish homes at Peelton.

Commenting on the victories, the chairperson of the Nkqonkweni Residents' Association (NRA), Msondezi Simandla, said: "It doesn't mean this South African government is the government we want. We want a South Africa under a people's government."

South Africa has promised the residents water, sewage and a school. The residents have agreed that the government borrow R40 000 of the compen-



Before the bulldozers... the Sebe regime destroyed most of these homes in east Peelton villages

sation for building the school and for payment of Department of Education and Training teachers.

The move by the South African government came after more than a year of resistance to Sebe's rule by the community following their forced incorporation into the "independent homeland" in August 1988.

Now the Ciskei military government under Brigadier Oupa Gqozo has formally requested Pretoria to take back Nkqonkweni, after consultation with the residents.

Gqozo also agreed to compensate the villagers for movable property, including livestock lost when they fled.

The residents are extremely encouraged by recent developments and determined to ensure the process of re-

construction.

The meeting place arranged with committee members of the NRA last week illustrated the transformation that is taking place. Children were playing in the building that was once used as a police station and which has since been appropriated by the residents for their projects, including a creche.

Residents have organised several projects to create job opportunities and promote education in the community. These include a pre-school, literacy and adult education classes, a piggery, chicken runs and sewing sessions.

Two men and two women from the eight-member committee of the NRA, representing approximately 2 000 residents with elected street committees, spoke about the pains they have won

since they returned to South Africa.

The clearest cause for celebration is the half-a-million-rand compensation. In September last year the community submitted claims to the South African government to compensate them for the houses they had lost.

The claims included inventories of the costs of materials and labour to rebuild their houses. South Africa agreed to pay a reasonable amount of the figure submitted although it was not the full amount requested.

Another achievement is the payment of pensions to Nkqonkweni residents by South Africa every month since October last year.

Simandla described how "South Africa asked the residents' association for permission for the Ciskei police to enter

the village to protect the money."

This is in sharp contrast to the period under Sebe's regime when the police would routinely enter the village and beat up the residents.

Now there are no police from South Africa or Ciskei in Nkqonkweni.

When census officials from the Ciskei entered the village without permission, they were escorted by youths to members of the residents' association who told them they had "no right to be there if they were coming from the Ciskei".

The census officials returned about two months later and they were sent back to Gqozo.

The community has now agreed to allow South African census officials to come in March and count the residents.

South Africa has already taken over the administration of the area but there are still some problems, such as registering babies' births in South Africa.

"Goosen told us not to worry as the homelands will be abolished soon, possibly in about five years," said Simandla.

The history of the struggles of Nkqonkweni residents is grim. They spent over a year under Ciskei rule facing the wrath of then president-for-life Sebe. Over 100 residents were detained and others were charged but refused bail.

During this time at least 70 houses in the Nkqonkweni and Tambo villages were demolished. Sebe ordered that the houses be bulldozed and villagers be dispersed among areas known to be pro-Ciskei at the time.

More than 800 refugees fled to regroup across the South African border in King William's Town, where they took refuge in church halls.

Now that the residents of east Peelton are settled again, they are able to start developing their community and can plan ahead. — elnews



# New plan to provide land for the poor

*Sowetan 21/2/91*

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THE Government is working on an ambitious plan to give poor people in South Africa access to land.

This was confirmed by the Deputy Minister of Planning, Provincial Affairs and National Housing, Mr Andre Fourie, in Cape Town yesterday.

Fourie said that in terms of the Black Urban Development Act, his department was identifying land and would sell it on a site-and-service basis to whoever wanted to buy it.

"People can then build any house which they can afford to," he said.

The plan was not aimed at specifically addressing black housing needs, he explained.

Because the Act would be abolished along with the Group Areas Act later this year, "anybody" would benefit from the plan.

A subsidy of R6 000 would also be

**ISMAIL LAGARDIEN**  
Political Correspondent

available for first-time owners.

"The Minister (Mr Hernus Kriel) is devising a new housing policy which will provide a one-off capital subsidy," Fourie said.

He said once the land was identified and proclaimed, any of the four provincial administrators, or even private developers, could buy the land for further development and eventual sale to prospective owners.

Fourie did not reveal the exact sum of money that had been earmarked for the scheme, as it depended on finances to be made available in the next Budget.

The Budget will be tabled by the Minister of Finance, Mr Barend du Plessis, on March 20.

# Doornkop community and police claim land

By Therese Anders  
Highveld Bureau

271

purely of religious nature but will have a political undertone".

The Doornkop community, which was uprooted in the early '70s, says it has the title deeds to the farm which its forbears bought from a white farmer in 1920 for £3 500.

The police say the land has been State property since 1967 and was handed over to the SAP by the Department of Public Works in 1987.

Yesterday, Transvaal Rural Advice Committee spokesman Janet Small called on the Government to intervene in the growing tension between the parties.

"In the light of the current reforms around the Land Acts it is an urgent matter now, and the Government cannot turn its back on the Doornkop people who have a legitimate right to their land," she said.

The recently erected "unexploded bombs" signs were not there on January 27 when members of the Doornkop Homecoming Committee took a Star reporter on a tour. Neither were there any gates and in many cases the fences were broken.

A community leader living on a farm near the SAP shooting range said the nearby primary school had not been warned of this danger.

A major confrontation is looming between the Government and the forcibly removed Doornkop people over land 20 km north of Middelburg which the police maintain is now their property.

Only weeks before some Doornkop residents planned to return, the police have erected huge boards on the previously unsignposted, easily accessed land, prohibiting entry and warning of "unexploded bombs, shells and cartridges".

The sign says the "dangerous" land is an SAP shooting range.

Yesterday, the SAP's Eastern Transvaal Regional Commissioner, General Robbie Robinson, warned former residents planning to resettle in the area that they would face prosecution.

He said any dispute over the ownership of the land "should be settled by means of the existing legal framework".

On Sunday, thousands of Doornkop people from throughout the Transvaal are expected to attend a mass prayer and rededication service at the community cemetery.

But it is not known whether this service will now be allowed to take place.

According to police, the service "will not be

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nd parents of 'Gift' baby



## Police keep eye on service at graveyard

By Therese Anders  
Highveld Bureau

MIDDELBURG — As police watched through binoculars from behind trees and a plane buzzed overhead, about 200 members of the dispossessed Doornkop community went ahead with a rededication service at their graveyard yesterday.

Police imposed 13 conditions on the service.

These included specifying who could speak and restricting the service to one hour and not allowing more than 1 000 people to attend.

Police banned the meeting which the Doornkop Homecoming Committee had planned to follow the service and would not allow former residents to walk over the old farm.

The committee had planned to discuss the resettling of the Doornkop farm, from which up to 25 000 people were uprooted during the early 1970s.

The former residents had always believed the land had been abandoned after the evictions.

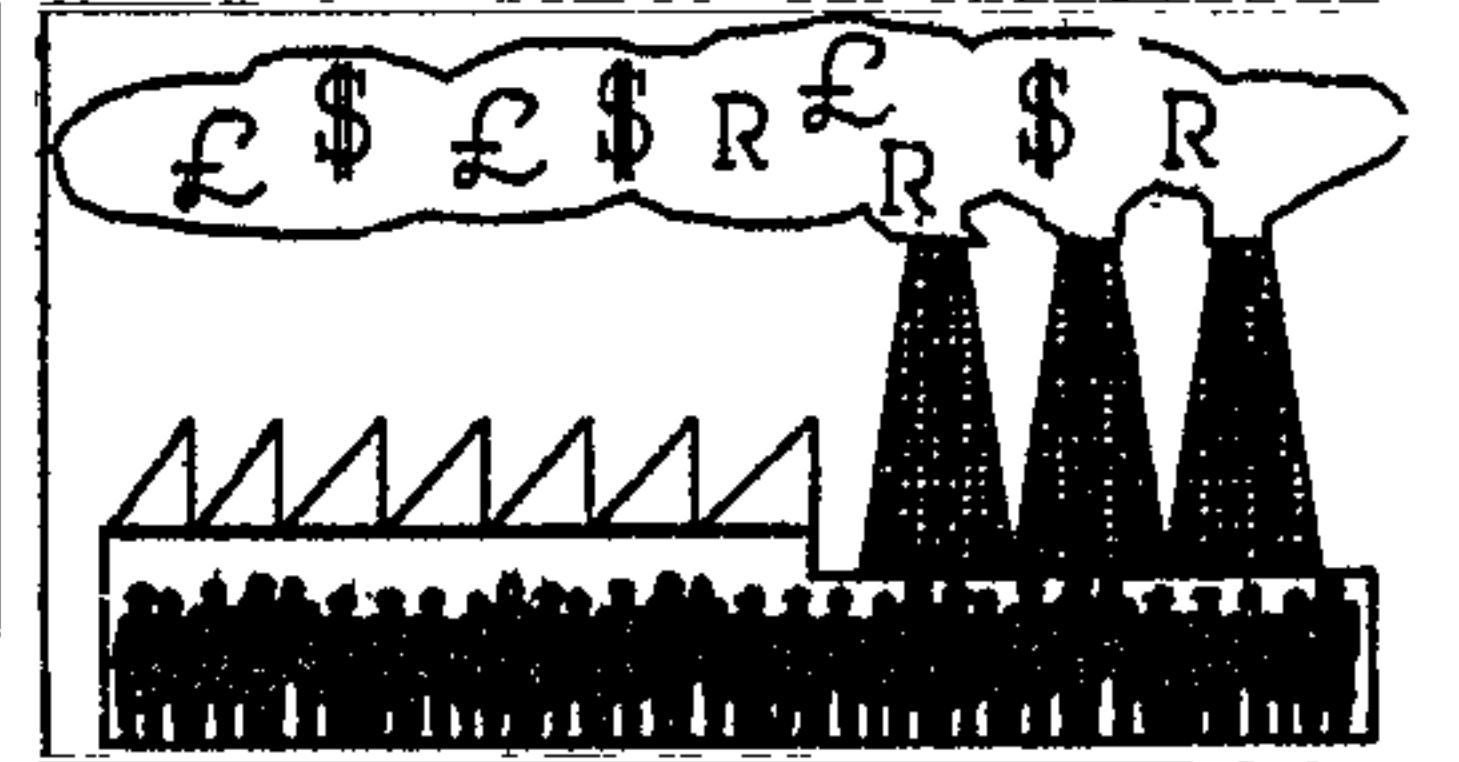
However, the SAP has since put up boards on the disputed land saying the area is a police shooting range and warning of unexploded bombs, shells and cartridges.

Last week the police issued a statement saying the farm had been State property since 1967 and had been handed over to the police by the Department of Public Works in 1987.

After the service, Homecoming Committee organiser Abe Maloma said the organisation's legal team would meet top Government officials to get permission for a meeting.

Mr Maloma said many had stayed away after Radio Lebowa broadcast that police had prohibited the service as well.

# ECONOMIC DEBATES



## Letters from readers

Dear Comrade Editor

I bring warmest and revolutionary greetings to the Learning Nation and congratulate you for your having published such an impressive debate concerning economic systems.

Allow me to contribute constructively to the ongoing debate concerning the economy of our country. One needs to be self-critical, pragmatic and flexible in analysing the present economic disaster.

South Africa is an example of a capitalist country. In the capitalist society there are two main opposing classes, ie the bourgeoisie and the proletariat. Capitalism is whereby the means of production is in the hands of the minority. It is therefore emphasizing private ownership. Capitalists dominate the country not only economically, but politically and socially as well. The alternative to capitalism is socialism. Socialism is the mode of production whereby the democratically elected people's state nationalizes the means of production so as to transfer it to the ownership of the people as a whole. Unlike capitalism, it is a classless society. It is the fullest form of democracy since according to the dialectical law of class struggle socialism must be born out of the womb of democracy. Capitalism and socialism are two diametrically opposed systems.

Capitalism in our country is based on racial prejudice and it is inherited from colonialism. Because of its form we termed it Colonialism of a special Type (CST). Capitalism has failed to address issues concerning our country. The regime has taken the initiative of privatizing our schools and health services. By so doing they give the capitalist a chance of making money at the expense of education and health. This also indicates that the regime is reluctant to elevate the standard of living. The haves become richer every day, while the have-nots remain poor, even more. The capitalists have also failed to provide us with houses and security. Unemployment, starvation, poverty, etc., are occurring daily. These are miseries caused by the capitalist mode of production. They are not concerned with working conditions. They pump more money into the "SADF" rather than uplifting the standard of living. This they do for their own security.

Coming to socialism, I don't believe that it has failed as a material force, unless it has been misled in some countries. The capitalists will always tell us that socialism is in crisis. We agree to disagree because socialism has never failed as propagated by Marxism-Leninism. They have forgotten that what has failed in South Africa is not Socialism but capitalism.

Because the economic disaster has contributed to political instability, Capitalism must be replaced by democratic socialism. Nationalization is needed to address political, socio-economic problems facing our country. But nationalization can only be done by a democratically elected people's state. To initiate by nationalizing the entire sector would be to throw a gauntlet to the bourgeoisie. It is only through nationalization that the ownership of the means of production is to be transferred to the ownership of the people as a whole. Nationalization and National Democracy are the footsteps to scientific socialism.

The Bourgeois mode of production is antagonistic to social production. Dialectical and Historical Materialism teaches us that it is not the consciousness of men that determines our existence in political, social and economic life, but that social existence determines consciousness. Therefore Socialism is going to be built from the pavement of democracy and nationalization. This will make material conditions conducive for democratic socialism to prevail. Thus the period of transition to socialism is a period of new consciousness.

Forward to a year of mass action for podar popular!  
Victoria e certa!

Yours in struggle

"Dos Santos"  
Former COSAS Education Officer

We are very pleased to have received  
so many letters responding to our  
**ECONOMIC DEBATES** series.  
Here is what a few readers had to say  
on the subject.

Let us go forward to the workers' struggle! Strengthen the workers' power! Here in my country, we are working under a capitalist government, a government that cannot help us according to their system of Apartheid. Throw away cheap labour! What we need to do is to pressurise for non-racialism for our people. The government must change their policies within six months for the people to get jobs. Let us try to sweep this minority government away.

I joined Fed Marketing early last year as a member. I'm not a bourgeois, in fact my work is too difficult in that middle class.

What I want to hear is that the ANC and their alliance is winning in the economic struggle. This is the point of view I wish to put to you.

Thanking you  
D.A. Tyokwana  
Kenton-On-Sea

The Nationalist government foresaw that changing the economic system from nationalization apartheid to a free economic system wouldn't allow them to monopolize the wealth of the Republic of South Africa. They opted for the privatisation of all government-controlled businesses, hoping to keep the wealth of the country in the hands of the minority of people. The government is very much aware that the majority of people of the Republic of South Africa are poor and uneducated; so they introduced this economic system called privatisation so that the ones who are already wealthy should benefit from this system, and those that are poor should remain poor for the rest of their lives.

Realising that the majority of black people are in the dark when it comes to the economy of the land, the government has deliberately introduced this devil-inspired economic system for the benefit of the capitalists.

From Leroy Zulu  
Diepkloof



# CURRENT ISSUES



## Forced removals:

# The Bakwena ba Magopa

New Nation (Leaning Nation)

1/3 - 7/3/91.

*"We are not prepared to move from our land. We want to live here. If the government wants to remove us, they must rather shoot us and move our corpses - we are not going anywhere again."*

These words by Daniel Molefe, a Magopa community elder, sum up the underlying will of the Magopa people to hold on to their land. Despite the desperate attempts of the government to remove the Magopa people from their land, they have failed to crush their love for their land.

## The Magopa Community

The Magopa people purchased their first farm, Zwartrand, in 1911, before the Land Act was passed. In 1931, they collected money by selling cattle to buy another farm, Hartebeeslaagte. The tribe was organised along communal lines and decisions were made by the whole community. The headman had no rights to appropriate land and resources.

By the 1980s, the prosperous community boasted two schools, a clinic, many shops, a reservoir and a thriving farming section which sold cash crops to the local agricultural co-operative.

## A typical "black spot" removal

From October 1981, it became clear that the government had decided to move the Magopa people in the interests of grand apartheid. Magopa was considered a "black spot". "Black spots" came into existence through the Land Act, which divided South Africa into white land (87 percent) and black land (13 percent). A "black spot" is an area occupied by African people in white South Africa, like a black spot in a white field.

To achieve the removal, the government used its common tactic of working with a corrupt leader to try to divide the community. They worked with the headman, Jacob More, even though the tribe had deposed him because of corruption. Ignoring the will of the people, the government continued negotiating with More. He agreed to move to Pachsdraai, the resettlement area allocated by the government. In 1983, he left Magopa with 10 families.

## Resistance and removal at gunpoint

The majority of the tribe resisted, and the government applied more and more pressure to force them off their land. It knocked down the school and withdrew the teachers. It bulldozed three churches and the clinic. Pension payments to the old people were stopped. The bus service to Ventersdorp, the closest town, was stopped and the water pumps removed. These conditions made another 170 families leave and go to Pachsdraai, but 350 families still resisted.

Then the government passed a law especially to remove the people of Magopa. It issued a removal order and set a date for removal. On that day, November 24 1983, many people including Bishop Desmond Tutu, Allan Boesak and members of the United Democratic Front (UDF) and Black Sash attended a vigil at Magopa. When the government officials and police arrived the next day and saw the crowd, they turned around and left.

The community rebuilt the school and managed to have the bus services and their pension payments reinstated. However, the peace they enjoyed was short-lived. The police just waited until the community was not prepared.

Without warning, on February 14 1984, Magopa was cordoned off and the police moved in. People were loaded onto trucks at gunpoint and taken to Pachsdraai.

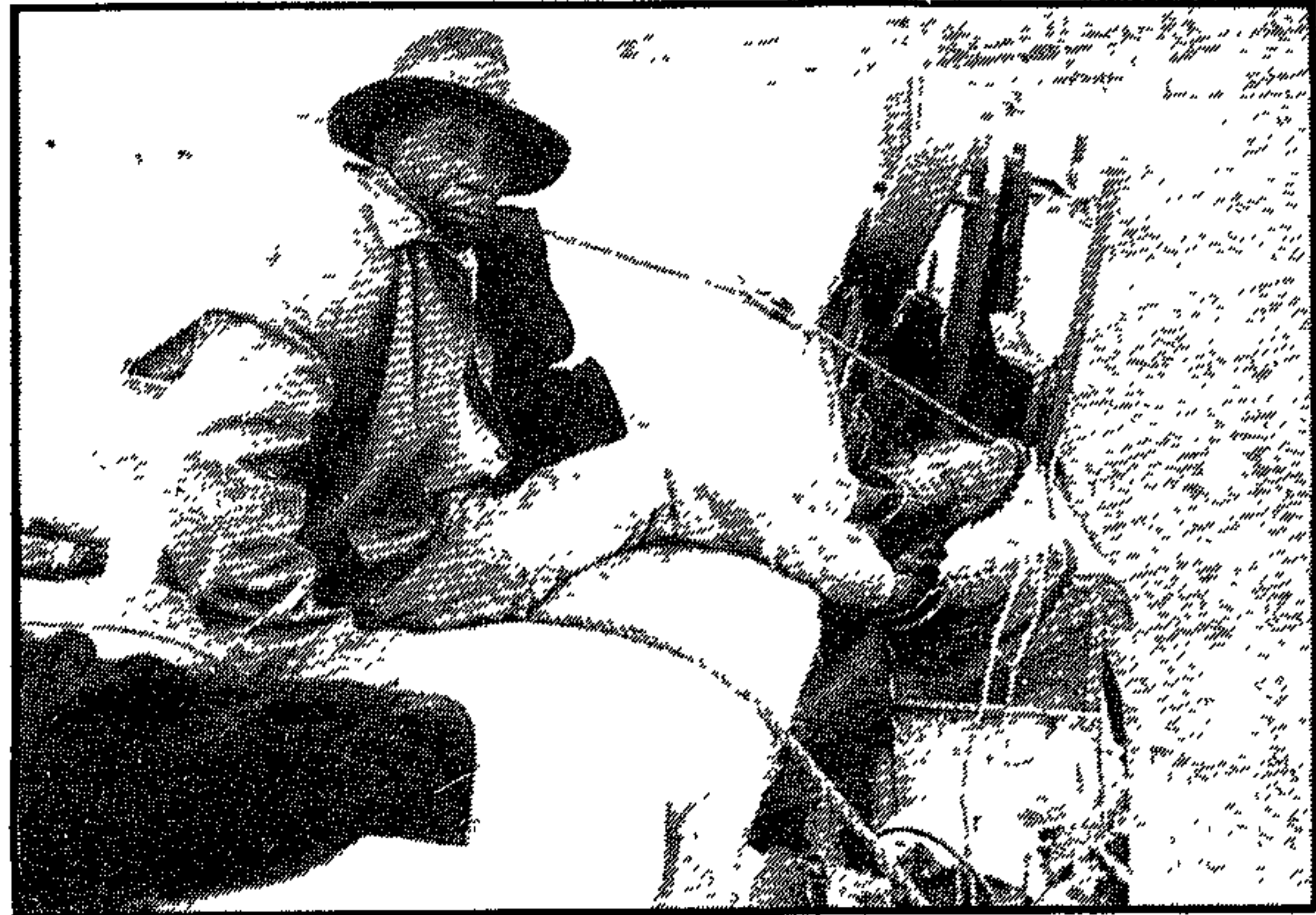
The people refused to stay there. They remained determined to return to Magopa. They challenged the removal in court, and in 1985, the highest court in South Africa found that the removal was illegal.

## The land stolen - again

This victory was empty, though, because the government had in the meantime expropriated their land. Expropriation meant that the Magopa people were no longer the owners of the land. If they returned, they would be trespassing.

The Magopa people attempted to buy another farm, Holgat, with church money in 1987. Just before the arrangements were ready, the government expropriated that land too. Suddenly, they claimed that it was needed for a black agricultural college.

The Magopa people negotiated with the government, insisting that they would



Pic: Paul Weinberg - Southlight

accept no place other than Magopa. In 1987, the government gave them a temporary place at Onderstepoort near Sun City. This was the third place the Magopa people had moved to in their exile from Magopa.

## The return to the land

Convinced that they had tried all the means to get their land back openly, the Magopa people decided to simply return. They got permission for some of the old people to clean the graves of their ancestors at Magopa. Gradually more and more people drifted back to Magopa, without getting "permission" to return to their ownland.

Today there are more than a thousand people at Magopa. The village of Magopa looks like a battlefield with tin shacks scattered among broken-down stone houses. Amidst the ruins life goes on with children playing soccer, mothers hanging up the washing, people repairing their houses and fences and watering their gardens. Their love for their land has brought them back to the only place they know.

But people have not returned to the life they knew before. The school they rebuilt was demolished as were the shops and even the churches. The cattle of neighbouring white farms are grazing among the ruins. The land of Magopa has been leased to the local agricultural unions for additional grazing. Now the people of Magopa must compete with the cattle for space and water.

## Hopes for the future

But such hardships barely dampen the spirit of these people who have endured so much, driven by their determination that Magopa is their land. They have started negotiating with the government for their land again. Will their negotiations with the government finally bear fruit, now that it is an era of negotiating and building a "new" South Africa?

The Magopa people are full of hope. Already they have begun building the basic requirements of a stable community. They have started rebuilding the school which was demolished twice. They have established a clinic, and trained health workers to look after everyone's health, especially the malnourished children.

But they still wait to rebuild properly and to farm as they did before. They want to bring their cattle and livestock back and are itching to plough the fields that once brought them good yields of mielies and beans and sunflowers.

## Conclusion

The Magopa people are right to assert their ownership of the land. Their determined love for their land has brought them back to the land, and within sight of having it returned to them fully, legally. Before the Land Acts are lifted, all communities which, like Magopa were removed, should be allowed to return.

This article was written by Trac. If you know of any stories of removals similar to this one, write to Trac about them. Their address is: Trac, PO Box 2827 Johannesburg 2000.



**TRYING TO MAKE UP**

In what will be the most fundamental reform of land tenure in SA's history, government is considering giving blacks full ownership of land they occupy in tribal areas.

It is also considering selling more than 2m ha owned by the SA Development Trust.

Draft legislation to provide for the reforms has been prepared by the Law Review Project. *FIM 113191*.

If it is approved by Cabinet it could be tabled in parliament within weeks. Land reform was discussed earlier this week during the meeting in Cape Town between government and homeland leaders.

Land ownership in tribal areas has long been one of the most sensitive and controversial issues facing National Party reformists. The vested interests of tribal leaders have effectively blocked progress towards freehold title in rural areas of the homelands.

But it is reliably understood that government is now ready to push ahead with what amounts to radical changes to the traditional system of land allocation and occupation. It is apparently satisfied that it will be able to persuade homeland and tribal leaders that they have more to gain by the changes than they will lose.

It is likely that the legislation will provide for title to property to be registered with local magistrates in terms of common law. De facto boundaries to properties will be accepted; stands will not be surveyed unless the new owner asks for it or if surveying is needed when the property is bonded.

The sale of Development Trust land has been pending for some time (*Current Affairs* May 4). Initially, it was envisaged that a black commercial farming sector would be established on land originally earmarked for homeland consolidation.

Government has been reassessing the future of more than 2m ha of trust land after the official abandoning of the aim of consolidating homelands as part of the grand apartheid scheme.

A lobby within the NP wants some of the land allocated to black farmers as part of an "affirmative action" programme to help to establish farmers who were prevented over the years from obtaining farm land.

At least 1m ha of trust land is now leased to white farmers or used by the State Trust Corporation. Much of it is regarded as "high potential area."

But with State legal advisers now combing the statute books to trace and delete all

**CURRENT AFFAIRS**

references to race, "affirmative action" involving only black farmers seems unlikely — though blacks do seem set to benefit most from the availability of land close to existing homelands. *FIM 113191*

It is generally accepted that 87% of land in SA is reserved for ownership and occupation by whites and only 13% for blacks. The pending reforms are in line with the proposed scrapping this year of the Group Areas Act and the Land Acts. ■



## REPARATIONS FOR APARTHEID

# OUT OF THE CONFESSIONAL

FM 8/3/91.

## WHERE THERE HAS BEEN DISPOSSESSION, THE CLAIMS SHOULD BE HEARD

How seriously should we take the "confession" of apartheid? The avidity of Archbishop Tutu, for one, to receive such confessions in church is worrying — as if the significance of the issue is being embarrassed by an atmosphere of street-corner revivalism. But now politicians like Leon Wessels speak boldly and frankly in public of the "mistakes" of the past, and once you put it like that you have to think of making amends. That means reparations.

Reparations are usually imposed by the victors in a war on those they have defeated — the compensation demanded of the Germans after both world wars, for example, or by the Allies of Iraq today. In addition, after World War 2, the Nazi leadership was made to stand trial for war crimes. The issue of reparations in this country cannot be divorced from the question of whether those who carried out the policies of apartheid in their most brutal and extreme form should not, equally, be put on trial.

It must therefore be asked, was apartheid a crime against humanity, or a misguided attempt at social engineering?

In its purest form (enforced by law) apartheid involved the disruption of millions of lives. The total of those arrested in terms of influx control was 17m. A 1983 estimate put forced removals at 3,7m. And there were many deaths flowing from the effects of apartheid — people who died in detention under security laws designed to protect the white State, and an uncountable number who perished in remote and desolate areas to which they had been forcibly removed.

To make the Group Areas Act work required the destruction of entire communities such as Sophiatown and District Six; and "black spot" removals of rural settlements from white areas required the utmost use of force. One factor in preparing the ground for sanctions in the Eighties was the repeated assault of Bantu Administration police on squatters at Crossroads, generally in mid-winter and at night.

The effects of all this destruction cannot be quantified: the ramifications of rigidly imposed segregation in all aspects of our life are too broad for that. The cost to GDP, for example, of the forgone education of the million-odd black schoolchildren who have lost out since 1976 is unknowable. And from their ranks most probably come those responsible for the current wave of crime

which, like war, is purely destructive.

There is also the broader economic loss symbolised by the creation of apartheid cities with racially separate hospitals, schools and transport. Richard Tomlinson — who did research on urbanisation at the Massachusetts Institute of Technology — notes that planning for a future based on apartheid has been immensely costly in terms of decentralisation and the subsidisation of commuter bus services alone. By 1983-1984 (on the eve of the unrest which was to shatter the ideological framework of separate development) these primary costs of segregationist industrial policy came to R1,743 bn a year. In 1985 the travelling costs of a worker from KwaNdebele were subsidised by R1 600 a year — almost three times per capita homeland income.

All this money has been completely wasted. Partly because of that, we do not have adequate schooling, health or housing. Operation Hunger, a charity, feeds almost 2m people. Many of the people who were locked into the homelands by coercion have in any case come to the cities because of desperation, overburdening areas designed

for a far smaller number of people on the premise that by 1978 the flow of blacks from the bantustans would reverse itself.

These facts suggest that a more appropriate comparison for apartheid than Nazism is Stalinism. Stalin's attempts to collectivise agriculture in the Soviet Union — Lenin had been less successful before him — led to the deaths of millions of *kulaks*. Both Verwoerd and Stalin started out with a central impelling idea of how society should be structured, and proceeded to enforce it. It is true, however, that there has been no episode comparable to the Great Terror in SA.

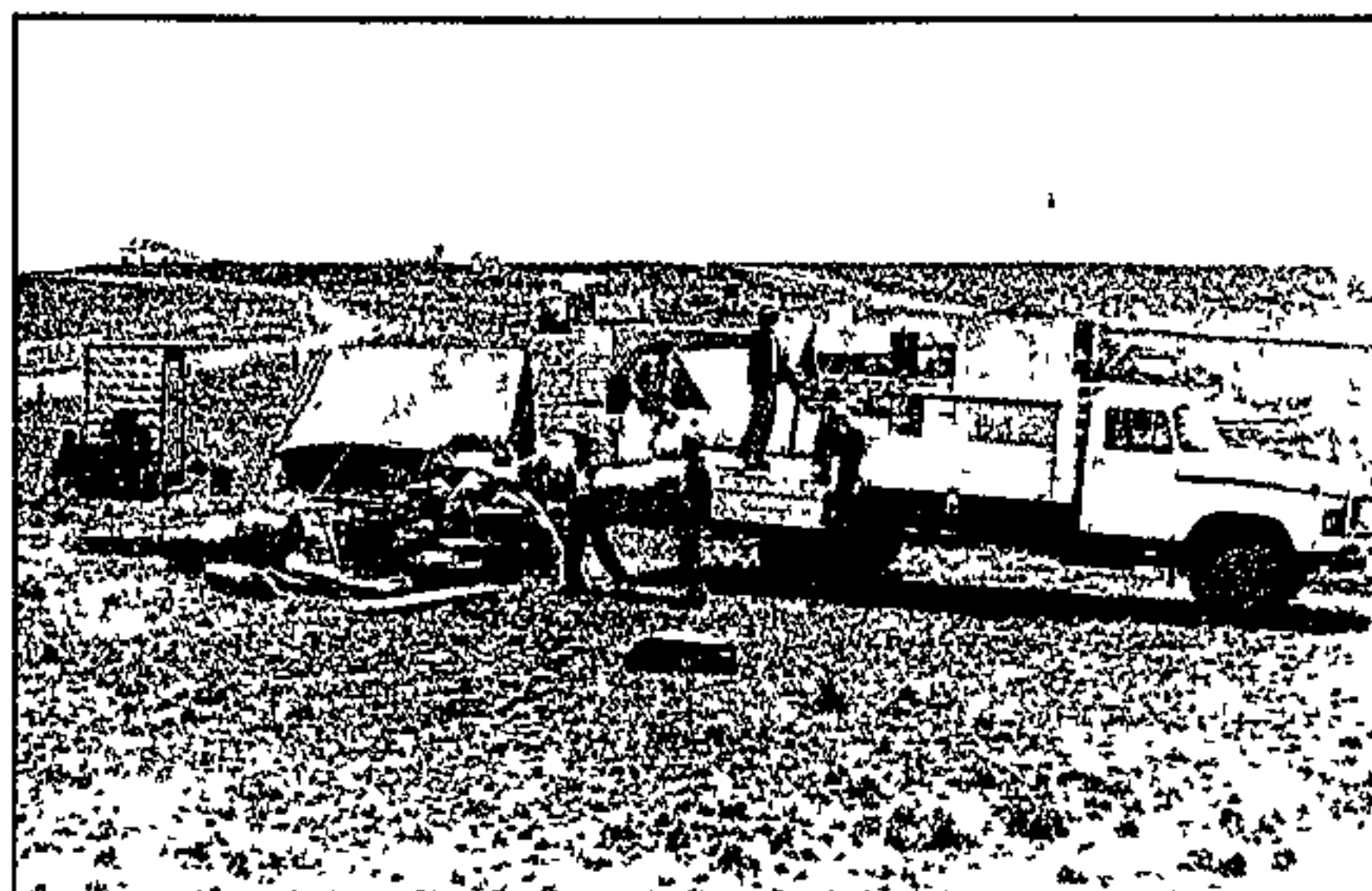
This point relates to the fact that reparations are generally imposed by the victors in a war. Stalin's successors — while they, too, have come to the abyss of admitting that their social religion was a "mistake" — may succeed in their reforms, or they may be overthrown and there could be a return to autocracy. Whichever it is, there will be no going back to communism as it existed in the Twenties and Thirties; and because there is no question of one stratum of society having defeated another, and all might be said to be the losers, reparations are not an issue. Stalin's crimes become a horrible episode of history about which nothing can be done — except not to repeat them.

This is in some ways SA's situation today. It is unlikely that the many officials who presided over the millions of influx control arrests and forced removals will either be named — in relation to known excesses — or brought to account. For many years Piet Koornhof — as minister of co-operation and development — was a virtual czar of black affairs; he was called "Piet Promises" because he kept promising that things would improve, though they never really did — and the government with which he was associated was replaced by a more genuinely reformist one. But he has had a happy later career as ambassador to Washington, and his golden years are likely to be peaceful.

In fact, judging from his public statements, Koornhof — like President F W de Klerk — has outgrown apartheid. In church and in the press — everywhere, in fact, except in rightwing circles — Afrikaners indicate that they have had just such a conversion from the bad old ways. The English-speaking community can continue to keep its head down and claim that it never had anything to do with apartheid anyway.



Forced removal ... brutal social engineering



Relocation camp ... millions were victims

# 'Chiefs have to share the land'

By ZB. MOLEFE

C/Press 10/3/91

CHIEFS who were rewarded with Trust farms in rural black South Africa for co-operating with apartheid in the past must be forced to share that land with other communities, the National African Federated Chamber of Commerce (Nafcoc) urged this week.

South Africa's biggest black business chamber also added that "all Trust land allocated to homeland governments for agricultural purposes, (must) be subdivided into private farms and sold or leased long-term to black farmers, companies or co-operatives".

The statement comes in the wake of this week's announcement that the government will on Wednesday table a White Paper on the implications facing South Africa following the scrapping of the Land Acts and the Group Areas Act.

Nafcoc also recommended that the Land Bank, the SA Agricultural Union and farmers' co-operatives be empowered to serve all races.

Nafcoc also called for an immediate "freeze" on all land speculation, saying the free-market system could not redistribute land equitably, hence the importance of government intervention.

■ A parliamentary committee of the British House of Commons has recommended that Britain should be prepared to assist any "well-constructed" land distribution programme in a post-apartheid South Africa, as it had done in Zimbabwe.



# Ownership of communal areas transferred to tribes

CAPE TOWN — Government has decided to protect communal tenure of land by tribes in the rural areas for 10 years, and to transfer ownership of this land directly to the tribes.

But it said it believed "tribal communities should seriously consider the advantages of individual tenure". Nor was it in favour of the expansion of the traditional system of land tenure. 8/10/1971

The decision to vest control of tribally held land under existing "tribes" and chiefs is likely to vest

Political Staff

control in the very groups that controlled the homeland structures.

The government decision on tribal land could, in the circumstances, expose it to criticism of protecting the power bases of those chiefs over land.

Government said in its White Paper that large tracts of land in black areas were occupied and used by members of the tribe in accordance with the traditional communal system of land tenure.

These rights "cannot be typified under common law and converted into rights recognised in South African law", it said.

Ownership therefore was granted to tribes to give them full right to dispose of their land. To safeguard the interests of individual members of a tribe, the proposed law prohibited the tribe from selling its land to people who were not tribal members for 10 years after the land had been transferred to the tribe unless a court order authorising the sale was obtained.

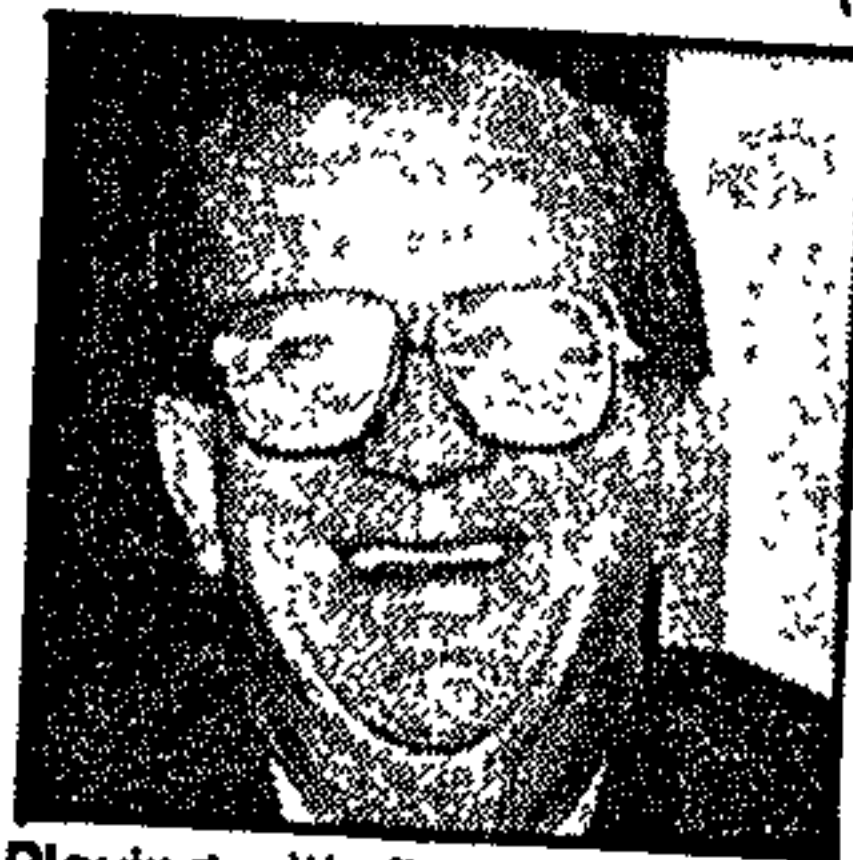
# White Paper lauded, slated

Star 13/3/91  
By Jo-Anne Collinge

Reaction to the Government's land reform proposals took the pattern of sharp rebuke from organisations representing the homeless and the Right — and a warm welcome from most bodies speaking for those who own property.

Heading the critics were the African National Congress and the Conservative Party. Those adding their praise included the SA Agricultural Union (SAAU), the Democratic Party and the South African Chamber of Business (Sacob).

The ANC — stressing that the Government had not consulted it or any of the communities subjected to forced removal under apartheid —



Playing with fire . . . Andries Treurnicht.

said the White Paper presented a view of land ownership "that absolves the white population of all responsibility for the existing unequal land dispensation".

It added: "The Government takes the geography of apartheid as its starting point and explicitly refuses to deal with the landlessness

and dispossession that is the direct legacy of apartheid's policy of forced removal and bantustan consolidation."

The ANC condemned the Government's refusal to restore land to the victims of forced removal.

Dr Andries Treurnicht said the Government was "playing with fire".

He said the CP found it inexplicable that the Government was turning white South Africa into everyman's land before negotiations on a new constitution had begun.

What made these proposals even more drastic was that black people retained their land in the independent states and self-governing territories while whites did not have this right.

● To Page 2

## Residents want their land back

Star 13/3/91  
By Helen Grange

Residents of three rural communities plan to reoccupy land they were forcibly moved off — despite the Government's rejection of this proposal in its White Paper on Land Reform, published yesterday.

About 39 000 former residents of Roosboom, near Ladysmith, Charlestown near Volksrust and Criemen near Elandsplaagte were moved off their freehold land in the late 1970s.

A number of former Roosboom residents were prosecuted for attempting to return to the land last year.

Legal action was suspended pending negotiations with the Department of Public Works and Land Affairs.

People from Charlestown and Criemen say they will begin reoccupying their land on April 30 and May 31.

Spokesmen from the three communities said there were rumours that the Government was considering selling the land. "This we totally reject," they said.

## Councils cheered by wider powers

Star 13/3/91  
By Jacqueline Myburgh

Extended powers for local authorities and residents in maintaining physical standards have been welcomed by local councils and residents' associations, especially since they signal further decentralisation of power.

Andre Jacobs, chairman of Randburg Town Council

management committee, said it was for local authorities to ensure an orderly urbanisation process.

Randburg had promulgated housing nuisance by-laws to protect minimum standards.

Sandton town councillor and property expert Peter Gardiner said the new powers would be effective in

protecting standards.

Johannesburg city councillor Claire Quail said the more powers local authorities had for planning, the better.

It was preferable to make decisions regarding living standards at grassroots level as opposed to involving someone who did not live in the area, she said.



JOHANNESBURG. — At least 15 of the country's dispossessed rural communities plan to meet soon to discuss strategies to reclaim their land.

ANC land commission spokesman Ms Aninka Claassens said yesterday that representatives of 3,5 million people forcibly removed from their land under apartheid supported the ANC's proposal for land courts to adjudicate on land claims.

She said there was a large-scale move by dispossessed communities like those at Mogopa, Doornkop and Mfengu to

## Tribes plan to reclaim their land

return to their former homes. This would be discussed at the meeting.

The National Land Committee (NLC) said the white paper was not a proposal for serious land reform. The paper was based on extending the existing system of land rights.

"It explicitly refuses to consider the restoration of land to communities who were forcibly removed. It says this is not feasible and demands that these communities should accept their present position."

"We believe this to be an unreasonable and unfair demand," the NLC said. The starting point of any programme of land reform had to be the willingness to acknowledge and rectify the wrongs of the past.

"Unless this is done, no attempt to change the system of land rights will have any legitimacy or credibility."



ANC land commission spokesman Aninka Claassens and ANC head of information Pallo Jordan reacting yesterday to government's land reform proposals. Picture CATHERINE ROSS

## Communities move to regain land

REPRESENTATIVES of at least 15 of SA's dispossessed rural communities plan to meet soon to discuss strategies to reclaim their land. *General*

ANC land commission spokesman Aninka Claassens said yesterday that representatives of 3,5-million people forcibly removed from their land during the heyday of apartheid supported the ANC's proposal for Land Courts to adjudicate conflicting land claims. *SDM 14/3/91*

She said there was a largescale move by dispossessed communities like those at Mogopa, Doornkop and the Mfengu to return to their former homes. This would be discussed at the upcoming meeting.

In some cases they were being threatened by local farmers and intimidated by signboards claiming their former land had been landmined. *(271) (50)*

The National Land Committee (NLC) said government's White Paper on land was not a proposal for serious land reform.

The NLC said the White Paper was based on extending the existing system of land rights.

PATRICK BULGER

"The White Paper explicitly refuses to consider the restoration of land to communities who were forcibly removed. It says this is not feasible and demands that these communities should accept their present position.

"We believe this to be an unreasonable and unfair demand," the NLC said.

"The starting point of any programme of land reform has to be the willingness to acknowledge and rectify the wrongs of the past. Unless this is done no attempt to change the system of land rights will have any legitimacy or credibility."

In early reaction to the paper, the ANC said its effect was to codify dispossession under the cover of free market proposals.

"All this emphasises is the need for speedy progress in negotiations for a constitution that will be democratic and serves the interests of all the people."

● See Page 4

● Comment: Page 8




## LAND REFORM FM 15/3/91 ENORMOUS CHANGES

Government's land reform plan will enrage political extremists, both Left and Right, but it is undoubtedly the most fundamental change so far in Nationalist policy. It will do as much to shape the new SA as the Tomlinson Commission report in 1955 shaped apartheid by providing the framework for separate development.

In essence, the White Paper and five Bills tabled in parliament this week will:

- ☐ Remove all racial discrimination from land ownership;
- ☐ Automatically convert about 2m leasehold properties in black townships to freehold; ~~cancel~~ (271) ~~cancel~~
- ☐ Immediately release 254 000 ha of SA Development Trust land originally earmarked for incorporation into the homelands for sale (by implication to black farmers) with a further 220 000 ha to follow soon;
- ☐ Allow communities on a nonracial basis to determine "norms and standards" for their areas; and
- ☐ Greatly speed up the acquisition and ser-

FINANCIAL MAIL • MARCH • 15 • 1991 • 45

*Continue* 

## CURRENT AFFAIRS FM 15/3/91

vicing by the State of land for "less formal towns" and provide for the establishment of a financial and technical support structure to help low-income earners and farmers to acquire land.

The measures affect 189 laws and an estimated 15 000 proclamations which have regulated land ownership on a racial basis for nearly 40 years. Government hopes to have the Bills passed by parliament by mid-June.

The Black Land Acts of 1913 and 1936, the Group Areas Act, the Black Communities Development Act and all other provisions regulating land ownership on a racial basis will be repealed "finally and unconditionally," according to the White Paper.

But the final rooting out of all race-based measures will be the task of a special Advisory Committee on Non-Racial Area Measures under the minister of justice. This will liaise with all State departments that could be affected by the reforms.

The white Right will accuse government yet again of caving in to black demands, while the radical Left will no doubt condemn the failure to propose either large-scale land redistribution or compensation for loss of land and property rights due to apartheid.

Government's spokesman on the issue, Stoffel van der Merwe, agrees that land was lost owing to apartheid's social engineering but argues that more white land was given to blacks for homeland consolidation. Any attempt to restore land to its original owners would be a nightmare. "We must look to the future rather than the past."

Local Government and Planning Minister Hernus Kriel says while no specific anti-discriminatory clauses are contained in the Bills, once race-based laws are scrapped, common law will prohibit discrimination on the grounds of race, creed or gender. However, individuals will be free to decide to whom they wish to sell or lease their property and he concedes that this could be based on race — just as it could be based on religion, gender or cultural group. Government will not interfere in this process.

The reform measures don't affect the legal status of the homelands, their geographical definitions or their self-governing status. Government says the future of the homelands is under negotiation and can't be finalised in terms of the land reforms.

The system of tribal ownership in the homelands will also remain almost unchanged unless the tribal authorities themselves wish to change it, and even then a 10-year "sunset clause" in one of the Bills provides for judicial review of land transactions to ensure that the tribe is not prejudiced.

The White Paper says the "norms and standards" measures are needed to allay fears in "certain communities" that the repeal of the Group Areas Act will threaten "established community life."

The White Paper repeats government's view that "own affairs" will stay until a new constitution is implemented. Interim provision is made in one of the Bills to provide for

the continued administration of certain areas and functions as "own affairs" even though the principle is repudiated by the reforms. ■

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**PAST WRONGS:** The Government's policy that dispossessed communities should not be allowed to return to their former lands is little comfort for many. Here young residents of Mogopa, their homes cleared by the removals squad, wait with their police escort for the journey to their new home at Pachsdraci.

# Naught for their c

Govt's new land policy is a bitter pill for d

**A**RTHUR Monnakgotle rubbed the scar on the inside of his right wrist.

He got it, he says, as the result of the bursting of a blood vessel as he hung, suspended by his wrists, during security police interrogation in Pretoria after a forced removal.

And as he rubbed, he reflected on the Government's view that "peace and progress" would be served by abandoning the idea that victims of forced removal were entitled to return to their land.

## Dumped

The 62-year-old chairman of the Bakubung-ba-Ratheo tribe recalled his experience 22 years ago when his community was forced off prime farming land near Magaliesburg — land they had acquired 78 years earlier — and dumped in the bushveld of Ledig, near Sun City.

Mr Monnakgotle, brother of Lukas Monnakgotle who led the 180-odd resisting Bakubung families, was one of 10 residents arrested and charged with terrorism at the time of the removal.

Says Mr Monnakgotle, the police "treated him" and told him "Mandela was here and Fischer was here so you better talk straight." Fellow community leader Solly Moloko elaborates: "They had him hanging between heaven and earth."

## JO-ANNE COLLINGE

One of the accused, Jacob Monnakgotle, died in custody. The official verdict was that he died of natural causes. Arthur Monnakgotle laughs doubtfully: "He was being 'treated' too. He got frightened that they would come back and do the same thing they did. So he died."

At the time of the arrests, one of the accused obtained an interim interdict prohibiting the police from further interrogation. He alleged that he was beaten and subjected to electric shocks until he lost consciousness.

Arthur Monnakgotle, refused bail, spent nine months in jail awaiting trial. He was one of three who were acquitted. The others received an effective one-year sentence for assault.

He walked from jail a free but homeless man. During his time in jail the authorities completed the forced removal they had been working on relentlessly for nearly four years.

According to reports at the time, the removal took the following course. The order for the tribe to quit their land was given in 1965. In 1966 the community school was de-

mollished in a bid to induce people to go. Towards the end of that year a major section of the community — described as "tenants" rather than landowners — left along with the wife of the former chief, Catherina Monnakgotle. A minority of about 180 families, comprising titleholders, remained.

The land was expropriated in May 1967 and twice thereafter scores of residents were arrested and convicted of trespass on State land. A condition of the suspension of their sentence was that they leave the land by December 31 1968.

## Duress

When, in January 1969, they were found to be defying the order, about 190 heads of households were arrested and the removal took place, in the presence of the military, under duress.

The land near Magaliesburg remains an almost tender memory to those who lost it. "We were posh there, I must say," recalls Mr Monnakgotle. "We didn't have to buy anything from the shops. Mealies, beans, fruit — we grew it. We had water."

That this is not a romanticised memory is attested by the quiet self-



**ARTHUR MONNAKGOTLE:** He says he was 'treated' by police.

sufficiency of another sector of the Bakubung tribe who live on adjoining land at Mathopetad and who successfully resisted removal.

In 1988 Mathopetad — known among other things as the place where United States Senator Teddy Kennedy's helicopter broke down during his whirlwind tour of South Africa some years ago — became one

of the few "black spots" to official reprieve.

Mathopetad produces an crop surplus, which it markets through the local agricultural Relationships with white neighbours are cordial.

To Mr Monnakgotle the Government's flexibility in the case of Mathopetad Bakubung only makes intransigence over the Monnakgotle land all the more perverse.

## Safeguard

The Government has never... the land. When it seemed ready... so last year, the community's... yers made immediate representations to stop the sale, stating that removal was unlawful and that community wished to begin negotiations for a just resolution of problem. If this option was chosen they would seek redress in courts.

At present the land is... by a general undertaking by the Department of Agricultural Development that "no agricultural land which had been expropriated earlier stage in accordance with previous consolidation policy would be sold henceforth."

It remains to be seen whether...



## Local govt to have teeth to stop decay

Star 16/3/91

RESIDENTS, ratepayers and housing associations will be given teeth to enforce by-laws and keep neighbourhoods in good nick when the Residential Environment Bill is passed by Parliament, town council spokesmen said this week.

The Bill aims to prevent the possible downgrading of neighbourhoods with the scrapping of the Group Areas Act. It also confers additional power on local authorities to pass and enforce by-laws in order to maintain neighbourhoods. But the Bill stipulates that racially discriminatory by-laws will not be allowed.

The Bill provides for the setting up of an Urban Environment Board to help local authorities to maintain standards and set up urban renewal projects. The board will play an advisory role and consist of experts in urban renewal.

### Standard

Apart from providing for the maintenance of norms such as tidy and hygienic premises, the Bill provides for ways to settle disputes and for the orderly and civilised use of public facilities, noise control and urban decay.

"This national provision sets minimum standards which go further than previous legislation," said Midrand Management Committee chairman Ian Bekker.

He said Midrand had already amended existing by-laws, mainly to ensure ghettos don't develop.

Asked about the effect the Bill would have, Sandton town councillor Peter Gardiner said "Neighbourhood standards could be protected and most municipalities could now decide on what standard of service they want in their area."

"Presumably we are now allowed to

set our own standards. For example, Sandton neighbourhoods want high security standards and environmental standards. We could even provide our own security force.

"Our council could now pass a by-law to set up residents' associations more formally. This would put teeth into the system and residents would be encouraged to pay for upgrading their neighbourhoods."

He said another example would be to formalise homeowners' associations — which in Sandton already raise money to control architectural standards and maintain landscaping.

The Bill also means local authorities will have more control over spending and it provides for financial assistance to local authorities to undertake projects out of appropriated funds, according to Mr Gardiner.

Johannesburg City Council spokesman Professor H Hurwitz said he believed local authorities may have more power to enforce legislation because penalties would now be more realistic. Offenders could be fined up to R10 000 and there is an additional R100 fine a day for an ongoing offence.

The Randburg Town Council has promulgated housing nuisance by-laws, aimed at ensuring minimum standards, according to council spokesman Andre Jacobs.

But he admitted that it may be difficult to enforce legislation while the country was going through a transition.

Federation of Western Johannesburg Ratepayers' Associations spokesman Frank Salmon said residents were already contributing to maintaining standards in their suburbs but the new legislation would give local authorities more power to prevent urban decay.



should not be allowed to return to their former lands is little comfort for many. Here squad, wait with their police escort for the journey to their new home at Pachsdrail.

# for their comfort

Star 16/3/91

## and policy is a bitter pill for dispossessed

In a bid to induce people to the end of that year a portion of the community — as "tenants" rather than — left along with the the former chief, Catherina Mntsho. A minority of about comprising titleholders,

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of the few "black spots" to win an official reprieve.

Mathopetad produces an annual crop surplus, which it markets through the local agricultural co-op. Relationships with white neighbour farmers are cordial.

To Mr Monnagotle the Government's flexibility in the case of the Mathopetad Bakubung only makes its intransigence over the Monnagotle land all the more perverse.

### Safeguard

The Government has never resold the land. When it seemed ready to do so last year, the community's lawyers made immediate representations to stop the sale, stating that the removal was unlawful and that the community wished to begin negotiations for a just resolution of the problem. If this option was closed, they would seek redress in the courts.

At present the land is safeguarded by a general undertaking by the Department of Agricultural Development that "no agricultural land which had been expropriated at an earlier stage in accordance with a previous consolidation policy will be sold henceforth."

It remains to be seen whether the

position taken by the Government in its land reform White Paper will do away with this safeguard.

Despite this week's developments, Mr Monnagotle still feels that the political climate is more conducive to a settlement than it was in the past. "If they are taking the African National Congress out (of jail), why can't we get our farm back? We are going to stand very hard to get our land back."

For years after the brutal removal the community lived in fear. It placed its faith in lawyers, not daring to do anything more assertive. And it got no returns.

Now, the Bakubung are beginning to think of the legal approach as mere backup for a more assertive, activist strategy. They have been stirred by others who simply reoccupied their old land.

Already they are planning for the future. "That old style of living must come to an end," says Mr Monnagotle's fellow leader, Mr Moloko. "The idea of everyone having a morgen must come to an end."

The idea is to farm all the land communally and profitably and to properly plan the village. Whether the tenants will be allowed to return is a sore point. Like the landowners, they are living in the utmost poverty

at Ledig. "They are crying but there's nothing we can do right now," observes Mr Monnagotle.

It is also apparent that the quick capitulation of the tenants is seen as a crucial factor in the removal. "Had we been owners we would have spoken with one voice," asserts Mr Moloko, implying that — like the Mathopetad — they would have found the power to stay put.

Mr Monnagotle says they were never properly compensated for the destruction of their homes and property and he has never built a house at Ledig on the supposed "compensatory" small plot.

These compensatory plots are registered in the name of Bophuthatswana president Lucas Mangope and it is a moot point whether the Bakubung, who have retained South African citizenship, could obtain title.

### Forefathers

In any event they do not intend to try. Their eyes are firmly fixed on the return of farms 19 and 21 at Boons. "Our forefathers sold everything to get that land. They even let Barclays Bank look for minerals so that they could finish paying the debt," says Mr Monnagotle.

For him the only justice will come when the day the security police took the title deeds from him is wiped from his memory by the return of the deeds to his safekeeping.



Patrick Laurence looks at FW de Klerk's pledge to abolish discriminatory laws

# Land problem is a quagmire

See 25/3/91

**T**HE pending repeal of the Land Acts of 1913 and 1936 has been presented as a major step towards fulfilment of President de Klerk's promise to rid the statute book of racially discriminatory laws by the end of June.

But ironically, his plan of action as outlined in the White Paper on land reform is seen by a wide range of opposition forces as a move to protect the beneficiaries of apartheid without properly compensating its victims.

The Land Acts reserved barely more than 13 percent of South Africa for black ownership. In the remaining 87 percent, white interests were supreme. The land outside the native reserves was under white control.

Vast tracts of it were owned but not always occupied by whites. Black people were allowed in the areas outside their reserves under sufferance on terms dictated by whites.

For nearly 30 years, from the mid-1950s to the mid-1980s, successive South African governments, inspired by the vision of

grand or territorial apartheid, sought to clear white-designated South Africa of "black spots", or patches of land where, for historical reasons, blacks had acquired ownership rights.

According to the Surplus People's Project, 3.5 million people were forcibly moved, sometimes at the point of a gun, from black spots and herded into their allotted tribal homelands.

But the White Paper dismisses the notion of restoring land to these people as impracticable, arguing that the present position should be accepted in the interests of "peace and progress".

One of Mr de Klerk's trouble-shooters, the smooth-talking Minister of Education and Training, Stofel van der Merwe, argues disingenuously that whites had to give up land as well and that they, too, suffered.

It impresses few people outside the National Party: whites were not moved at gunpoint and they were usually paid huge sums, often after long periods of haggling, as distinct from the meagre and arbitrary payments made to

blacks

The Government's refusal to consider restoration of land, except by removing the restraints on blacks to participate freely in the land market and by making loans and aid available on a nonracial basis, has united the often quarrelling some black opposition organisations.

The Pan-Africanist Congress, declaring that the land was usurped from the indigenous people by "settlers", says it is illogical to expect people to buy back land stolen from them. As PAC president Clarence Makwetu puts it, repeal of the land laws without restitution for their victims is land apartheid "dressed up in new clothes".

The African National Congress insists that restoration of land to the victims of forced removals is indispensable to a credible land policy. The White Paper, it says, "absolves the white population of all responsibility" for the long, tragic history of black dispossession.

Political organisations on the Left representing black interests have been supported by a wide range of pressure groups and university professors. In a special declaration they called on the Government to go ahead with its plans to repeal the Land Acts, but to impose a moratorium on all related measures, including the policy of not restoring land to the victims of apartheid.

Rejecting the Government's mid-April deadline for representations on its White Paper, they say: "The intention of the proposed land reforms is to legitimise and entrench the legacy of apartheid while repealing the laws which created it".

A report by the Government's own Law Commission has endorsed the concepts of affirmative action and "expropriation of property with compensation" to meet the aspirations of all South Africans. These sentiments are, as Mike Robertson of the University of Natal has observed, "markedly similar" to those expressed in the African National Congress's constitutional guidelines, published in 1988.

The White Paper raises another question of central importance to Mr de Klerk's pledge to repeal discriminatory laws from the statute book: the future of the 10 homelands.

The Land Acts, as the White Paper frankly acknowledges, provided the legal framework for the policy of separate development or apartheid. But, the White Paper hastens to add, repeal of the Land Acts and related discriminatory laws will not affect the status of the homelands.

It is striking that Mr de Klerk's February 1 speech — in which he promised to clear the statute book of the remnants of discriminatory legislation "within months" — makes no mention of the Status Acts, the laws which granted "independence" to four of the 10 homelands.

These laws, however, went further than that: they deprived millions of blacks of South African nationality on the grounds that they were nationals of the four independent territories, even though many lived outside their tribally allotted homelands.

The Status Acts were compared at the time to the notorious Nazi law which deprived Jews of German citizenship.

Responding to pressure at home and abroad over these laws the Government offered blacks deprived of South African nationality an opportunity to reclaim it via the Restoration of South African Citizenship Act of 1986.

The Restoration Act was open only to people permanently resident in South Africa and, initially at any rate, was hedged with restrictions and red tape. Hence only a minute proportion of the estimated 9 million blacks who lost South African nationality have since regained it.

A request by nominally independent Transkei for the blanket restoration of South African nationality to its designated citizens appears to have fallen on deaf ears.

The issue, however, will not disappear. As the ANC has observed, the homeland system is part of the apartheid system which President de Klerk has committed himself to eradicating. □



# Dispossessed to fight for land

8/25/3/9/1.

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By Jo-Anne Collinge

Representatives of 13 communities who were forcibly removed in the 1970s and 1980s have warned that they are determined to return to their land and have demanded the opportunity and time to present their cases to the Government.

After a two-day meeting near Hekpoort, west of Johannesburg, delegates yesterday told the press they would seek an urgent meeting with the Government's select committee on land to convey their complete rejection of the recent White Paper on land reform.

"We demand that the White Paper and accompanying Bills be scrapped and replaced by a document drawn up with the participation of all South Africans," a lengthy resolution adopted by the meeting read.

Referring to the fact that the White Paper had ruled out restoring land to victims of forced removal, the resolution commented: "The White Paper reminds us of our past pain, suffering and frustrations. It illustrates apartheid is not dead ... it

protects only minorities and makes them richer. The Government refuses to restore land which was stolen from us. The Government wants us to forget the past."

Delegates said nothing less than the return to the land from which they were moved would suffice.

"We reject alternative land," read the resolution.

It is estimated that the 13 communities comprise at least 50 000 people — a fraction of the 600 000-odd who were subjected to "black spot" removals.

All have plans for direct action to reoccupy the land should negotiation fail.

## Continuing

These plans are at various stages of implementation.

At Mogopa in the western Transvaal a large section of the community is back on the land, and negotiations with the Government are continuing with a view to legalising the occupation.

At Roosboom (Natal), 45 families — part of a community of about 125 families — are back in place and will remain there pending the outcome of negotiations.

At Machaviestad, near

Potchefstroom, a small-scale occupation in December resulted in trespass charges being brought against a number of residents.

In most other cases, community leaders have just begun the organisational work underpinning any re-occupation attempt.

Delegates to the weekend meeting made it clear that decisions on reoccupation had been taken by residents themselves well before the meeting and that each community had made an independent decision.

The communities represented were: Charlestown, Roosboom and Cremin from Natal; Majeng and Bojelakgomo from the northern Cape; the Mfengu and Macleantown, from the eastern Cape; and the Barolong, Doornkop, Kaffirskraal, Goedgevonden, Mogopa and Bakubung people from the Transvaal.

A northern Cape delegate said the 13 were the tip of the iceberg. Although only two communities from his region were there, people in a further 20 communities were demanding to be given back the land they had been forced to quit.

● Land problem a quagmire — Page 16

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● Land problem a quagmire — Page 16

Star 25/3/91.

271



*CAPL-7411 27/3/91 (1057/300)*  
**Lawaaikamp being rebuilt 271**

LAWAAIKAMP, the black township at George which was threatened with destruction during the P W Botha era, was being redeveloped with the help of the ANC-linked civic association, Cape Administrator Mr Kobus Meiring disclosed yesterday. He said 214 plots were being initially upgraded, and would be allocated by the civic association "as representatives of the community". 515 residential plots would eventually be provided for about 3 000 people, Mr Meiring said in response to a question tabled by Mr Jan van Eck (DP, Claremont).

Hansard 28/3/91

THURSDAY, 28

## The MINISTER OF DEVELOPMENT AID:

Neither the Department of Development Aid nor the SA Development Trust is the functionary of State owned land. The said Trust is also not the owner of land (former black spots) from which persons were removed (271)

*Own Affairs*

## Freehold land (271)

273 Mr P G SOAL asked the Minister of Development Aid: Hansard 28/3/91

Whether any freehold land is being held by the State or any of its agencies which was previously occupied by persons who have now been removed from such land; if not, what is the position in regard to such land; if so, what are the details of the land so held?

B701E

HOUSE OF ASSEMBLY



# Church backs tribe's quest to go back home

By GLENDA NEVILL

Sunday Times 31/3/91

THE quest by the Fingo tribe to return to the Cape land it left at gunpoint 13 years ago is fully supported by the Moravian Church. But the church says there is not enough space to accommodate the 4 000 to 5 000 people wanting to return immediately on the farm the church owns there.

Church board chairman, the Rev Martin Wessels, pointed out that the Moravians gave their "financial and moral" backing to

the Fingo people in their fight to right apartheid's wrongs. It runs a mission at Clarkston on 2 700ha ceded to it in 1841 "on behalf of and in trust" for the Fingos.

Ownership of the rest of the territory is to be decided in a battle, fought in the Supreme Court, between the Fingos and 19 white farmers.

The church has become an unwitting participant in the storm, which dates back 150 years. Sir George Grey ceded the entire

area, 8 000ha of what is now rich farmland, to the Fingos last century. The land was taken away from the tribe in 1977 when their homes were bulldozed and their belongings dumped 300km away in the Ciskei. Farms were sold to 19 whites for R1,35-million. Now, after development, they are worth at least R29,3-million. (271)

The dilemma the church faces is causing concern in South Africa and Germany. At Wurttemberg, efforts are being made to find the

original deed, buried in a distant archive in what was formerly communist East Germany.

Until this week, after the Sunday Times highlighted the plight of the Fingos, the Moravians have refused to comment on the issue. Now they have protested that a reference in last week's report to the church "sitting uncomfortably on the sidelines" was in "utterly bad taste".

● See Return to Roosboom, Page 10



271 31/3/91

# Roosboom's uprooted reclaim 'black spot'

**FIFTEEN years after being forced out of their homes, the people of Roosboom are fighting to reclaim their land.**

**By TERRY VAN DER WALT**

turkeys, goats and lots of chickens.

They say they have returned to Roosboom to die on the land they bought as a young couple, even though they risk being evicted for a second time.

The Chamanees are just one of 41 farming families who have challenged the authorities and moved back to Roosboom.

And they mean business.

Last weekend they were among the 13 communities who met at Hekpoort to send a clear message to the government — "we will return, come what may".

Three weeks ago, the Roosboom community and those at nearby Crielmen and Charlestown passed a resolution demanding the government publish an undertaking in the Government Gazette by April 15 to give their land back.

Moses Mazibuko, secretary of the Roosboom Interim Committee, said the community realised its dream of returning to Roosboom was drawing near when President F.W. de Klerk put reform on the political agenda.

"We thought to ourselves: Here is Mr. De Klerk talking about change, but we are the victims of apartheid and there is an injustice that must be corrected."

"In March last year we arranged for a meeting back in Roosboom and we cleared our family graves and put up a fence to prevent the white farmers' cattle from trampling over them."

Mr Mazibuko was 18 when his father was forced to get out of Roosboom and accept a small sum in compensation.

He believes his "pensioner" parents and their neighbours did not

fight vigorously enough to stay on the land, but today he understands why there was no cohesive resistance.

"The older people who put up a resistance eventually gave in because they were afraid of the soldiers and the police. Our parents feared that they would be arrested and sent to Robben Island."

Various laws, some passed even before the National Party came to power 43 years ago, were used in the 70s to remove the blacks living at Roosboom.



## We're going home, vow 50 000

**By TERRY VAN DER WALT**

SOME 50 000 people uprooted in forced removals have vowed to move back to their land.

At a conference last weekend, 13 communities rejected the government's White Paper on land reform and demanded the chance to present their cases to the government.

The two-day conference at Hekpoort, near Johannesburg — organised by the National Land Committee and its affiliates — was the culmination of more than a year of attempts to get answers regarding the return of land "stolen" through

expropriation, the organisers said.

"A memorandum is being sent to the State President saying that the communities should be consulted and the return of land properly negotiated," said Star Moutswage of the Transvaal Rural Action Committee.

The affected communities are: Charlestown, Roosboom, Crielmen (Natal), Majeng and Bojelaqomo (Northern Cape), Mfengu and Maceantown (Eastern Cape), the Barolong, Doodhokop, Kafitskraal, Goelgevoender, Magopa and the Bakubung people (Transvaal).

Community-based agencies across the country have warned repeatedly

over the past year that, unless the government makes a serious attempt to rectify the problems created by apartheid, people will simply reoccupy the land they were forced off.

And since the White Paper ruled out restoring land to the former owners, hundreds of people are expected to defiantly return to their property.

The Association for Rural Advancement in Maritzburg, the National Land Committee and the Transvaal Rural Action Committee say the communities they assist will, in the light of the White Paper, escalate efforts to return to their land.

## Hearts

"I remember the day they loaded all our belongings on to trucks — it was so painful and we were all crying," said Josephina Chamane.

"For 15 years we lived in eZakheni, but our hearts always cried out for Roosboom."

"I never thought I would come back to Roosboom and when my grandchildren told me, 'Granmy we're going home', I was so happy because I would not be buried at eZakheni."

In July a meeting of all former residents was held under the gum trees at Roosboom's St Hilda School and it was decided

**ON HOME GROUND . . . Josephina and Aaron Chamane, who have returned to Roosboom to die**

that the Roosboom Interim Committee would lead the fight to get the land back.

Memorandums were sent to the Department of Development Aid in July and October, demanding the right to return and to have title deeds restored before Christmas.

But instead of getting a response, Roosboom was visited by police on December 21 and residents were given eviction notices from the Department of Land Affairs, which demanded they clear the land

by December 28.

The department says that white farmers in the area have complained about theft and damage to property.

No one at Roosboom budged, but their unease grew when further eviction notices were issued in January.

The interim committee set up a meeting on January 14 with the

National Party MP for the area, Jaco Maree, and it was agreed that a meeting be held with the local farmers' association to discuss the future.

But Minister for Land Affairs George Bartlett has made an application in the Ladysmith Magistrate's Court to have the returned families evicted. The case is still proceeding.

Last year the people of Roosboom formed a committee to fight for their land and 200 people have already returned to the area, prepared to resist eviction and fight court battles.

Aaron Chamane, who says he's 110, and his 96-year-old wife, Josephina, are having a proper hut built next to their shack at Roosboom. They have

the inhabitants to the Kwa-Zulu township of eZakheni 25km away, leaving bulldozers to flatten what was left of their homes.

In 1976 the army ferried the inhabitants to the Kwa-Zulu township of eZakheni 25km away, leaving bulldozers to flatten what was left of their homes.

Roosboom, 10km outside Ladysmith in northern Natal, was once home to 11 000 people until it was designated a "black spot" — a community of blacks surrounded by white farms.

Roosboom, 10km outside Ladysmith in northern Natal, was once home to 11 000 people until it was designated a "black spot" — a community of blacks surrounded by white farms.



# BACK FROM THE WILDERNESS

Sowetan 11/4/91  
By DON SEOKANE

"I WAS given a farm, big enough to satisfy me, but only the fortunate few got those farms, the rest of our people could not do anything on the barren land they were given."

This is how Mr Olefile Segopolo, tribe leader at Goedgevoenden, summed up the hardships suffered by fellow villagers at Fritsgewag, a barren village in the Western Transvaal, where they were forcibly moved to more than 12 years ago.

## Plight

The villagers are beginning to engage the Government in a bid to regain their land.

They decided to reclaim the land after realising that the Government's White Paper on Land Reform did not address their plight.

By Tuesday night at least 15 families had already resettled at Goedgevoenden despite fears of possible right wing attacks.

## Birthplace

They resolved that no one, including the Government, would remove them from their birthplace.

"We rely almost solely on subsistence farming and besides not being given enough land, Fritsgewag was infertile. It was not conducive to farming," Segopolo said.

## Plots

He and five other tribesmen were given big plots at Fritsgewag in "a divide and rule tactic" that nearly broke up the spirit of the villagers.

"Our land was taken away and turned into a grazing area for the whites' livestock. We were promised, at least



**TOP:** Goedgevoenden villagers building shacks after reclaiming their land near Ventersdorp which they lost 13 years ago following their removal to Fritsgewag.

**BOTTOM:** The Mcameni family, seen in their old yard, was among the first of the 15 families to return to Goedgevoenden.

Pics: MBUZENI ZULU

21,5 and 25 hectares but the promise was not fulfilled.

"Instead, Fritsgewag was incorporated into Bophuthatswana.

"That was the beginning of our problems. We were under constant harassment to become Bophuthatswana subjects," he said.



## 245 000 resettled in 'voluntary removals'

*CHP Temp*  
*3/4/91*

By BARRY STREEK  
Political Staff

271

ABOUT 245 000 people were involved in "voluntary removals" last year, the Minister of Planning, Provincial Affairs and National Housing, Mr Hernus Kriel, said yesterday.

He also said 214 black families were removed "from an area without services in the black residential area of Dordrecht" in the Eastern Cape, at the request of the area's black town council.

Mr Kriel, who was replying to a question tabled in Parliament by Mr Peter Soal (DP, Johannesburg North), said numerous voluntary removals had taken place, leading to the "orderly settlement" of about 245 000 people by the end of 1990.

These removals included 16 250 people at Mangaung near Bloemfontein, 18 000 at Odendaalsrus, 24 000 at Duduza near Nigel, 80 000 at Orange Farm near Vereeniging and 47 760 at Zonkesizwe near Germiston, Mr Kriel said.



THE government should use the current brief parliamentary recess to do a serious rethink on its blanket rejection of reparations for the 3,5 million people — overwhelmingly black — forcibly removed over the past 40 years in the name of apartheid.

If the government continues to cling to the hardline "no compensation" stand in its White Paper on land reform published last month, it could find opposition parties — particularly, but not exclusively, those outside Parliament — adopting a confrontational stance on its reform programme.

This will not only serve to detract from the very real concessions the government is prepared to make on the land question but could seriously hamper the co-operation it now desperately needs with other parties as the country moves into the negotiation phase.

A blanket refusal to entertain claims by victims of forced removals will also provide a ready-made justification for groups like the PAC not to be drawn into the negotiation process.

### 'Unscramble egg'

According to the White Paper, "The government is of the opinion that a programme for the restoration of land to individuals and communities who were forced to give up their land on account of past policies or other historical reasons would not be feasible."

It then adds: "Apart from the vast potential conflict inherent in such a programme, overlapping and contradictory claims to such land, as well as other practical problems, would make its implementation extremely difficult, if not impossible."

These arguments have some merit, particularly in relation to cases where it would be difficult to "unscramble the egg" after many decades.

If the government were to agree in principle to reparations on land issues, there is also the problem of how far back it should go.

It is precisely for this reason

that the Organisation of African Unity is opposed to African states entering into disputes about their national boundaries, often arbitrarily decided by competing colonial powers.

But clearly it is possible for the government to take steps to address some of the more recent, clear-cut and blatant cases of dispossession.

One obvious such case would be outrage committed against the 4 000 Fingoes who were removed at gunpoint from their land in the Tsitsikamma region between Storms River and Humansdorp 13 years ago.

The land was granted in perpetuity to the Fingoes or Mfengu 130 years ago by Sir George Grey in compensation for the assistance and loyalty to the British during the Sixth Border War.

### Paid a pittance

By the 1970s, the Mfengu community, consisting of 430 households, was farming on about 8 000 ha of highly productive land which receives over 1 100 mm of rain annually.

Midweek Politics  
By ANTHONY  
JOHNSON



# State should reconsider reparations for removals

*Cape Times 3/4/91 271*

However, in May 1975, the white Parliament decided that the Mfengu community was staying too close to white farmers in the area and in November 1977 the families were rounded up at gunpoint, trucked off and dumped 300 km away at a barren and overcrowded resettlement camp in the Ciskei.

The families were paid a pittance for their houses, which were bulldozed and no compensation was paid out for the loss of their right to land, nor for livestock left behind after the removal.

A total of 5 857 ha of the Mfengu trust land was sold five years later to white farmers for an average price of R229,70 a hectare — about a third of the market value. The 19 farms, bought in 1983 for R1,35 m with 100% state loans at 8% interest on the purchase price, are today collectively worth R29,3 m.

The saga of the Mfengu is just one of many "black spot" removals which should be heard by a specially constituted land court.

# Land wrangle – the showdown

By DAN DHLAMINI

MEMBERS of the Barolong Action Committee (BAC) will appear in the Potchefstroom Magistrate's Court, tomorrow for trying to 'reclaim Machaviestad'.

BAC chairman Johannes Ntsimane, 55, will appear with his 75-year-old deputy Ishmail Seroalo and 23 others on charges of trespassing on Potchefstroom municipal land. *Souelan 7/11/91.*

The case attracted international and national media attention when held in camera – due to the presence of minors in the dock – earlier this year.

The hearing is expected to attract even more interest now that the Land Act has been scrapped.

The Barolong, uprooted from Machaviestad by the government in 1971 and now living at Rooigrond and Ikageng township, are optimistic they will be allowed to return to their land.

Ntsimane told *City Press* this week that Barolong tribe members were encouraged by the success of the Bakwena baMogopa tribe in reclaiming their ancestral land near Ventersdorp two years ago, after being forcibly removed in 1984.

Bulldozers reduced Mogopa to rubble, but now residents have started to rebuild the village from scratch.



Lavius Lerefolo ...  
one of the accused.



# Give our land back, demand picketers

Star 9/4/91  
Arthur Monnakgotla (63) stood on a pavement on a central Johannesburg street yesterday at rush hour, spreading a defiant message to passers-by.

"Give us back our land" said a placard he carried, in a message to the Government.

The father of five plans to return to Molotestaat near Ventersdorp from where he and about 10 000 others were forcibly removed in the 1960s.

Residents were moved about 100 km away to Lidag in Bophuthatswana.

Yesterday, victims of the controversial removals policy picketed in Johannesburg to dramatise their campaign to have their ancestral land returned.

The Government's proposals, contained in its White Paper on Land Reform, have given no respite to victims of the policy which dispossessed some 3.5 million people of land they had lived on for centuries.

Those who have tried to reclaim land have faced the might of the State, with unpleasant consequences.

The picket was held against a backdrop of a court case against about 25 members of the Barolong-Ba-Modibao community who tried to reoccupy land at Machaviestad near Potchefstroom earlier this year.

They face charges of trespassing after they attempted to get back land they lost in 1971.

Some 40 families plan to reclaim their land in a strong-hold of the AWB soon, the Transvaal Rural Action Committee (Trac) said yesterday.

Details would remain under wraps to forestall any actions that would interfere with the move by about 1 500 people.

Trac has approached the select committee on land reform for a meeting to put forward its demands. The request was made last week but no response has yet been received. — Sapa.

# W Tvl community reoccupy their land

Star 10/4/91  
By Jo-Anne Collinge (27/)

Families removed 13 years ago from the western Transvaal farm Goedgevonden began to reoccupy the land yesterday.

They brought their entire household goods along on the 200 km journey from the Bophuthatswana area of Vrischgewaagd.

By mid-morning, around the ruins of Goedgevonden village, the veld was dotted with heaps of furniture as people began to erect zinc shacks near to the rocky remains of the homes they had left behind.

An estimated 150 people had moved in by noon, with about 50 more expected by nightfall.

The mood was one of jubilation rather than defiance. Few returnees seemed to believe the police would take action against them.

However, Goedgevonden committee chairman Olefile Segopolo was more cautious:

"Anything can happen. We expect either good or bad."

He said the community's attorney had been instructed to contact Deputy Minister of Development Aid P G Marais to advise him that residents had returned to Goedgevonden.

The attorney, Kerry Kimble, of the Legal Resources Centre in Pretoria, confirmed that this had been done.

## Yielded

Mr Segopolo said that the re-occupation was an act of desperation. Attempts over the years to talk to the Government about the unsatisfactory conditions at Vrischgewaagd, particularly the shortage of land, had yielded nothing.

"We have tried by all means to show the Government that we want to negotiate about this thing respectfully," he said.

Goedgevonden, about 10 km outside Ventersdorp, was owned by the SA Development Trust at the time of the removal in 1978.

The community had lived there since 1947, said Mr Segopolo.

It is now the property of the Government.

A year ago, the then Minister of Agriculture, Kraai van Nierkerk, gave an undertaking that the Government would keep the sale of the land in abeyance pending negotiations with the people of Goedgevonden.

But the meeting has not yet taken place. The community committee hopes that the re-occupation will prompt talks.

"If the Government wants to sell the land, we want to buy it. But first of all the Government must carry the responsibility for our loss," said Mr Segopolo.

He explained that the community had lost their herds at the time of removal and that since only a fraction had received adequate land at Vrischgewaagd, they had been unable to restock.

According to Mr Segopolo, scores of families at Vrischgewaagd were queuing to return.



# Reoccupied land: dept awaits ruling

271  
Star 11/4/91

The Department of Agricultural Development will not take action against 30 families, who on Tuesday returned to reclaim their land on the farm Goedgevoeden, near Ventersdorp in the western Transvaal.

The families, removed from the farm in 1978, journeyed 200 km with their belongings from Vrischgewaagd in Bophuthatswana.

A spokesman for the department, Dirk Minnaar, said the case had been referred to the jurisdiction of the Department of Agricultural Development from the Department of Development Aid.

"Probably no action will be taken, as we are waiting for a court decision on a similar case, regarding the reclaiming of an adjoining farm by the Magopa clan which is now *sub judice*."

The community's attorney, Kerry Kimble of the Legal Resources Centre in Pretoria, said she was still awaiting a response from the Department of Development Aid.

"The Government could argue that the people have no right to the land as it is State-

owned, but when they were removed in 1978 it was owned by the South African Development Trust," Ms Kimble said.

"There are certain Government directives which say they may have a right.

"Promises were made to my clients, including that they would not be incorporated into Bophuthatswana. That promise was not honoured," she said.

The people retained their South African citizenship, but were not given title to the new land as promised. Their new home was far smaller and had far less farming space.

The community is still waiting for a meeting with Agricultural Minister Kraai van Nierkerk, who apparently gave an undertaking last year that the Government would not sell the land until they negotiated with the people of Goedgevoeden.

Ms Kimble explained that the case of the adjoining farm, Swartrand, also involved a clan that was removed from Trust-owned land. A legal battle erupted once farmers of surrounding farms began using the land as extra grazing area, and the people saw this as the go-ahead to move back. — Sapa.

# Tribe is barred from its land

Sunday Times Reporter

GOVERNMENT officials yesterday sealed off a farm near Ventersdorp to stop blacks from reclaiming ancestral land — allowing about 1 000, who have already settled from leaving the area.

A Department of Agriculture spokesman, manning the main roadblock outside Goedgevonden farm, said charges of squatting and trespassing on government land may be laid against those who have re-settled on the disputed 20 000 ha from which 7 000 people were removed in 1978.

## Trucks

A decision on whether to prosecute is expected tomorrow, he said.

Another 200 people had arrived at the roadblock at 11 p.m. on Friday night but had been barred from entering the farmland.

A spokesman for the new arrivals, Mr Andries Segopolo, said another 6 000 people — on trucks — had been stopped near Vrischgewaagd.

He said the group of 200 had no food or water.



# Land battle still on, say Barolong

C/Pren 14/4/91  
By DAN DHLAMINI

THERE were mixed feelings among the Barolong baModiboa this week after trespass charges were withdrawn against 23 of them.

Prosecutor J Steenkamp told Potchefstroom Magistrate Piet Myburgh that the complainants – the Potchefstroom Town Council – wished to withdraw the charges for humanitarian reasons.

Barolong Action Committee (BAC) chairman Johannes Ntsimane, 55, his deputy Ishmael Serwalo, 75, and 21 others were arrested on January 2.

They were attempting to re-occupy Machaviestad, also known as Matlwang, from where they were forcibly removed in 1971.

After the case, some members of the tribe said the withdrawal of the charges – which came about as a result of an out-of-court settlement between the Potchefstroom Town Council and the BAC – was a victory for their side.

On the other hand some hardliners, including Serwalo, said the agreement – which also states that the Barolong would have to

ask permission to visit their land of birth – meant to justify the Potchefstroom Town Council as legitimate owners of Matlwang, whereas the opposite was true.

The legal battle between the Potchefstroom Town Council and the Barolong started on March 21, 1961, when the then tribal representative Morris Gorekwang was arrested, charged and convicted for refusing to vacate Matlwang.

He appealed and the Appellate Division set aside the conviction and sentence on May 22 that year.

The Barolong were forcibly removed from Matlwang 10 years later.

Some took refuge in Potchefstroom's Ikageng township while others, led by Chief Mokata, were dumped at Rooigrond near Mafeking in Bophuthatswana.

Chief Simon Makodi, who succeeded Mokata, started the fight to return back to Matlwang.

This week Ntsimane told *City Press* that the withdrawal of the charge filled him with optimism, seeing that no action was taken against the Goedgevonden and Mogopa communities near Ven-

tersdorp who re-occupied their ancestral land.

Also present at the court this week was chief Makodi who said he was prepared to work with the Ikageng group, despite his claim that they undermined him and were trying to isolate him.

In an interview with *City Press*, Makodi denied earlier allegations that the Barolong were given land by Boer leader Hendrick Potgieter, saying he had documents to prove the Barolong had occupied Machaviestad under chief Modiboa as early as 1895.

Displaying the latest correspondence from the South African government and from a German church body known as "Aktion Bundesschluss Lubeck – Rooigrond", Makodi said he has been dealing directly with the government in a bid to return his tribe to Machaviestad.

"If President FW de Klerk is genuine in his reform process and in letters to me saying he would consider our plight, then this is the time. He must prove his intentions to the world by allowing the Barolong and other dispossessed blacks to reoccupy their land," he said.

Makodi showed *City Press* copies of letters from the head of the German church group, Pastor Dieter Taube, to President De Klerk and the Potchefstroom acting town clerk, Andries Viljoen, pleading that they should allow the Barolong back to their ancestral land. The letters were both dated March 7, 1991.

Meanwhile the BAC has vowed to continue fighting to return to their land.

According to Ntsimane, they will meet Advocate James Sutherland this Wednesday to give him instructions to demand that they be allowed to go back to Matlwang.



Members of the Barolong tribe are vowing new efforts to re-occupy Machaviestad now that the trespass charges have been dropped.



# Resettling of Ventersdorp farm on hold pending talks

Staff Reporters

The reoccupation of a Ventersdorp farm, Goedgevonden, by families who were uprooted 13 years ago under the policy of forced removals has been suspended until the fate of 80-odd families who set up home on the farm last week has been settled in talks with authorities.

This undertaking was made public yesterday by the attorney for the Goedgevonden community, Carrie Kimble of the Pretoria Legal Resources Centre.

On Friday evening a roadblock was set up at the entrance to the farm and nobody was allowed on to the property.

About 40 families spent the night on the roadside, sleeping in trucks, crammed with their household possessions.

Ms Kimble said an agreement had subsequently been negotiated with the Department of Agricultural Development, which owns Goedgevonden.

In terms of this, the Goedge-

vonden Committee had agreed to suspend the organised influx of families from Vrisk-gewaagd in Bophuthatswana pending further talks.

According to western Transvaal police spokesman Colonel Ben van Heerden, a charge of trespass is being investigated against the occupants of the farm and the Attorney-General is expected to take a decision on the issue.

The Goedgevonden settlers also face the possibility of right-wing action against their attempt to reclaim the land they occupied for 34 years prior to 1978.

On Friday, AWB leader Eugene TerreBlanche was seen at Goedgevonden in the company of a group of khaki-clad men.

Lieutenant Nina Barkhuizen, of the SAP's public relations division in Pretoria, confirmed that Ventersdorp police had been notified of this development and had "sharpened up their patrols" in the area.



# Victims of removals in bid to regain their land

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Sowetan 17/4/91

A DELEGATION from the National Land Committee, including representatives of 14 communities wishing to regain land from which they were removed, will meet the Government in Cape Town today.

NLC spokesman Joanne Yawitch said Deputy Minister of Development Aid Mr Piet Marais, who heads the joint committee on land reform legislation, had been able to accord them limited time.

Delegates were confident they could cover a good deal of ground in their talks with Government officials on proposed land reform legislation.

## Policy

Affected communities have been angered by the Government's failure to adopt a policy of restoring to victims of forced removals the land they owned or occupied.

At least five of the communities represented

at today's talks have embarked on unauthorised repossession of their land.

The NLC will also make written submissions to the land reform committee.

It is understood the Urban Foundation, the Development Bank of Southern Africa and the Legal Resources Centre are also likely to do so.

The original deadlines set for written submissions were shifted to ac-

commodate those wishing to respond.

Reaction to the Bill which abolishes the Land Acts and Group Areas Act must be in by the end of this week.

May 2 is the deadline for comment on the Bill dealing with upgrading of land tenure and April 25 for the three Bills dealing respectively with rural development, "less formal" settlements and residential environment issues. - *Sowetan Correspondent.*

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17/4/91

## **Bop removals plan threatened**

PRETORIA. — Bophuthatswana officials were yesterday allegedly evicting people from Vrischgewaagd village, a move calculated to complicate an agreement between South African authorities and the villagers' lawyers.

The agreement was to suspend a "trek" from the village to a South African farm, Goedgevonden, pending a solution to the crisis. — Sapa



## Delegation briefly barred from Parliament by police

CAPE TOWN — More than 30 policeman briefly barred a delegation representing dispossessed communities from entering Parliament yesterday, despite their having an appointment with a select committee on Land reform.

A parliamentary official intervened to allow them access. *6/10 am 18/4/91*

The delegation was demanding that land from which they had been forcibly removed be returned to them, said National Land Committee spokesman Joanne Yawitch.

The 13 communities represented in the delegation included one from the eastern Cape, two in the northern Cape, three in Natal and seven from the Transvaal.

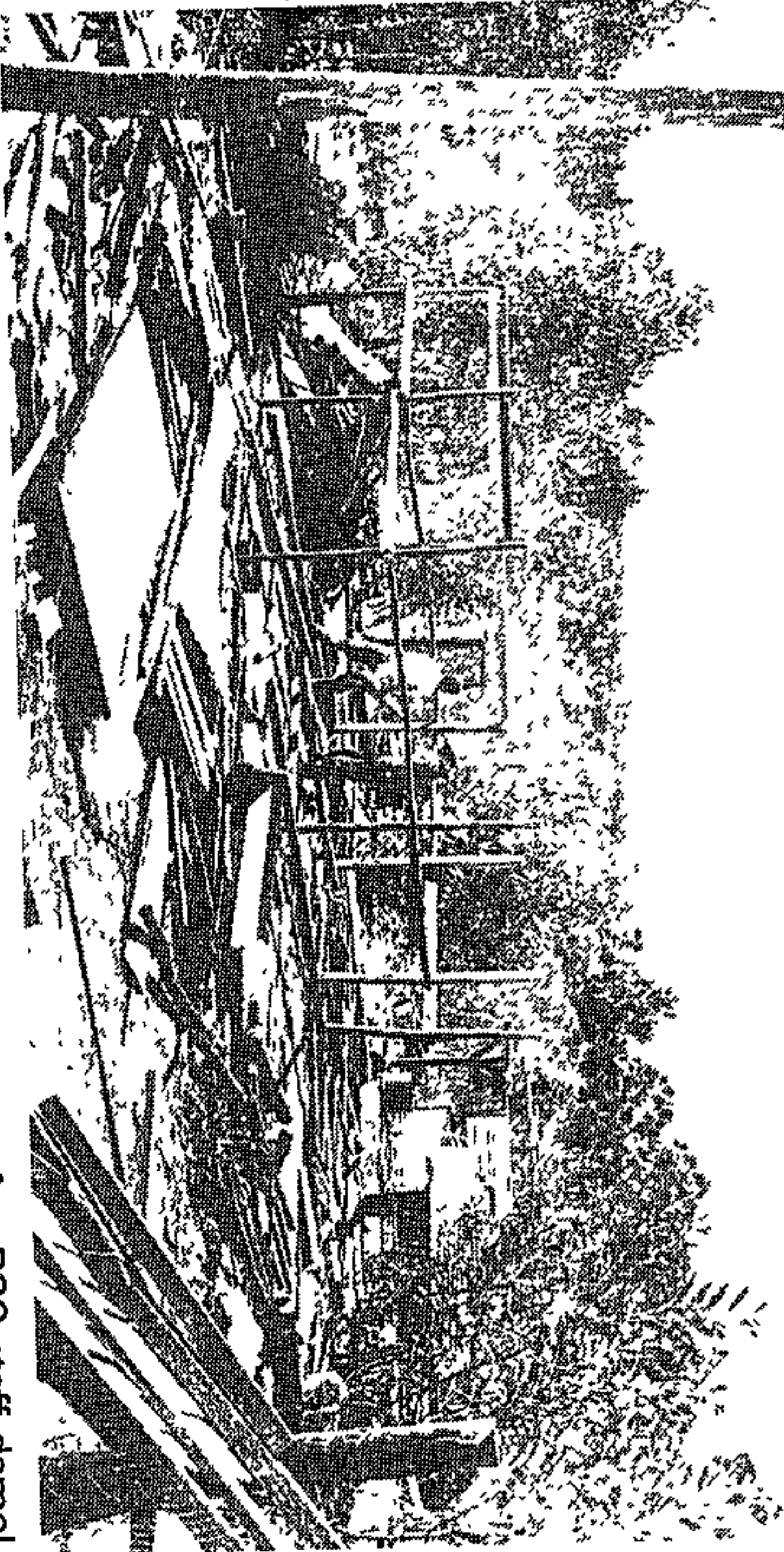
They had either been dispossessed by homeland consolidation, or evicted from "black spots", said Yawitch.

"The failure of the White Paper on land reform to address the question of land restoration has precipitated a crisis," Yawitch told reporters earlier.

"People thought that when the Land Act went they would get their land back. Now they are desperate and hopeless."

□ Members of the Bafokeng tribe of Phokeng plan to march to the Union Buildings tomorrow to hand a petition to the office of President F W de Klerk.

Bafokeng tribe spokesman Kebareng Bogopane said the tribe would demand the safe return to Bophuthatswana of Chief Edward Patrick Lebone Molotlegi and his wife Semahe, and the reincorporation of the tribe's land into the "new SA". — Sapa.



**REBUILDING . . .** Sun City squatters rebuilding their homes after RSC staff demolished them earlier this week. Lawyers intend applying for damage costs.

## Group meets select committee on land

Staff Reporter

**THIRTEEN** delegates representing dispossessed communities met a parliamentary sub-committee on land reform yesterday to demand the return of their property.

Delegates said after the meeting — organised by the National Land Commission — that they had been "warmly received".

The NCL had suggested a special committee be commissioned to look at all cases of dispossession, including those of whites, spokesman Mr S Motswege said. "One believes they gave us answers in a way that they might actually do something."

Before the meeting, policemen barred the group from Parliament. Parliamentary staff intervened.

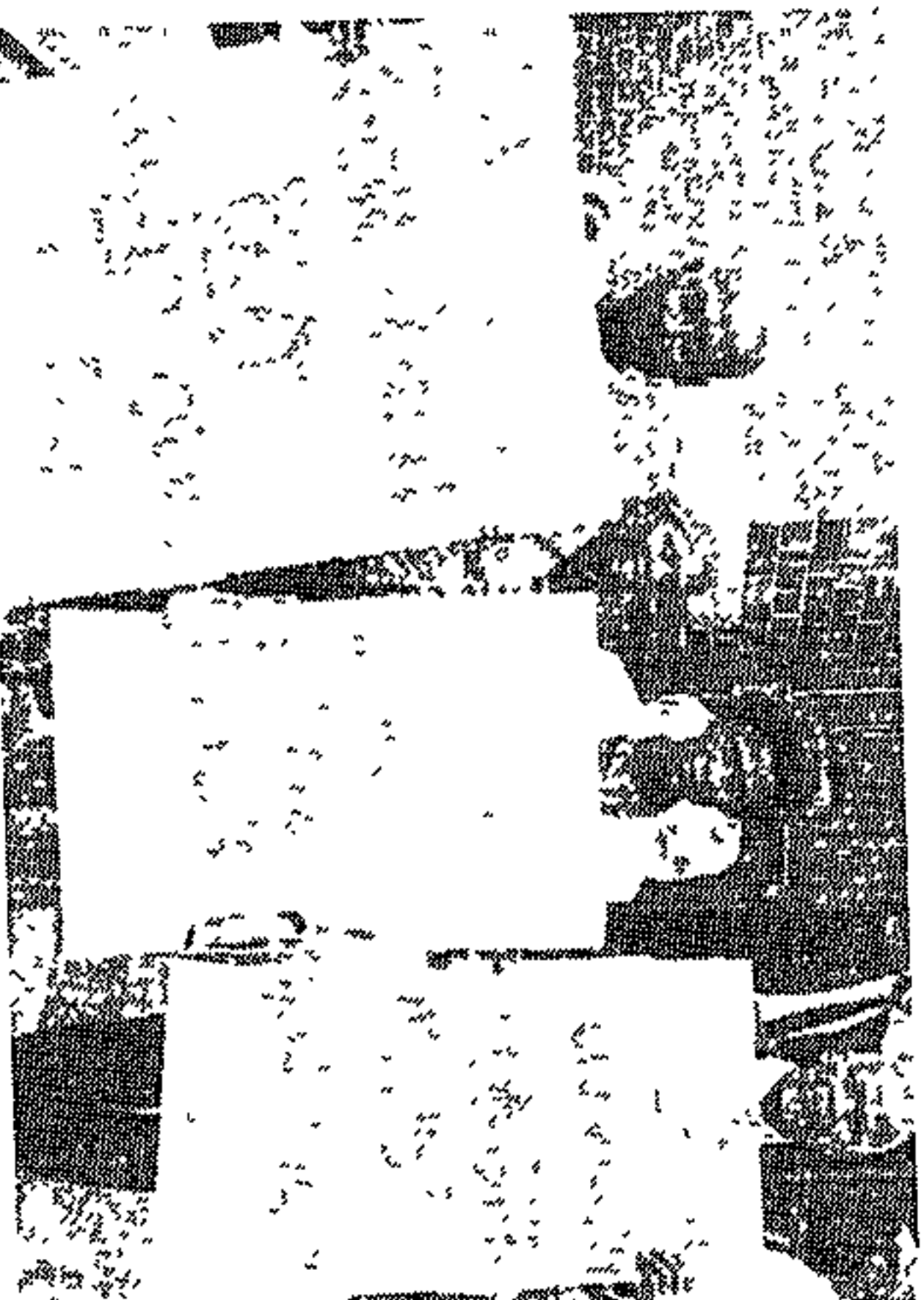
## Squatters to sue RSC over broken shacks

Staff Reporter

**LAWYERS** were preparing affidavits yesterday from squatters in the "Sun City" camp below Sir Lowry's Pass to sue the Regional Services Council for repatriation to damaged shacks and to secure a court order to prevent a recurrence.

Early yesterday morning, Dr Allan Boesak, director of the Foundation for Peace and Justice, left the squatter camp after refusing an invitation from the Minister of Local Government, Mr Hernus Kruger, to discuss the issue in the city.

Dr Boesak leaves South Africa today on a two-week tour of the United States. He said yesterday he would highlight the plight of the Sun City squatters during his trip abroad.



**LANDLESS . . .** National Land Commission delegates put their case about reclaiming their former homes to a Parliamentary Select Committee yesterday. Picture **BENNY GEOR**



# 40 000 set to reclaim land

Sowetan 18/4/91

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ABOUT 40 000 people in three Natal villages are poised to return to their original land in the latest bid by dispossessed communities to reclaim their areas.

The Association for Rural Advancement said delegates from the three rural freehold communities - Roosboom (Ladysmith), Charlestown (Volksrust) and Criemen (Elandslaagte) - met last month to discuss plans for their return.

These communities were forcibly removed from their land in the late 1970s.

By DON SEOKANE

Decisions arising from the meeting were relayed to the Government and a joint memorandum was drafted. The communities demand that the Government should:

## Title deeds

- \* Give a written undertaking to return their land and issue a notice in the *Government Gazette* to that effect;

- \* Reverse the land expropriations by restoring the title deeds and mineral rights to the rightful

owners;

- \* Terminate leases where land has been leased to other parties; and

- \* Provide full compensation for schools, churches and houses for which compensation was not received.

Meanwhile, a spokesman for western Transvaal police said no arrests have been made following the reclaiming of Goedgevonden by at least 1 000 people who were moved in 1978 to Vrischgewaagd.

He said police were waiting for a decision from Attorney-General of the Transvaal.

## Row over video on SA police

THE Ministry of Law and Order is to try to get hold of a copy of the controversial BBC documentary "Children of God" in which Cape Town riot squad police allegedly express vehemently anti-ANC views.

Law and Order spokesman Brigadier Leon Mallett said the documentary would be studied thoroughly before police reacted.

"In keeping with our policy of trying to be as open as possible, we agreed to the BBC's request to interview our policemen and did all we could to help them about eight months ago," he said.

He alleged that the producer, Mr Stephen Lambert, had broken a promise to refer the documentary back to his office.

Among policemen interviewed was a Sergeant Paul Gibson, who was quoted as describing how the events of the past year had soured their lives.

"Over the years we've been filled with the idea that the ANC are terrorists. Now, all of a sudden, we've got to accept them as colleagues, which I find myself very bad. I mean I won't accept it," he said.

ANC representative Ms Gill Marcus said the ANC had never called for Nuremberg-type trials. Only a future government would determine "this kind of thing".

Since violence erupted the ANC had consistently called for a complete re-training of police to recognise their democratic role. - Sapa.

## Watchdog

THE AWB is keeping a close watch on blacks reclaiming their ancestral lands outside Ventersdorp in the Western Transvaal.

AWB leader Eugene Terre'Blanche and a number of khaki-clad men reportedly visited Goedgevonden farm which has been reoccupied by people evicted from there 13 years ago.

"I was there myself. We are interested in the matter because this is our country," said Mr Piet Rudolph. - Sapa.

16/11/81  
Soweto



*Sowetan 19/4/91*  
By DON SEOKANE

THE decision by Goedgevonden villagers to "reclaim" their original land has set the scene for the real battle for a just distribution of land.

The villagers, according to their leader Mr Olefile Segopolo, decided to confront the authorities after realising that the Government's land reforms were not addressing their plight.

In 1978, when Goedgevonden was declared a white area, at least 7 000 villagers were removed from the land they had occupied for 34 years.

They were promised alternative land at Vrischgewaagd.

However, unlike the Israelites, the promised land was not what they expected. Not that they expected much.

The odds against them were formidable: no grazing land for their livestock, infertile land not conducive to farming and a seven-year drought for those who tried their hand at farming.

*Insult* (271)

To add insult to injury, Vrischgewaagd was incorporated into Bophuthatswana.

As Segopolo recalls: "We were faced with constant harassment from Bophuthatswana police because we refused to accept Bop citizenship."

A test of nerves was during the drought, when they were caught in the middle of the Government's apartheid policies.

"We had nowhere to go for aid. The Government told us that the land had been incorporated into Bophuthatswana and that there was nothing they could do.

"But we could not, with cap in hand, approach the homeland authorities for assistance after rejecting their citizenship," he said.

However, Goedgevon-

# First salvos as battle to reclaim land begins



Home at last ... families who were once removed from this farm are back. This time they intend staying.

*Sowetan 19/4/91*  
den people are not alone in the struggle to reclaim land taken away from them.

The Transvaal Rural Action Committee estimates that there are at least 3,5 million people who were forcibly removed from their land.

In Natal, about 40 000 people are poised to return to their ancestral land after being forcibly removed in 1971.

These communities were removed from Charlestown near Volksrust, Criemen near Elands-laagte and Roosboom 10km south of Ladysmith.

The communities have demanded - among other

things - that the Government should give a written undertaking to return their land and issue a notice saying this in the *Government Gazette*.

When the *Sowetan* visited a western Transvaal village, Trac official Mr Star Motswege told us that most people who had their land taken away thought the Government's land reforms would address their plight.

On realising that they would not get their land back, they became disillusioned with the land reforms.

Motswege said: "Gradually those who were forcibly disposs-

essed are claiming their original land back.

"We are approaching a situation whereby dispossessed people will be returning to their land because of inadequacies in the Government's land reforms."

## Battle

The ominous aspect of the Goedgevonden saga is that the major part of the disputed land is in Afrikaner Weerstandsbeweging strongholds.

Retaliation from right-wing groups against the resettled communities is possible.

AWB spokesman Mr Piet Rudolph said his

organisation was keeping a close watch on blacks reclaiming their ancestral lands in the western Transvaal.

AWB leader Mr Eugene Terre'Blanche and a number of khaki-clad men reportedly visited Goedgevonden farm at the weekend.

"My biggest worry is that when people started resettling at Goedgevonden, they chose their original plots making them easy targets for any attacks during the night because they are scattered," Motswege said.

In essence, the looming battle for land is between long-established

Pic: MOFFAT ZUNGU  
white privilege and black demands for a fair deal in land distribution and ownership rights.

White fears were brought to the attention of the world in February this year when protesting farmers sieged Pretoria and brought the city's traffic to a halt with braai stands, tractors and all sorts of farming implements.

"People will continue reclaiming land as long as the Government does not address their plight because they believe they have been cheated," said Motswege.

Segopolo believes that he and fellow-tribesmen



101/01/0111

are justified in reclaiming their land. *Sowetan 19/4/91*

"How can a government take away a place where people have their roots and turn it into a grazing area for white people's cattle."

"I am waiting for anyone attempting to take this land from us. It is going to be a bitter battle but with determination we can do it."

"Our neighbours here (in Mogopa village) have showed us how to win this battle and with them on our side we can succeed."

Mogopa people were forced to abandon their land in 1984 but decided to reclaim their land in 1989.

They had to go through the courts and even the Appeal Court in Bloemfontein to fight for the ownership of Mogopa village.

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### Test

In another battle for land, trespassing charges against 23 people of the Barolong ba Modisa were withdrawn in the Potchefstroom Magistrate's Court.

The case arose from the tribe's attempt to reoccupy Machaviestad, from where they were forcibly removed in 1971.

The tribe has vowed to intensify the battle to regain their land.

For Goedgevonden people, the scene for the real battle has just been set.

Four days after the first batch of families arrived at their former village, officials from the Department of Agriculture had put up roadblocks at the entrance to the farm and were preventing people from entering or leaving the place.

Police are also investigating charges of trespassing and squatting laid by the department. This is going to be the real acid test for the villagers.



THE Mfengu is the name given to a group of tribes driven westwards during the early 1800s by their warlike Zulu cousins.

They settled uneasily among the Xhosa-speaking peoples of the Eastern Cape and by the 1830s had joined with the British to fight against the Xhosas.

For this help, the British colonial authorities awarded to the Mfengu and their descendants virgin forest land in the Tsitsikamma district to be held in trust "in perpetuity".

There the tribe flourished until late 1977, when repeated threats from Pretoria to remove them forcibly were realised. The 4 000 or so Mfengu people were taken from their 7 800 hectares at gunpoint and dumped 600km to the east in what later was to become independent Ciskei.

Their new "home", ironically named Elukhanyeni (meaning place of light or place of enlightenment), was in the remote Keiskammahoek district.

Many had left behind self-built brick homes to be smashed by the bulldozers. They were given instead tents or wood-slat homes. A few found themselves in two-roomed cement brick constructions. They had brought with them only what could be carried; their crops remained behind to rot in the ground.

### Starvation

The poor soil, thin vegetation and low rainfall soon claimed most of their livestock. The rest had to be sold off for the uprooted community merely to survive. Then the people began to die. First the old, sick and the very young. Some of heart-break, most of starvation and disease. The new Mfengu cemetery at Elukhanyeni soon became well populated.

The compensation in land promised the Mfengu — the equivalent in production potential to the land they lost, plus 30% — did not materialise. In all the Mfengu received just R200 000 as compensation.

Four years after the removal, the government sold off the Mfengu land to 19 white farmers in lots averaging about 200ha of arable land each, at about R70 000 a lot.

With the assistance of "soft" government loans and the local co-operative the new owners cleared the land, which, though well watered, was heavily forested, acid and leached of most useful nutrients. Tens of thousands of rands had to be spent on fertiliser programmes.

The construction of homes,

# Mfengu people fight to regain tribal land they lost at gunpoint

Chr. Trip 22/4/91

271

1005

The campaign by about 3,5 million South Africans to wrest back land taken from them during four decades of apartheid is rapidly building to a climax — and the claims of the Mfengu people are being seen as a test case. USA Today's CHRIS ERASMUS investigates.

milking sheds and purchase of high-tech computer and milking equipment took its toll in money and human suffering. Many farmers nearly went under; the strain began to break up families and there were divorces. With time and the continued help of the co-operative, most pulled through.

### Shadow

Today this area, described by the Department of Agriculture as having the potential of becoming "South Africa's little New Zealand", is living up to its promise and is the country's best milk-producing area.

Although most of the farms are now making healthy profits, the shadow of apartheid still looms large over their fields: the Mfengu are claiming back their traditional lands and leaving the farmers uncertain of their future.

The government's recently-proposed land reforms have spurred the Mfengu's determination to win back the land they lost, a determination long fuelled by the Mfengu's impoverished circumstances.

Despite being told they were going to an agricultural paradise, about 2 000 Mfengu still live in Elukhanyeni in what amounts to a township in the bush. Around their wood-slat and cement-brick homes there are a few meagre plots of land and a single irrigation scheme — in all no more than 1 000ha. The rocky soil and low rainfall ensure that their crops are scraggly and sparse.

Many have abandoned the area for life in the urban townships, with most of the tribe scattered between Port Elizabeth and Cape Town.

Mr Wilson D Bunu, 60, is a

diminutive member of the Tsitsikamma Exiles Association executive committee, set up by the Mfengu to fight their case.

He has no vindictiveness against the men who came in the night with guns and arrested him while his family was taken away and his six-roomed brick home smashed. But he wants to go home.

"We do not want the white farmers who have our land to suffer as we did — there has been enough suffering. But we want to go where we know how to farm; where we can have our cattle, sheep, pigs and chickens; where we can grow our beans, pumpkins, potatoes and water melons. There we will be happy."

At 66, Mr George Xayimpi is too old to seek work in the urban townships. He longs for the old days when he too had cattle by the dozen and scores of other domestic livestock.

"I lost everything — my three houses, all my crops and, soon after, all my animals. About four years after we got here, my wife became sick and died soon after. I am sure she died of sadness. She was never the same after we came here. They call this place the place of light, but really it is the place of sadness," he says.

### 'Hopeless'

Both sides realise it is a matter of time before the ANC is a major player in a new government and that if the Mfengu land issue (with numerous similar disputes) is not settled by then, there is little doubt who eventually will own the land.

Says Mr Riaan van Schoor, 47, a leader among the white farmers involved in the dispute

and a Conservative Party supporter: "Frankly, I am depressed and just about hopeless about all this. All we want is a resolution so we know where we stand."

Mr Peter Korkie, 42, another of the farmers on former Mfengu land, says he bought his farm unaware of its background. A political liberal, he abhors apartheid and admits that the Mfengu may have a point — but asks what will happen to the white farmers who now occupy the land.

Despite the apparent deadlock, there may be a way out for the demoralised farmers and the Mfengu — who are to launch a Supreme Court action based on an Appeal Court ruling against the state in a similar dispossession case.

Although neither the Department of Agriculture nor that of Land Affairs and Development Aid would discuss the matter on the record, officials sounded hopeful when it was suggested to them that the Mfengu would negotiate.

### Compromise

For their part, the Mfengu might accept a compromise involving the return of 2 700ha of land, taken over by the Moravian Church in the late 1950s in obscure circumstances, and a further 2 000ha of their land used by the state for forestry — but only as long as another 4 000ha are found in the vicinity.

Agriculture officials admit some white Tsitsikamma farmers are financially troubled and might sell.

Tsitsikamma Exiles Association executive members agree that such a deal could work. Although a vote would have to be taken before they could speak for their people, individually they are all for the idea. The white farmers are open to working out a deal, perhaps involving selling back to the government some of the undeveloped land on their farms.



# Govt compromise on land reform restoration likely

8 Jan 23/4/91

By Peter Fabricius  
Political Correspondent

The Government and opposition parliamentary parties are heading for a compromise which will allow the Group Areas and Land Acts to be repealed this year — but will shelve the contentious remaining four Bills in the Government's land reform package.

Parliamentary sources said the Abolition of Racially Based Land Measures, which repeals the Group Areas Act, the Land Acts and other discriminatory land measures will be amended to include the best parts of the other Bills.

This compromise — expected to be clinched this week — will allow the Government to keep its domestic and international promises to repeal all the apartheid land acts this year.

The other Bills will be held back for consideration next year.

The Government needs to repeal the apartheid land acts to meet the conditions for the lifting of international sanctions.

And the compromise could include the setting up of a Land Commission of judges to decide which displaced black communities should be restored to their land.

The sources said that 11 of the 13 prominent communities most recently forced off so-called "black spots" in "white" South Africa, are virtually assured of getting their land back. This

is because the land is owned by Government.

But the Fingoes and the Maclean Town community will probably not be returned to their land because it has been sold to white farmers.

The Government's apparent decision to restore land lost to the apartheid policy appears to be a reversal of the policy set out its White Paper on Land Reform.

It has become increasingly controversial, especially in discussions of Parliament's Joint Committee on Land Reform Legislation which is considering the five Bills that would execute the policy.

The Abolition of Racially Based Land Measures Bill has been supported by all parties except the Conservatives.

But the other four Bills — including one which would give authorities draconian powers to maintain residential standards — have run into a wall of opposition.

There has been strong pressure on the Government to push ahead with only the Repeal Bill and shelve the others.

Now the Democratic Party is proposing a compromise which will embrace the best features of the other four Bills, including retention of aspects of the Slums Act to reassure conservative whites of suburban standards when the Group Areas Act goes.

The compromise will give the Government a political "crutch" to lean on, parliamentary sources say.



# Govt rethink on land claims sorely needed

Star 25/4/91

**A**T LEAST six communities who were removed from their land in the last 25 years have attempted to reoccupy the farms from which they were uprooted.

Three of these land invasions — at Goedgevonden in the western Transvaal, Macleantown in the Border region and Crimen in Natal — have come in the wake of the White Paper on Land Reform in which the Government rejected the idea of restoring victims of forced removal to their old farms.

This week there were indications that the Government was rethinking its "let-by-gones-be-by-gones" stance on racially inspired population removals, as Anglican Archbishop Desmond Tutu warned that a failure to redress the seizure of black-owned land would lead to widespread resistance.

Already it is apparent that unauthorised attempts to reclaim land will continue despite Government opposition.

And it is also clear that official responses to rural land occupations are ad hoc and inconsistent.

This unpredictability not only fuels the hopes of dispossessed communities contemplating a return to their land but also creates among land claimants a renewed sense of being treated arbitrarily.

Consider the reaction to the six cases in question:

**MOGOPA:** At Mogopa, near Ventersdorp in the western Transvaal, a return of hundreds of residents began about three years ago.

Initially arrested and charged with trespassing, residents defended their action in the Appeal Court where, in an unprecedented move, the Acting Chief Justice urged the Government to negotiate with them.

The results of talks have not been disclosed. But a State-subsidised

Communities subjected to forced removal are showing a dogged determination to reclaim their land — and are highlighting the need for a mechanism to deal with land claims. JO-ANNE COLLINGE reports.

school was opened at Mogopa last week.

**GOEDGEVONDEN:** Three weeks ago at Goedgevonden, adjoining Mogopa, 80 families returned from Vrischgewaagd, some 200 km away. Within days, police sealed off Goedgevonden and began to investigate trespass charges at the insistence of the Department of Agricultural Development, which owns the land.

Officials also extracted an agreement from the community to suspend the reoccupation pending talks and shrugged off Afrikaner Weerstandsbeweging leader Eugene Terre-Blanche who is threatening to evict the 80 families if the Government does not.

**MACHAVIESTAD:** At Machaviestad near Potchefstroom, a small number of Barolong tribesmen at Christmas occupied the land they had owned. Within days, 23 were arrested and charged with trespass. They quit the land.

When the trespass case came to court recently, the Potchefstroom Town Council, as the complainant, proposed settlement. An agreement was reached that residents would seek council permission to enter Machaviestad for any purpose.

**ROOSBOOM:** At Roosboom near Ladysmith, 45 families have been back for several months on land they owned under freehold title.

Another 80 families, intending to reoccupy the land, are awaiting the outcome of talks with the Department of Public Works and Land Affairs. Legal action to have the occupants declared squatters has been postponed.

**MACLEANTOWN:** At Macleantown near East London, about 70 people, including children as young as 10, were arrested mid-month, just hours after they returned to the farms from which they were removed 22 years ago in terms of the Group Areas Act.

They were jailed for the weekend, then appeared in court to face charges of trespass. The complainant was the Amatola Regional Services Council. The land claimants are dispersed once more to homes they occupied before attempting reoccupation.

The province is considering written submissions from the community.

**CRIMEN:** Last weekend, former landowners of the Ladysmith farm Crimen were confronted by police and army patrols when they attempted to reoccupy land they were forced off 14 years ago. Provincial officials were present but allegedly failed to address the community's demands for return of their land.

Seven people were arrested after they defied warnings not to enter the property and attempted to erect a shack. They have been charged with trespass.

The six attempts at reoccupation have resulted in one community gaining a firm foothold on the land it lost; two establishing a shaky toe-hold; and three more being forced to retreat to square one.

Court action is an almost invariable part of the process, but it is pursued with variable vigour — using different laws and varying forms of police intervention.

Negotiations are under way with a variety of authorities —

local, regional and central.

There appears to be no single source of authority on what is essentially a national issue. While the central Government says "no" to a policy of restitution, it is impossible to discern what its line is when faced with reoccupation as a fait accompli.

To complicate matters, parties with no direct interest in the matter — like the white farmers of Ventersdorp and Macleantown and conservative political groups — are attempting to influence the process.

In relative terms, the reoccupations cited above have been simple. In only one case has the contested land passed into the hands of private owners. In the others it remains vested in local or central government.

The claim of the Mfengu community illustrates how private property interests may further complicate matters. The land from which they were forcibly removed in the Tsitsikamma area has been divided and is in State and private hands.

Each of the 19 farmers concerned bought his portion with a 100 per cent Government loan and stands to make a profit of more than R1 million if he sells at present market prices.

Already, land occupations are sowing dissent and confusion. How much more so if the Mfengu — who are clearly impatient — and others like them were to embark on a course of reoccupation?

Can a changing South Africa do without a land claims court/commission which operates in terms of clearly stated principles and procedures?

The alternative would seem to be a period of transition pocked with evictions and arrests of people who are widely regarded as victims of apartheid. □





NATIONAL

# Farm land taken back by 'victims of apartheid'

The Argus Correspondent

JOHANNESBURG. — At least six communities who were removed from their land in the last 25 years have attempted to reoccupy farms from which they were uprooted.

Three of the land invasions — at Goedgevonden in the Western Transvaal, McLeantown in the Border region and Crimen in Natal — have followed the White Paper on land reform in which the government rejected the idea of restoring victims of forced removal to their old farms.

This week there were indications that the government was rethinking its "let-by-gones-be-by-gones" stance on racially inspired population removals, as Archbishop Desmond Tutu warned that a failure to redress the seizure of black-owned land would lead to widespread resistance.

## Unauthorised attempts

It is apparent that unauthorised attempts to reclaim land will continue despite government opposition.

It is also clear that official responses to rural land occupations are ad hoc and inconsistent. This unpredictability not only fuels hopes of dispossessed communities contemplating a return to their land but also creates among land claimants a renewed sense of being arbitrarily treated.

The six attempts at reoccupation have resulted in one community gaining a firm foothold, two establishing a shaky toehold, and three more being forced to retreat to square one.

Court action is pursued with variable vigour — using different laws and forms of police intervention.

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variety of authorities — local, regional and central. There appears to be no single source of authority on what is essentially a national issue. While the government says "no" to a policy of restitution, it is impossible to discern what its line is when faced with reoccupation as a fait accompli.

To complicate matters, parties with no direct interest in the matter — like the white farmer of Ventersdorp and MacLeantown and conservative political groups — are attempting to influence the process.

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## Private property interests

The claim of the Mfengu community illustrates how private property interests may further complicate matters. The land from which they were forcibly removed in the Tsitsikama area has been divided and is in State and private hands. Each of the 19 farmers concerned bought the land with a 100 percent government loan and stands to make a profit of more than R1 million if he sells at present prices.

Already land occupations are sowing dissent and confusion. How much more so if the Mfengu and others like them were to embark on a course of reoccupation?

Can a changing South Africa do without a land claims court/commission which operates in terms of clearly stated principles and procedures? The alternative seems to be a period of transition pocked with evictions and arrests of people widely regarded as victims of apartheid.



# Dispossessed could get their land back

271  
Jewelen 25/4/91  
ISMAL LAGARDIEN  
Political Correspondent

PEOPLE who were dispossessed of their land, or who were forcefully removed during the days of grand apartheid, could be returned to their former properties or appropriately compensated.

Government is reportedly considering addressing the question of reparation, through the creation of a Land Commission, and at the same time rewrite Bills which accompany the scrapping of the Group Areas Act and

Land Acts.

The controversial Bills, accompanying the abolition of racially based land measures, have been criticised as entrenching a kind of economic apartheid and racism.

Sources in and around Parliament have indicated that the idea of a Land Commission came about after alarming dissatisfaction which followed Government's White

Paper on Land Reform.

The White Paper was denounced by extra-parliamentary formations, as well as by the Democratic Party, the Labour Party and Solidarity.

It is also believed that because Government is under pressure to repeal the Land Acts, a compromise would be the establishment of a land commission.

Of the Bills, the Abolition of Racially Based Land Measures Bill and the Residential Environment Bill have been criticised as being "draconian".

**BRAKLAAGTE** villagers near Zeerust taking refuge in seven churches in the Ika-geleng township, are experiencing a critical shortage of basic living amenities.

The 3 000 villagers were caught up in a whirlwind of violence towards the end of last year, following fighting which broke out between residents and the Bophuthatswana police.

They fled their homes in Braklaagte, after violence erupted when they protested Braklaagte's forced incorporation into the independent territory.

# Refugee villagers in desperate need

A statement released by the Matikeng Anti-Repression Forum, who is aiding the refugees, said

despite regular deliveries of mielie meal and soup powder from Operation Hunger, there was still a shortage of basic food-stuffs.

Milk, sugar and baby food is urgently needed.

Babies in the refugee camps are living on breast milk and adult food.

Firewood, the only source of heating, is scarce. Water and electricity are often cut off as

bills cannot be paid. The refugees owe R300 for the repair of a generator, and R87 for the electricity supply in one of the churches, the Forum said.

Blankets are needed

for winter and are in very short supply. The Forum appealed to charity organisations to help with donations of secondhand blankets and clothing.

A primitive clinic, run by a professional nurse from Medicine du Monde is battling to contain outbreaks of impetigo, coughs and influenza

among the residents.

Some villagers have returned to Braklaagte, the Forum statement said, but reports of harassment are still being received.

Braklaagte's argument for reincorporation into South Africa comes before the Appellate Division in Bloemfontein next month. - *Sapa*.

*Sowetan*

25/4/91

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*[Signature]*



# Reclaiming the land

Sowetan 25/4/91

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AT LEAST six communities who were removed from their land in the last 25 years have attempted to reoccupy the farms from which they were uprooted.

Three of these land invasions - at Goed-gevonden in the Western Transvaal, McLeantown in the Border region and Crimen in Natal - have come in the wake of the White Paper on land reform in which the Government rejected the idea of restoring victims of forced removal to their old farms.

It is apparent that these unauthorised attempts to reclaim land will continue despite Government opposition.

And, it is also clear that official responses to rural land occupations are ad hoc and inconsistent.

## Charged

This unpredictability not only fuels the hopes of dispossessed communities contemplating a return to their land, it also creates among land claimants a renewed sense of being arbitrarily treated.

Consider the reaction to the six cases in question:

\* At Mogopa, near Ventersdorp in the Western Transvaal, a return of hundreds of residents began three years ago.

Initially arrested and charged with trespassing, residents defended their action in the Appellate Court where, in an unprecedented move, the Acting Chief Justice urged the Government to negotiate with residents.

The results of talks have not been disclosed. But a State-subsidised school was opened at Mogopa last week.

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This week there were indications that the Government was rethinking its "let-by-gones-be-by-gones" stance on population removals, as Anglican Archbishop Desmond Tutu warned that a failure to redress the seizure of black-owned land would lead to widespread resistance.

## Occupied

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## Move-in by families resisted

would seek council permission to enter Machaviestad for any purpose.

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## Waiting

Another 80 families, intending to reoccupy the land, are awaiting the outcome of talks with the Department of Public Works and Land Affairs.

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The land from which they were forcibly removed in the Tsit-

ril 25 1991

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DESMOND TUTU

sikama area has been divided and is in State and private hands.

Each of the 19 farmers concerned bought his portion with a 100 percent Government loan and stands to make a profit of more than R1 million if he sells at present market prices. - Sowetan Correspondent.

## **'Only govt can stop the violence'**

*CONFIDENTIAL 26/11/91*  
PORT ELIZABETH. — Only the government had the power to stop violence in Natal and Reef townships, ANC internal leader Mr Walter Sisulu said yesterday.

Mr Sisulu is on a countrywide fact-finding tour and is briefing ANC branches on developments and campaigns within the organisation.

At a press conference here he said the ANC's ultimatum calling on the government to take steps before May 9 to stop the violence was legitimate.

"The government has not played its part. It is not a question of us stopping the violence, only the government has that power. The hostels must be phased out for a start," he said. — Sapa



## Yeltsin to face mine strikers <sup>(271)</sup>

MOSCOW — Populist Russian Federation President Boris Yeltsin is to face striking coalminers who want to know why he has suddenly backed calls for them to end their two-month-old action. <sup>May 29/4/91</sup> Tass news agency and a strike committee in the Kuzbass coalfields said Yeltsin, who once championed the cause of the striking miners, would visit the Siberian region today.

Strikers, bewildered by the Russian leader's apparent turnround, said they wanted him to explain why he had joined Soviet Union President Mikhail Gorbachev in calling for an end to their action.

Yeltsin, Gorbachev's arch-rival who is seen as Russia's most popular politician, this week signed an appeal with Gorbachev to end strikes, and endorsing a "special regime" in key economic sectors.

It is not clear what the "special regime" would mean in practice.

Tass said the miners' strike — aimed at forcing Gorbachev's resignation and the transfer of the mines from Soviet to Russian control — was subsiding in the giant Kuzbass, where some miners had gone back to work. — Sapa-Reuter.

# Forced-removal victims 'should get priority'

By Day 29/4/91.

SUSAN RUSSELL

VICTIMS of forced removals should be considered for preferential state support, SA Institute of Race Relations executive director John Kane-Berman says.

Writing in the latest edition of the institute's Race Relations News, Kane-Berman described forced removals as one of apartheid's worst brutalities and victims should be considered as preferential claimants in state spending programmes.

He described the failure of government's white paper on land reform to address the grievances of forced removals victims as a serious deficiency which would have to be rectified.

Victims of such removals had often had their homes destroyed and land taken away, while some often lost jobs after being removed far from their places of employment.

"Vast numbers of people found themselves dumped destitute on the veld as the government pursued its programme of purging the white-designated area of unwanted blacks," Kane-Berman said.

"The grand apartheid design has now been abandoned of course, but its legacy will haunt this country for years to come"

One of the dangers of a highly centralised political system was that it would practise redistribution in favour of urbanised people, while the rural poor would pay the price: "One of the great challenges facing SA is to ensure that the old black/white divide is not replaced by a rural/urban divide," he said.

"One of the strongest arguments for federalism is to ensure that people in rural areas are adequately represented in the structure of government."

He added, however, that the basis for federation could not be the homelands.



# Azapo pledges help to reclaim land

By RUSSEL MOLEFE

POLITICAL solutions that did not make the return of land to its historical owners the central theme would fail, the Azanian Peoples Organisation has said.

In a statement by Azapo secretary general Mr Don Nkadameng, the organisation pledged solidarity with the six black communities who have reoccupied land previously expropriated by the Government.

Azapo said it was land occupation and ownership that would address poverty and deprivation.

The communities of Mogopa, Goedgevonden, Machaviestad, Roosboom, MacLeantown and Crimen were forced out after their areas were declared "white" by the Government 25 years ago.

Now moves are under way by the Government to evict these people. Some have been arrested and charged with trespassing.

Azapo said the campaign to repossess expropriated land should be seen in the context of the broad liberation struggle, the chief objective of which was the return of land to its rightful owners.

The salvation of black people did not depend on jobs offered by capitalism and imperialism, but on black people working their own land.

"Not only those who were forcibly removed during the past 25 years, but all communities dispossessed of their ancestral land at any time in history have a revolutionary claim to the land," Nkadameng said.

Calling on all liberation movements who make land repossession a central theme of their programmes to support the six communities, Nkadameng said Azapo had already identified a dozen other communities who would reclaim their ancestral land soon as part of the national liberation.

The organisation has pledged legal assistance to affected communities and has called on those seeking help to contact their nearest Azapo branch or the head office

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# All they want is to go home

Star 11/5/91

(271) (11/5/91)

The uprooted, refugee status of Braklaagie's population, in the western Transvaal, bears witness to the cruelty and damage done by apartheid's policy of incorporating people into homelands. JO-ANNE COLLINGS investigates.

**T**OMORROW the Appeal Court will be asked to judge whether the incorporation of the western Transvaal community of Braklaagie into Bophuthatswana at the end of 1988 was lawful. History has already passed judgement on the wisdom of forcing a reluctant community to submit to homeland rule. It is a judgment in which the words "murder", "torture" and "arsen" cannot be avoided and in which the ultimate offence is the destruction of a community. When the case is heard tomorrow, a substantial section of Braklaagie's 9 000 residents — probably the majority — will be waiting at some sanctuary a safe distance from the village.

## Vigilantes

After nearly two years of intermittent violence, about 5 000 residents finally fled Braklaagie in January, unable to tolerate the aggression of pro-Bophuthatswana vigilantes who are allegedly assisted by the homeland's police and army. The fleeing mass brought the reality of "internal refugees" to the western Transvaal township of Ikegeleng, near Zeerust, where they sought shelter in various churches.

Four months later, about 1 500 Braklaagie residents are still sleeping edge to edge in church premises. At least as many are being accommodated in Ikegeleng homes, says the Braklaagie community's elected leader, Pusey Sebogodi. Amid piles of blankets in the dullness of St Augustine's Anglican Church, the tightfives show little hope of a speedy return home. The recent experience of Ramoshibi Letebele



Sanctuary... Grandmother Talisa Sekoko, her daughter Dipuo More and grandchildren Dikelesi (left) and Refilwe sit in their temporary home with their friend, Dineba Polokasi, awaiting an Appeal Court decision on their fate. Star 11/5/91

## Chronology of events in Braklaagie

**From 1986:** Incorporation of Braklaagie into Bophuthatswana mooted and rejected by a large number of residents. **December 1988:** Delegation of residents meets then Minister of Development Aid Gerrit Viljoen to present case against incorporation. Within the month, Braklaagie and neighbouring Leeuporten incorporated. **March 1989:** Residents' court action to overturn incorporation fails. **Easter 1989:** Scholars refusing to express allegiance to Bophuthatswana assaulted by home-

land soldiers. Police occupy Braklaagie and residents complain of random assaults and tear-gassing. Homes of pro-Bophuthatswana residents attacked. Mass arrests follow. Lawyers are denied access to clients, who allege assault and torture. Some appear in court with visible injuries. Only four out of almost 100 of the arrested are convicted of any offence. **May 1989:** President Lucas Mangope, visiting Leeuporten, warns "Bophuthatswana is like a prickly pear — very tasty but also dangerous. I warn you strongly not to abuse me... If you do, I will prick you like a prickly pear." **During 1989:** Random arrests and assault of residents by police continue. At Leeuporten a

confrontation between police and residents results in nine policemen and two civilians being killed. Mass detentions follow. Lawyers submit that the "true role of the police in Leeuporten and Braklaagie was to batter the two communities into submission". **Late 1990:** A vigilante group calling itself "Inkatha" emerges around the same time as African National Congress. Recruiting begins and attacks on homes of anti-Bop residents start in Weverland, adjoining Braklaagie. **January 1991:** Soon after the launch of local ANC structures, vigilantes focus on Braklaagie. Attacks result in reprisals against vigilantes. At-

tests follow. Many allegations of police assaults or joint police/vigilante assaults are made to lawyers and monitoring groups. Two or three residents are killed in a clash with police. More houses destroyed by vigilantes. **January 10/11:** About 1 500 refugees pour out of Braklaagie. Within a week the tightfive community in Ikegeleng township, Zeerust, is estimated at 5 000. **May 1991:** Thousands of refugees still in Ikegeleng. Conflict has resulted in at least 23 deaths in Braklaagie and Leeuporten in two years. Appeal Court case on incorporation's legality to be heard.

● Schools in the area to be reopened. Any thought that these demands are political posturing is dispelled by the harsh conditions in the "refugee" centres. The National Medical and Dental Association says the refugees are "desperately short of food and other basic supplies. Particularly, the 56 babies in the community are at risk with no baby food being available". "The already inadequate health facilities in the township are unable to cope with the increased load, and an increased incidence of infectious and communicable diseases is being noted."

Operation Hunger and various other groups are offering emergency aid. But, says the Rev Oupa Letlamo of St Augustine's, what everyone saw as a week-long crisis has turned into a chronic problem. He reckons that his church, with its three toilets, is probably better equipped than the other centres. Between 200 and 300 people sleep at the Anglican church every night. Many refugees venture back to Braklaagie during the day to check their homes, but leave before dark.

## Disadvantages

The conflict and suffering engendered by the forced incorporation are largely irrelevant to this week's Appellate Division hearing, which will be determined on specific points of administrative law. But the papers before the court will surely include the memorandum submitted by the residents of Braklaagie to Minister of Development Aid Gerrit Viljoen in 1988 when they tried to dissuade him from incorporation.

The words are grimly prophetic: "The community's opposition is not based on stubbornness or bloody-mindedness. It has assessed the situation and concluded that incorporation carries with it only disadvantages and hardship."

"These disadvantages are substantial, ranging from the destruction of the traditional form of tribal government to material privations in various aspects of the community's existence." □

Letebele was burnt, but not too badly. He is now living at Ikegeleng. Mr Sebogodi says Braklaagie committee members have held talks with both the South African and Bophuthatswana authorities to achieve a safe return to the village. "I would say that the talks have failed. At our last meeting on April 23 we didn't even complete the agenda."

Mr Sebogodi says the people want five conditions met. ● The police camp which was set up in Braklaagie two years ago removed. ● Undertakings that they will not be detained, harassed or attacked by the armed forces and the vigilantes. ● Official action taken against the vigilantes for criminal acts committed. ● Homeland authorities to cease using the clinic as a police station.



# Community challenges incorporation

Staff Reporter

The Appeal Court today hears argument on whether it was lawful that the people of the western Transvaal village of Braklaagte were placed under Bophuthatswana rule two years ago and that their property was incorporated into the homeland.

Counsel for the community will argue that the incorporation was unlawful because it was decided in 1984 and reaffirmed in 1985, at a time when there was no legislation to give effect to the decision.

The relevant amending legislation was passed only in 1988.

As a result of this misconstruction of the powers of the State, it will be submitted, officials could not apply their minds to the issue in a manner that the law requires.

## Conflict

It will also be argued that the community was not properly consulted before the decision.

Braklaagte, a community of some 9 000 people, has been subject to recurring conflict and violence since the incorporation took place, with resistant villages pitted against Bophuthatswana police and soldiers, and a minority of the community favouring incorporation.

According to community estimates, at least 23 people died in the conflict at Braklaagte and the adjoining farm of Leeufontein.

Leeufontein residents are also challenging their incorporation in court. Their case is due to be heard later this year.

# Blacks' bid to reclaim land fails

810 am 215791  
ABOUT 150 people from Osizweni in northern Natal yesterday tried unsuccessfully to reoccupy land at Charlestown from which they were removed in the 1970s.

They will now meet Natal Provincial Administration MEC for Local Government Val Volker on May 6.

Yesterday police prevented the group from re-occupying the land and holding a ceremonial feast to honour ancestors whose graves remain at Charlestown.

They were taken to the Charlestown police station where some were handled roughly by police, the Association for Rural Advancement (Asra) said in a statement yesterday.

At the police station, the group handed a memorandum to NPA Settlement Services assistant director Philip du Toit, who undertook to schedule the meeting with Volker.

The memorandum called on government to immediately restore the people's

TANIA LEVY

land, and noted their objection to its proposed sale. ~~271~~ 271

The proposed sale of the land had strengthened their resolve to return before June, the memorandum said.

The group said they would continue trying to return to Charlestown if the issue was not resolved satisfactorily during the meeting on May 6.

Asra said the plight of the Charlestown people highlighted the need for government to urgently address the issue of restoring land rights to black people.

Although the Charlestown people had title deeds to their land, they were forcibly removed after the passing of apartheid legislation.

The association said there was an urgent need for mechanisms to be established to arbitrate and negotiate land claims.

## UK millionaire missing: SA men sought

IAN HOBBS

LONDON — Kent detectives are investigating two unidentified South Africans following the disappearance and suspected kidnapping or murder nine days ago of shipping container tycoon Simon Law.

Kent's CID said it feared Law, 35, might be dead already or in grave danger and it "very urgently" needed to contact the two South Africans.

The alarm was raised by Law's common law wife of 16 years, Tarn Phillips, 36, who is convinced that he was murdered after a kidnapping attempt went wrong.

Detective Superintendent Owen Taylor said members of a 60-strong team of detectives he was leading would fly to SA soon.

He said Law disappeared from his R3,5m mansion farmhouse in Elmsted, Kent, on April 22.

Hours earlier, the two South Africans had visited Law's house.

Police have ascertained that the two men flew out of London the following day, April 23.

Phillips said Law's shipping container business, started about 18 months ago, had extensive SA involvement. She said there had been "hitches".

## Speculation Lyntex may owe up to R30m

810 am 215791  
BRENT VON MELVILLE

TROUBLED DCM-listed Lyntex Transport Exchange (Lyntex), now in provisional liquidation, has creditors clamouring at its door for an amount that sources say could be in the region of R30m.

Industry sources believe its creditors include Volkskas Bank, Trust Bank, Commercial Bank of Namibia, Shell, BP, MAN, Overland Express and Imperial, among others.

Lyntex MD Tony Teixeira did not comment on the claims, and said the application for liquidation had been prompted by the fact that Trust Bank had called in Lyntex's overdraft.

On Tuesday he said it was "a sad day for Lyntex" in that for many of its 230 employees it would be the last working day.

He said that as he had a 71% stake in the company, he personally stood to lose between R4m and R5m.

The Trust Bank move followed the disclosure earlier this month that Lyntex was being sued by at least five firms for more than R1,6m.

### Airport

Part of that includes a claim by Overland Express for R112 000 from Lyntex subsidiary Totex Management Services and Intercept Carriers.

Teixeira and chairman Eugene Marais were apparently confronted at Jan Smuts Airport on Friday by creditors who thought Teixeira was trying to leave South Africa. Teixeira denied he had any such intention.

Overland Express's Manny Silva, however, stuck to earlier claims that he confronted Teixeira and Lyntex chairman Eugene Marais at the airport last Friday and that a fracas ensued.

He said another unnamed creditor also became involved. Silva said he had since laid assault charges against the two directors.

Since its listing in December 1987, Lyntex boasted as its chairman the controversial Joe Berardo, who was appointed in early 1988 and who left Lyntex, and most of his SA connections, in 1989 in the wake of a parliamentary investigation into the exportation of a R2m collection of rare cycads to Madeira.

At 10c, Lyntex's share price is not even reminiscent of its 77c high in February 1988.



# Charlestown <sup>CAT</sup> land bid fails <sup>T-43</sup>

Own Correspondent <sup>2/5/91</sup>

JOHANNESBURG.

About 150 people from Osizweni in northern

Natal yesterday tried unsuccessfully to re-occu- <sup>211</sup>

py land at Charlestown from which they were re-

moved in the 1970s.

Police prevented them from re-occupying the land and from holding a ceremonial feast to honour ancestors whose graves remain at Charlestown.

# Police stop attempts to reclaim land

271 3 GEN  
Sowetan 3/5/71

DISPOSSESSED people of Charlestown who attempted to regain their land this week are set to meet the Natal Provincial Administration's MEC for local government, Mr Val Volker, on Monday.

Police prevented a community of about 150 people, who were forcibly removed from Charlestown to Osizweni 10 years ago, from resettling.

## Contingent

The Association of Rural Advancement said when people attempted to occupy their land on Wednesday, they were met by a contingent of police officers who told them to report to the station.

"A delegation was allowed to hand a memorandum at the police station to Mr Phillip Du Toit of the NPA's Settlement Services Division.

"It outlined their position on reclaiming their land," the statement said.

The memorandum, Afra said, called for the immediate restoration of their land by the Govern-

By DON SEOKANE

ment and objected to its proposed sale.

Plans to sell the land will only strengthen the community's quest to resettle there before June, they said in a memorandum.

Afra said the plight of the Charlestown people and that of Criemen villagers who were prevented from occupying their land on April 20 indicates the need for the Government to urgently address the issue of restoring land rights to black people.

## Highlights

"More generally this event highlights the urgent need for the establishment of mechanisms for arbitration and negotiations around land claims," Afra concluded.

The dispossessed people of Charlestown have vowed to continue with their bid to return to their land if the meeting with Volker does not satisfactorily address their demands.



# Govt moves to restore land to the dispossessed

Star 4/5/71.  
BLACK communities subjected to forced removals in "white" South Africa will probably get their land back at last.

The Government has agreed to establish an advisory land commission to consider restoring rural land to those who lost it through apartheid laws and removals.

The acceptance in principle of the need to compensate for the

wrongs of apartheid, reverses the stand taken by the Government in its White Paper on Land Reform.

## Pushed through

The deadlock between the Government and opposition parties in Parliament which has been holding up the processing of the five Bills accompanying the White Paper, now appears to have been broken.

It is likely now that the Bill abolishing the Group Areas Act and the Land

PETER FABRICIUS  
Political Correspondent

Act will be pushed through Parliament this session while the controversial Residential Environment Bill will also go through, but in an amended form.

The latter gives suburban residents wide powers when the Group Areas Act is scrapped — and has been rejected by the Labour Party and others who say it will allow white residents to

discriminate against black people indirectly.

The three remaining Bills of the land reform package will probably be shelved in this session of Parliament and discussed later this year by the land reform committee.

The decision to establish an advisory land commission was apparently taken yesterday following weeks of intense wrangling in Parliament's joint committee on land reform legislation.

It is understood that the National Party representatives on the committee accepted the idea of a land commission but the decision was overturned by the Cabinet on Tuesday.

The committee then sent the NP representatives back to senior Cabinet Ministers to plead again for the land commission.

Together they thrashed out new proposals which President de Klerk then approved, according to sources.

## State-owned

Under the new draft proposals the land commission will advise Mr de Klerk on restoring land to those disadvantaged by forced removals or in any other way by the Acts which are now being repealed.

But it is clear that the commission's scope will

be fairly narrow and it will not be involved in general land redistribution.

The only land that will be available for compensation will be that already owned by the State — or which could "reasonably" be acquired for the purpose.

The commission's task will be to adjudicate conflicting claims to land and determine preferential claims for those who have been disadvantaged in the past.

The main beneficiaries of the Government's decision are likely to be the black communities most recently moved by force from so-called "black spots" in "white" South Africa.

## Beneficiaries

Thirteen of these communities have been identified, of which 11 were removed from land which still belongs to the state.

It is possible that the others — such as the Fingoes of the eastern Cape — could be compensated under the clause which allows for compensation with land that is "reasonably" acquired for the purpose.

The land commission's terms of reference are now confined to rural land — while opposition parties want urban land included too.

This may be resolved at further meetings of the commission.

REMOVALS

**HOME SWEET HOME**

Members of at least eight relocated or forcibly removed communities in Natal want to go home. Many of them held freehold rights

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*continue*

**CURRENT AFFAIRS**

to land in what became known as black spots scattered among white-owned agricultural land under the old Land Acts.

After a meeting in Maritzburg last weekend they have submitted a memorandum to government calling for the restoration of title

deeds and in some cases mineral rights, as well as mechanisms and financial support for the acquisition of additional land and sup-

*Continue*

**CURRENT AFFAIRS**

*FM 10/5/91*

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port for development and services.

The communities of Charlestown, Criesmen, Cornfields, Matiwane's Kop, Steincoalspruit, Stoffelton, Roosboom and Tembahlle — pockets of lands spread across the Natal Midlands and northern Natal — have a history going back to the 19th and early 20th Centuries.

The land was bought by black people, mainly Christian syndicates, under freehold tenure before the apartheid restrictions of the 1913 and 1936 Land Acts.

With the advent of these laws the communities became so-called black spots and in many cases people living there were moved, often forcibly, to townships around Newcastle and Ladysmith. Compensation was largely limited to the houses built by individual members of the communities and not the value of the land.

But now people from these communities, and their descendants, want to go back. In at least one case people who used to live at Roosboom near Ladysmith have already started returning, with other communities indicating that they will follow suit.

Government's recent announcement, in principle, that victims of forced removals would be compensated under an advisory land commission still to be established, prompted last weekend's meeting.

About 60 representatives of the affected communities welcomed the news of the commission but called for it to be broadened to include members "independent of government and acceptable to the communities," and to call a moratorium on the sale of land at former forced removal spots until land claims have been resolved.

At some communities, such as Steincoalspruit, Matiwane's Kop and Cornfields — where many members of the original settlements refused to move — government has been called on to quash the threat of forced removal and restore title deeds and mineral rights.

An estimated 105 000 people were moved from about 100 freehold areas in Natal between 1948 and 1982, according to the Maritzburg-based Association for Rural Advancement.



# New chapter in battle to reclaim land

Star 13/5/91

~~3/5/91~~

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**T**HE WESTERN Transvaal farm Goedgevonden will go down in history as the place where the South African police took unprecedented action against right-wing extremists, opening fire upon them to prevent a spree of destruction and violence against a black farm settlement.

Goedgevonden is likely to mark another equally significant political juncture along the road to a new South Africa. It will be a clear pointer on whether the National Party is prepared to adopt a principled position on restoring the land to victims of forced removal.

Bowed by a storm of criticism, in the last month the Government began to soften its "no go" position on restoring land to victims of forced removal. As the joint committee on land reform legislation heard evidence, there were clear signs that the Government was beginning to think that restitution was entirely feasible where this did not entail dispossessing someone else to achieve it.

## Compensation

It is no accident that the Conservative Party withdrew from the joint committee. The arguments for compensating victims of racist land laws were beginning to prevail and by the end of April it was virtually certain that the Government would accept the idea of setting up a land claims commission to advise on land restoration.

In an interview with the Financial Times of London, President FW de Klerk stated recently that although a programme of land restoration would not be feasible, "this does not mean that the Government is unapproachable. Govern-

**Will the violence of the Right shape Government land reform strategies? JO-ANNE COLLINGE looks at the question.**

ment's general approach is to address the cases concerned with sympathy and reason."

Critics are waiting to see whether the Government's new "softer" line will hold up in the wake of the weekend's attack by right-wing farmers on black land-claimants encamped at Goedgevonden near Ventersdorp.

Goedgevonden, they reason, is an area where land can be restored without depriving anyone in return. If the Government cannot deliver the goods on Goedgevonden, where will land restitution start? And will it be subverted wherever and whenever right-wing farmers flex their muscle?

A month ago the 80-odd families at Goedgevonden reoccupied land they had farmed for more than 30 years prior to their removal in 1978. When they lived there, the farm was the property of the South African Development Trust. It was later acquired by the Department of Agricultural Development.

For generations there has been no individual white owner of Goedgevonden. The black tenants of Goedgevonden built their own homes, churches and schools on the property. These were demolished at the time of the removal. Nobody has since made any improvements to the property.

If Goedgevonden were to be handed back to the black people who last occupied it, President

de Klerk would in no way be breaking the promise he gave to farmers at the agricultural summit last year, "Your title is safe".

But quite clearly the ultra-Right farmers who smashed up about 15 shacks and attacked the occupants do not see it that way. They regard the farm of Goedgevonden as "white" property and feel that the 80 families who have reoccupied it should be shipped out to Bophuthatswana.

The people of Goedgevonden are convinced that their claim is quite reasonable. "If they feel we didn't buy the land earlier on, we are prepared to buy it now," says spokesman Levy Segopolo. "The only thing is, the Government should take the responsibility for our loss of income since the removal — the years we couldn't plough, having no land at Vrischgewaag."

## Eviction

Although residents requested talks with Minister of Agriculture Dr Kraal van Niekerk a month ago, no firm date has been forthcoming. Instead, residents have a date in the Pretoria Supreme Court on May 28 when they must show good reason why they should not be evicted from Goedgevonden.

It was the prospect of a legal eviction order being issued which eventually persuaded the rightwingers to suspend their rough eviction methods at the weekend.

Whether the eviction order would do the Government much good is another question. It would merely involve South African policemen in a new round of forced removals linked to a history of racial land dispossession. □

# 'FW must decide if we can stay here'

By Jo-Anne Collinge

Residents of the western Transvaal farm Goedgevonden, whose shacks were smashed in an attempted eviction by right-wing farmers at the weekend, are demanding that President de Klerk himself decide whether they have a right to remain there.

"We are writing to the President to tell him he must make a decision. If he feels we must move from Goedgevonden, he should rather come and kill us there. But he must make this decision himself," said Levy Segopolo, chairman of the Goedgevonden Committee.

Pressure on the Government is also mounting from the Right. Boerestaart Party leader Robert van Tonder, commenting on the police shooting of two of the farmers' eviction squad, yesterday branded the Government an enemy of the Boere.

According to Sapa, Mr van Tonder warned that further resistance could be expected and that if the police fired on members of the Boer nation, their

fire would be returned.

Mr van Tonder said the Government had to realise that the Transvaal and Free State were Boer territory and they could not expect Boere to stand by while their land was taken over by illegal squatters.

About 80 families, who were removed from Goedgevonden in 1978, reoccupied the farm on April 11. At the weekend hundreds of right-wing farmers — carrying out a threat voiced by Afrikaner Weerstandsbeweging leader Eugene TerreBlanche at a public meeting on April 18 — attacked the small settlement.

## Opened fire

They were driven back by police, who opened fire on the eviction mob. At least two farmers were injured and required medical treatment.

Many more black people were hurt at Goedgevonden and in another attack on the squatter camp adjacent to the Ventersdorp township of Tshing. They were treated by an army medical unit and at Ventersdorp and Klerksdorp hospitals.

Since their removal in 1978, most of the community have

been living at Vrischgewaagd in Bophuthatswana. "They have made us become very poor through this removal. We are also human beings. We can't go further," said Mr Segopolo.

According to Mr Segopolo, there were two attacks on Goedgevonden — one carried out by a mounted posse at about 1 am on Saturday and the second at about 7 am.

Between these two events, the farmers savagely attacked the shack settlement at Tshing, smashing shacks and slashing at residents.

Mr Segopolo had nothing but praise for the actions of the policemen.

"They did their best. They were terrible to the AWB," he said, adding that the police had headed off an attempt by the farmers to demolish his own house by driving vehicles at it.

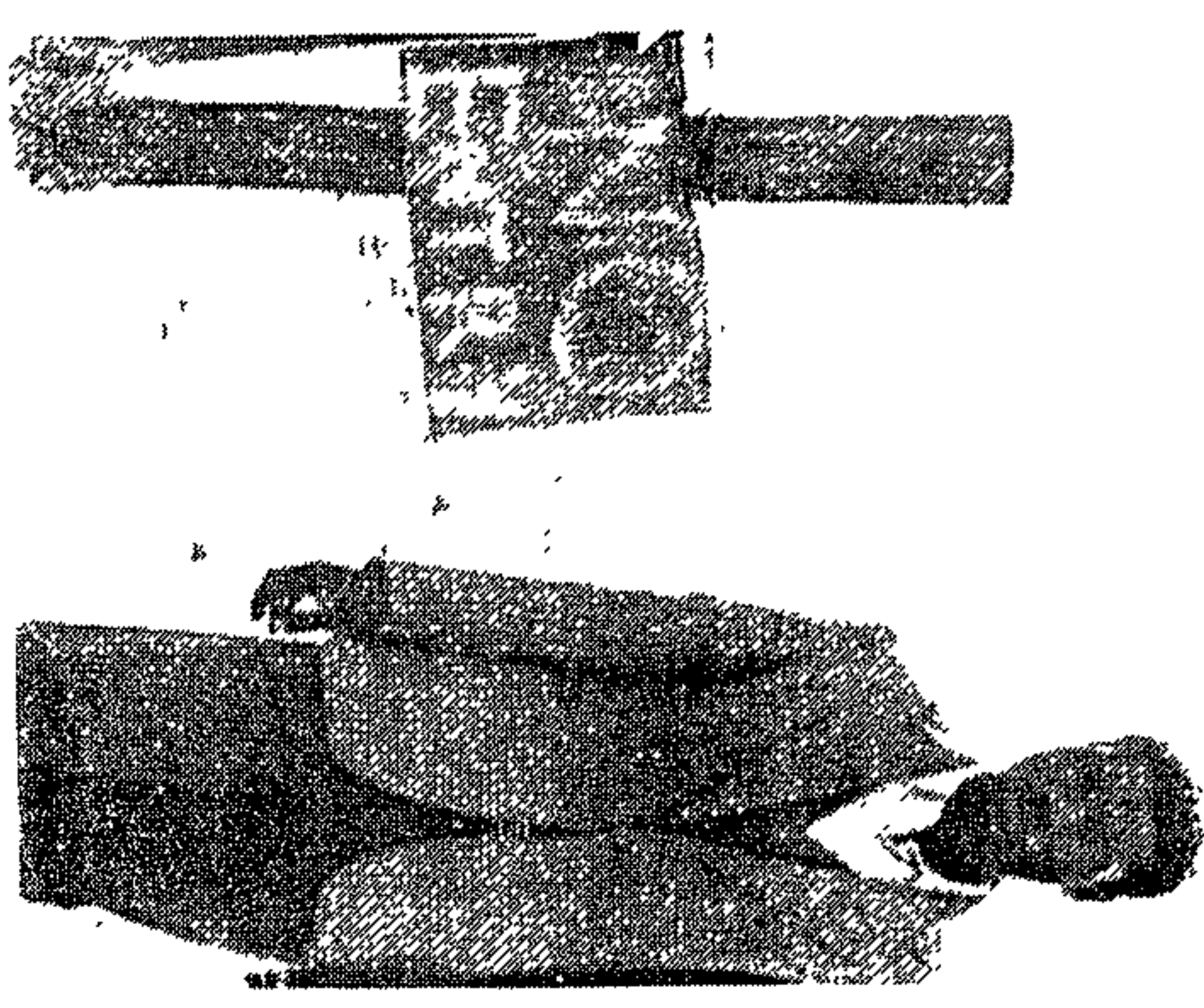
In addition, he said, a police officer had given residents warning of the raid and advised them to be vigilant.

● A township rally of about 300 people decided yesterday to boycott shops in Ventersdorp for a week in protest.

● New chapter in battle to reclaim land — Page 9



Do people have the right to reclaim their ancestral land even though it might now be occupied by someone else? Telephone Radio Metro DJ Tim Modise between 4.30 and 5pm today and tell the nation what you think. The hotline number is 714-8063. Listen to the *Sowetan*/Radio Metro Talkback programme on mediumwave 576KHz.



# Squatters 'imprisoned'

*Sowetan 14/5/91*  
**Armed rightwingers seal off entry to settlement**

By KAMAL SINGH

SCORES of squatters who returned from Bophuthatswana to reclaim land in Goedgevonden were virtually being held prisoners on property once owned by their forebears.

A *Sowetan* team was yesterday refused entry into the squatter settlement which was attacked by AWB members on Saturday morning.

Armed officials threatened a *Sowetan* reporter with arrest if he insisted on going into the settlement.

Local residents claimed that the people manning the gates were rightwingers.

Two brothers, Nicholas and Cornelius Morei,

claimed many squatters needed urgent medical attention but the guards refused them entry and exit.

They also claimed that an Operation Hunger truck carrying foodstuffs for the the Goedgevonden families was refused entry.

Nicholas said: "Many of the workers have also been refused permission to go to work. The guards at the gate have also refused entry to people who were smuggled out during the night to go and

get food.

"There is also no water for the squatters. Sometimes water is smuggled into the squatter camp at night."

A Ventersdorp police spokesman said the gate was manned by officials of the Department of Ag-

riculture.

He said the police were protecting residents and that Department of Agriculture officials were responsible for entry into the squatter settlement.

A list of names of the squatters has apparently been drawn up. Only Ventersdorp

people whose names appear on the list were allowed in.

However, Cornelius' name does not appear on the list and he has been consistently refused entry. He last saw his family five days ago.

Meanwhile, residents of nearby Tshing township have decided to boycott Indian and white-owned businesses in

## Raid on shanty: 3 charged

*Sowetan 14/5/91*  
THREE rightwingers arrested on Saturday at Goedgevonden in the Western Transvaal have been charged with public violence, police liaison officer Major Ben van Heerden said yesterday.

The men, Frederick Jacobus Smit (37), Christiaan Joseph Smit (45) and Nico Meiring (46), were arrested during a clash with police after their attempted eviction raid on residents of the shantytown near Ventersdorp on Saturday morning.

Van Heerden said the case had been postponed to July 10, but the men had been released on their own recognisances. - *Sowetan Correspondent*.

# Apartheid by other means

Star 15/5/91

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The South African Government has been accused, in an article published in the New York Times, of using surrogate killers to save white rule, reports RAMSAY MILNE of The Star Foreign Service.

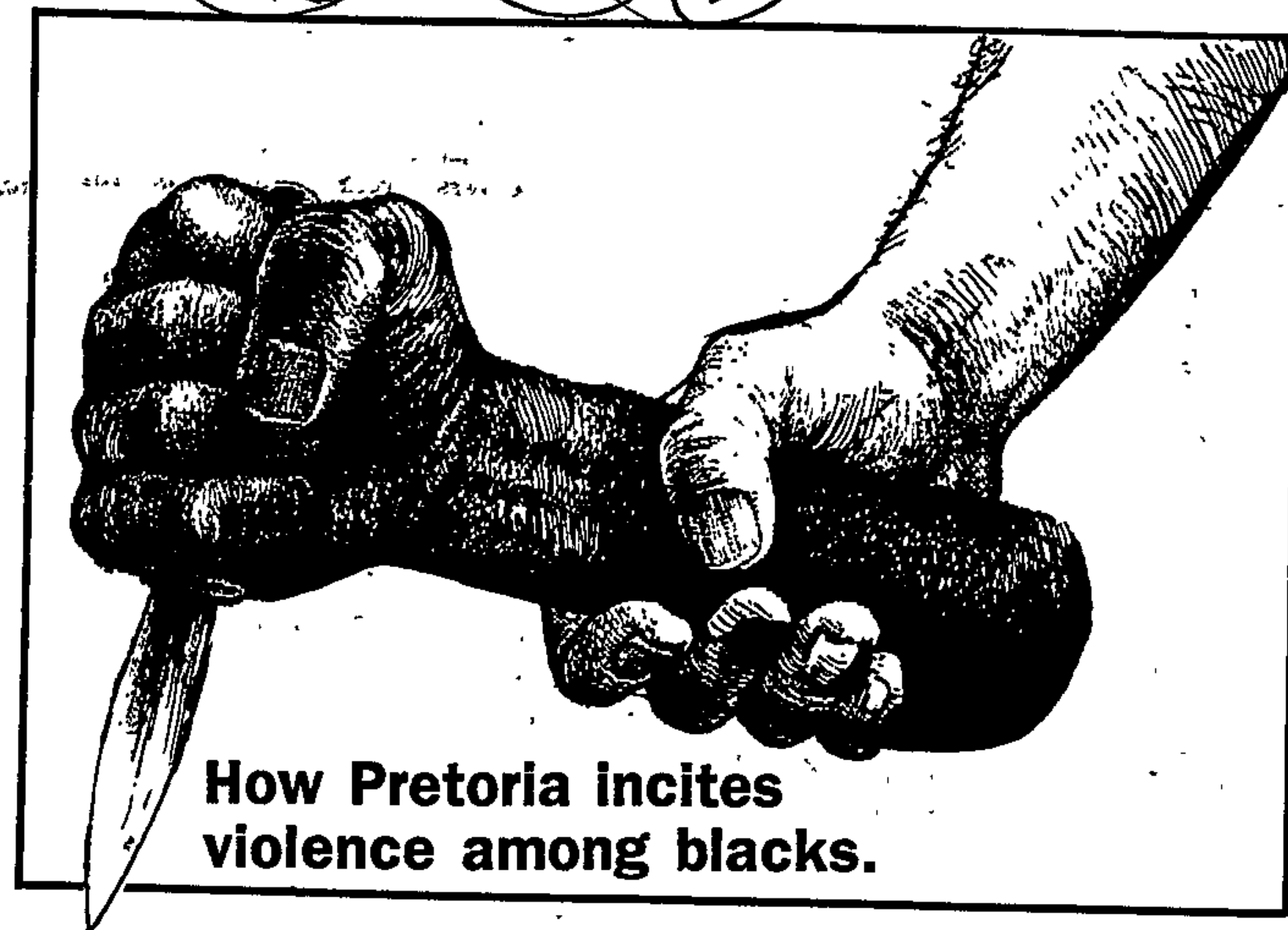
**T**HE Government has been accused in a prominently featured article in the New York Times of substituting a new form of violence — the use of surrogate killers — to save white rule.

The attack came from Matthew Phosa, legal adviser to the ANC, who said that though the ANC was loath to make the "shocking claim" that the South African Government had instigated or condoned the black-on-black violence in South Africa, it had no alternative.

The article, which contained detailed criticism of President de Klerk's handling of the township violence, was illustrated by a dismembered black hand, holding a dagger, being grasped by a white hand above the wrist, the dagger being driven downwards as in a death blow.

The article was published under the headline "Apartheid by other means: how Pretoria incites violence among blacks"

Mr Phosa said the violence was being depicted by the white regime as an uncontrollable, spontaneous conflict between "tribes", or between the ANC and Inkatha, with an implication that blacks are not fit to rule their country



**How Pretoria incites violence among blacks.**

Taking a stab at South Africa . . . the graphic used to illustrate the article published on the New York Times's 'Briefing' page on Monday.

But the ANC, he said, had evidence that "paints a more sinister picture of the so-called black-on-black violence".

The Government's overnight transformation was accepted by the ANC, its violent past forgotten. But it may have simply substituted a new form of violence to save white rule, "turning to surrogates to avoid blatant displays of repression"

The surrogates, Mr Phosa said, included gangs such as the Black Cats and Three Million Gang, mercenary troops such as the Koevoet of Namibia, hit squads and some In-

katha members.

"We have testimony from the groups' members detailing police contacts. We gave this information to the Government, but nothing has been done."

More evidence of police collusion intended to create or worsen the conflict between the ANC and Inkatha came from confessions by Sipho Madlala, a former South African Defence Force agent, who told how his unit had assassinated Chief Maphumulo. His charges had not so far been investigated.

Assassinations of ANC ac-

tivists, he said, had risen dramatically and youths recruited by the security forces had told the ANC that other leaders were targets

Mr Phosa concluded: "We believe the Government's actions last week are not nearly enough. Hit squads must be dissolved, and the police and defence Ministers fired."

"We want an independent investigation of the murder of Chief Maphumulo and other atrocities."

He added "A lack of action would be further evidence that the white State sanctions — and instigates — violence." □



# Roadblock keeps envoys out of Goedgevonden

By Jo-Anne Collinge

Representatives of five governments, various churches and the ANC were brought to a dead halt at the barbed wire fence of Goedgevonden yesterday when they tried to investigate conditions in the western Transvaal settlement, which was battered and threatened by white farmers at the weekend.

When Department of Agriculture official Gerrie van Rensburg refused to let the visitors past the police roadblock, Anglican Bishop David Nkwe announced that they would hold a prayer service across the "Berlin Wall".

The five governments represented were Britain, the US, Canada, Japan and Taiwan.

The Goedgevonden people occupied the farm as tenants for 30 years until 1978, when they were removed in terms of the homeland consolidation policy.

In April they decided in desperation to reoccupy the land, as they were experiencing great hardship in their resettlement village of Vrischgewaagd in Bophuthatse. The reoccupation was suspended after 80 families had moved back.

Scores of Goedgevonden people yesterday made their way from their shacks to the gate of the farm to greet their visitors.

Transvaal Rural Action Committee worker Star Motswege launched an attack on the Department of Agriculture's heavy-handed control of the settlement which had made it almost impossible to ensure adequate supplies of food.

He appealed to the international community to apply pressure to ensure that the Goedgevonden people had the necessities of life.

At present the people of Goedgevonden depend on water being fetched daily in plastic containers from Ventersdorp, about 20 km away.

When The Star arrived at the gate/roadblock yesterday morning, a small group of old men were waiting wearily to be admitted. Questioning revealed that Mpayipela Sinintshi (66), Mzikayise Langa (73) and Bafana Mpungase (79) had spent three days travelling to and fro to get their pensions at Vrischgewaagd — and now were unsure whether they would get through the gate.

## Armed

After the service at Goedgevonden, diplomats, church workers and ANC representatives went to the Ventersdorp township of Tshing, the other site of a right-wing attack last weekend.

People thronged the streets of Tshing, apprehensive and armed with all manner of makeshift weapons. Since the majority of residents were still observing the three-day work stayaway declared in the wake of the attack, a public meeting was called at short notice.

Residents are braced for another attack by the AWB and have little faith that the police will prevent this. In Ventersdorp, the AWB office is sandbagged and men in khaki stroll outside, totting firearms.

## District 6: Mayor in plea to govt

THE city "cries out from the heart" for a solution to the District Six development impasse, Mayor Mr Gordon Oliver said yesterday.

Addressing a conference of the National Association of Homebuilders in the Cape Sun yesterday, he appealed to the various government ministers who were present "to heed our plea".

He said afterwards that the only way to provide affordable housing in District Six was for the government to buy up the privately-owned land there and hand it over to the council.

If the government were to make the land available for low cost housing, it would be "an enormous and powerful gesture in the present political climate".



## THE LAND QUESTION

**P**RESIDENT FW de Klerk is up against an unlikely opponent in the form of 97-year-old Josephine Chamane.

The longing that motivated this wrinkled old lady to recently re-occupy land near Ladysmith that she regards as rightfully hers, and her determination never to be moved again, are likely to make her the winner.

Josephine and her sickly husband are among 51 families to return to land they once owned, but were stripped of through apartheid decree in the 70s.

More are waiting to reclaim their plots on the farm Roosboom at the foot of Natal's Drakensberg mountains. But for the moment, further re-occupation has been put on hold. This is because the government has effectively conceded an important principle: that the occupation is a political issue, better handled outside the courts.

Charges brought by the government's Public Works Department, which now owns the land, and white farmers, who have been leasing it for grazing, have been withdrawn and the matter referred to De Klerk.

Currently there are about 13 communities around the country who have publicised their claim to land they previously occupied.

They are the first to come forward since hearing last year of government intentions to scrap the Land Acts, which bar them from owning land in white South Africa.

In most cases their land was left empty. As they put it in a recent statement: "Instead of producing food, it was leased to farmers for grazing or abandoned. It has been a terrible thing all these years to see our land empty while we starve. Removal took away our chance to be economically viable."

Some of these communities had title deed to their land. Others have



Victims of forced removals make their feelings felt about the loss of their birthright.

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# Shaky land policy stirs further conflict

based their ownership rights on lengthy occupancies, grants by a white governor or boer general, or trust agreements which reserved land for a particular tribe.

The Goedgevoonden community, whose plight hit headlines recently after 2 000 armed rightwing farmers tried to evict them, are making their claim to the Western Transvaal farm on the basis of decades of occupancy until their removal in 1977.

While the government has retreated

ed on aspects of its land policy in recent weeks, it has remained firm in its refusal to make a principle of land restoration rights

Any redistribution policy has been firmly ruled out in a White Paper and a series of proposed bills on land issues which, among others, proposed the repeal of apartheid land legislation.

Instead the proposals have endorsed existing title deeds, with re-

allocation taking place through the "free market", accompanied by subsidiary government assistance.

Given South Africa's extremely unequal sharing of the land, government's commitment to land reform without redistribution was met with considerable outcry

De Klerk retreated and declared that his administration would consider restoration claims, but on a case-by-case basis.

In short, he still refused to let go of the principle of "let bygones be bygones" in defining land reform policy. This is the crux of the dispute over land policy.

But Pretoria's bureaucrats have not even seriously looked at those options for redistribution which would not disrupt productive land use or which would not be too costly. Neither has it listened to how black communities want restitution implemented.

The 13 communities currently making a claim for the return of their land are sympathetic to government fears. But they despair at Pretoria's failure to listen to them.

As they put it: "Because of this desperation some of us have gone back to our land. We would prefer that we did not have to be forced to do this. We would prefer a process in which we could come forward and negotiate."

The Roosboom case looks hopeful because the land is State-owned and neighbouring white farmers are not too unhappy about the possibility of losing their leaseholds for grazing. The Goedgevoonden case is trickier. In an obvious attempt to avoid a confrontation with belligerent white farmers the government has absolved itself of the decision, referring the issue to the courts.

When 2 000 farmers invaded a farm to evict its occupants because they are black, as happened at Goedgevoonden, the government is right when it says that acceptance of restoration rights will generate conflict.

But when the spirit of resistance signalled by 97-year-old Josephine Chamane is considered, the government is more wrong than right in this assertion.

As land researcher Aninka Claassen argues, it is the current situation that is "inherently unstable". Not to address apartheid's legacy will only exacerbate that. - AIA



# 'We're farmers, not squatters'

Star 20/5/11

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GOEDGEVONDEN

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What moved the former tenants of Goedgevonden to take the dangerous course of reoccupying their farm in the heartland of the white Right? JO-ANNE COLLINGE looks at the background.

THE label "squatter" is a grave insult to the Goedgevonden people. "We are not squatters. We are farmers. And I am proud to say I'm a farmer," insists Levy Segopolo, who heads the community committee.

The claim might be a red rag to conservative white farmers who recently tried to throw the Goedgevonden people off the western Transvaal farm which they reoccupied in April after spending 13 years in a resettlement village.

But Mr Segopolo's rejection of the "squatter" label is a very succinct statement of the community's view that their claim to regain Goedgevonden is a just one; that only apartheid policy stands between them and the farm they occupied for some 30 years.

The people of Goedgevonden — who numbered about 7 000 by 1978 and also occupied the adjoining farm of Welgevonden — suffered doubly under the policy of homeland consolidation.

First they were removed in 1978 from their land in "white" South Africa to the areas of Vrisschgewaagd and Ganna-laagte adjacent to Bophuthatswana. Then, without their knowledge, this land was incorporated into the homeland in 1984.

The fact that the uprooted Goedgevonden community was under Bophuthatswana's jurisdiction became the pretext for

the South African Government to stubbornly refuse to discuss the people's grievances.

On February 2 1990 the Legal Resources Centre (LRC) wrote to President de Klerk outlining the community's problems and asking for talks with a Cabinet Minister.

On May 10 1990 Deputy Minister of Education and Development Aid Piet Marais replied that "it will not be possible to grant you or your clients an interview due to the fact that they had no land rights at Goedgevonden and Welgevonden and that the farms Vrisschgewaagd and Ganna-laagte are now incorporated into Bophuthatswana". He advised them to talk to the Bophuthatswana government.

On May 29 1990, LRC lawyers responded to Mr Marais, arguing that the incorporation was of dubious legality, that past efforts to talk to the Bophuthatswana authorities had failed and that "in the light of what our clients perceive to be the South African Government's betrayal of them (and) your refusal to meet with them, we are instructed that our clients have resolved to return to the land... (and) they appear to be quite fearless in their resolve".



Levy Segopolo... heads the community committee.

On August 7 1990 Mr Marais answered, reiterating the view that "as your clients live in the independent country of Bophuthatswana it would be totally irregular for me to meet them for discussions".

In the wake of the reoccupation, community representatives met briefly with Minister of Development Aid and Land Affairs Jacob de Villiers. Despite this meeting, court action for the eviction of the community was instituted by the

Department of Agriculture and is to be heard on May 28.

Although there are moves within the Government to institute an advisory land commission to deal with, among other things, restitution claims of victims of forced removal, support for this measure is certainly not unanimous. This division within the Cabinet is reflected in the ambiguous approach to Goedgevonden.

Attorney Geoff Budlender argues that "if there is any people that qualifies for restoration of their land, it is the Goedgevonden people".

It is true that they cannot claim, as many other communities can, that they had freehold title to the land they occupied. They were tenants — but tenants of the SA Development Trust, which acquired land specifically for occupation by black people.

Furthermore, they occupied the land for more than 30 years, building homes, schools and churches on it. They used — and were officially permitted to use — the land as if it were their own.

The removal was forced — not in the physical sense, but in the sense of the community's perception that violence was inevitable if they resisted.

"The way they were 'killing' other communities made us feel we should obey the Government — and so we moved," says Mr Segopolo.

Furthermore it was a removal motivated purely by racial considerations. The land was not needed for any other public purpose and to this day remains in the hands of the Government.

Promises of compensatory land in the resettlement areas were broken and, therefore, the community was materially prejudiced by the move.

At the time of removal, the LRC says, they were shown land on which they could settle immediately and other land to be added at a later stage. This land was never given to the Goedgevonden people. Moreover, they were forced to share the limited land they were granted with others. In the end, only seven families out of 7 000 people ended up with enough land to farm.

In an act of dubious legality, the resettlement areas were incorporated into Bophuthatswana without consultation. As SA citizens they resisted rule by Bophuthatswana and, their lawyers allege, retribution resulted.

Leaders of Goedgevonden argue it was grand apartheid that reduced a comfortable farming community to poverty and that this damage must be made good as apartheid is demolished. □



# The shame of land laws

## Report traces long history of discrimination

A COMPLEX range of laws have contributed to sharp racial divisions in the ownership and occupation of rural land in South Africa, according to the Urban Foundation.

In its latest report, entitled *Rural Development Towards a new framework*, the Urban Foundation argues that racism in land acquisition has been perpetuated by the Black Land Act of 1913, the Development Trust and Land Act of 1936, the Group Areas Act of 1950, the Black Administration Act of 1927, the Prevention of Illegal Squatting Act of 1951, and the Coloured Missions Stations and Reserves Act of 1949.

Of all the Acts, the Urban Foundation says, most notorious are the Black Land Act, the Development Trust and Land Act and the Group Areas Act.

Urban Foundation executive director Ms Ann Bernstein says the Land Act laid down a barrier to Africans' land ownership.

The Act set aside only seven percent of the country's land for Africans.

The Development Trust and Land Act defined a further category of "released" areas - those which could be transferred to the South African Native Trust, now called the South African Development Trust.

### Extended

This Act extended the area for Africans to 13,6 percent of the country's total land.

Both laws severely restrained black squatting on white-owned land, even with the owner's permission, the report says.

The report quotes Mr Sol Plaatje's 1916 book *Native Life in South Africa, Before the European War and Since the Boer*

By DON SEOKANE

Rebellion on the affect of these two land Acts

"Awakening on Friday morning, 20 June 1913, the South African native found himself, not actually a slave, but a pariah in the land of his birth."

The historic effect of the two racist Acts was to prevent African presence - in any capacity other than wage employees - of land outside the "released" areas.

### Forced

The "released" areas presently comprised the so-called independent and national states.

Forced removals also contributed to setting rural land aside for white farmers.

The legacy of forced removals, Bernstein says, cannot be wished away.

"Its effects have been disastrous in robbing communities of their land," she says.

Bernstein says the Government's White Paper on Land Reform tries to dismiss forced removals by arguing that

we cannot try to undo the past so we should "let bygones be bygones".

In calling for the proper consideration of forced removals, Bernstein has a valid argument.

Victims of forced removals cannot easily forget and forgive the Government.

### Cover

Some were bundled in trucks to places far away from their ancestors with or without compensation for their properties. When they were compensated, it was not enough to cover their expenses.

The Mogopa people, for instance, battled with the State to the extent of going to the Appeal Court to reclaim their land.

The entire Mogopa community had been uprooted from its agriculturally viable and mineral-rich settlement in the Ventersdorp area and dumped at Pachtvlei - a barren settlement on the border of Bophuthatswana 150km away.

In another land battle, members of the Barolong baModiboa tribe were hauled before a Potchef-

stroom magistrate on charges of trespassing.

They faced 23 charges of trespassing on a land they claim is theirs.

The most recent land battle pits the Goedgevoenden people against the Department of Agriculture.

The crux of the saga is that the department has laid charges of trespassing against the villagers.

The Goedgevoenden people were forcibly removed from their land 13 years ago, bundled into trucks and dumped at Frischgewaagd in the western Transvaal.

They decided to reclaim their land and by April 9, about 15 families had erected shacks in the area. Since then, about 80

families have settled there.

Although the villagers are determined, all is not well.

After an attack by several thousand right-wingers last weekend, they have been shut off from the outside world by police and Department of Agriculture officials who man the gates surrounding them.

But why the Department of Agriculture? How does it come into the picture?

The land has been declared a grazing area and is owned by the department.

Tribe leader Mr Oefile Segopolo bitterly questions the rationale



These victims of forced removals returned to Goedgevoenden farm to reclaim their land lost through the Government's discriminatory policies. Now, after a brutal attack by rightwingers, the Government has closed them off from the outside world.

"How can a government take away peoples' land and turn it into a grazing area for white peoples' cattle?"

The Government's White Paper on Land Reform is inadequate in many respects in addressing the plight of victims of forced removals.

After two months of intensive analysis of the Government land reform proposals, the Urban Foundation argues that four Bills should be withdrawn, the Rural Development, Residential Environment, Less Formal Township Establishment and Upgrading of Land Tenure Rights Bills.

The UF opposes the Bills because they do not address the issue of

forced removals and because nobody outside the Government was consulted.

However, the Foundation welcomes the repeal of the Land and Group Areas Acts.

The foundation says the repeal of those Acts has given the country an opportunity to widely debate the land issue.

For the first time in a century, a broad consensus can emerge on a non-racial vision of urban and rural development.

The foundation also urges interim working groups on rural and urban policies.

The recommendations have been conveyed to the parliamentary commission on land reforms.



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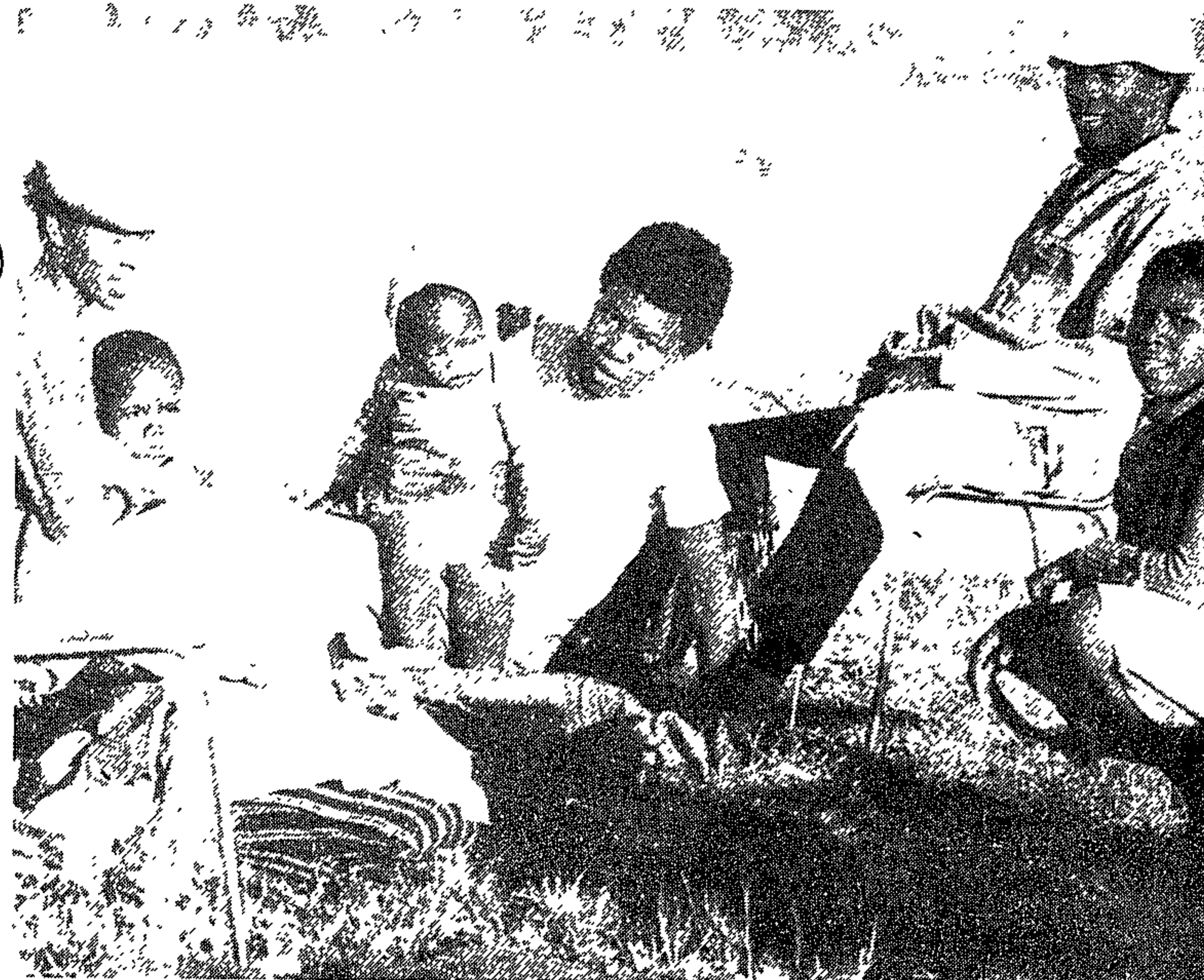
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# State's shift on land

By ISMAIL  
LAGARDIEN

21/5/91  
Sowetan

THE Government has bowed to public opinion and agreed to establish an advisory land commission which will consider compensation for people who have lost land in terms of the Group Areas Act.

21/5/91

The Cabinet decided at the weekend to drop the controversial Residential Environment Bill - interpreted as a camouflage for racism - first tabled in Parliament on March 12 with the Government's White Paper on Land Reform and three other Bills, all of which repealed the Group Areas Act, the Land Acts as well as discriminatory laws and measures.

The decision to consider compensation for victims' forced removals is a major victory for the extra-parliamentary opposition in the country.

When the Government first tabled its White Paper it excluded reparation for victims of forced removals.

White people who suffered under Land Acts can also approach the commission.

● See Page 6

# Cautious welcome for land reform changes

B1 Day 21/5/91

LESLEY LAMBERT

CAPE TOWN — Amendments to the land reform package have been welcomed but there is strong concern about government's insistence on forging ahead without consultation on three unamended Bills.

National Housing Minister Hernus Kriel announced yesterday the withdrawal of the Abolition of Racially Based Land Measures Bill, which repeals the Group Areas and Land Acts, and the controversial Residential Environment Bill and combined the two in a strongly modified Bill.

Amendments, which included the establishment of a Land Commission to advise government on claims for land restitution and the banning of discriminatory by-laws, were based on submissions to a Parliamentary Joint Committee, Kriel said.

The ANC yesterday welcomed the decision to establish the commission but expressed concern that its powers were merely advisory, reports Sapa.

"There is no doubt that Minister Kriel's statement constitutes a substantial improvement on the government's previous position. But it is not

enough," the statement said.

The organisation demanded the setting up of an independent land commission representative of the people of SA, whose decisions would have legitimacy and be binding. This would redress the wrongs perpetuated against "the majority of our people".

Kriel yesterday emphasised government intended pushing ahead with the remaining three Bills underpinning the proposed land reform process: the Rural Development Bill, the Less Formal Township Establishment Bill and the Upgrading of Land Tenure Rights Bill.

Other responses to Kriel's statement were that it reflected a certain degree of flexibility from government. But groups such as the Urban Foundation and the Black Sash's Transvaal Rural Action Committee (Trac) expressed concern that the amendments affected only parts of the land reform package and were not based on broad consultation.

Urban Foundation executive director Ann Bernstein said the new pack-

age did not address the need for widely consulted rural and urban development strategies.

Speaking at a Press conference in Cape Town, Bernstein said the Urban Foundation would continue to urge political leaders to oppose the supplementary Bills and to call for interim working groups to address the entire reform process.

Two components which were crucial to the reform process were a land court backed up by the rule of law and a clear statement that there would be no racially discriminatory by-laws in the new legislation.

Trac said in a statement that the establishment of a Land Commission represented a major advance in government thinking.

But, it fell short of the call for an independent commission which would arbitrate in cases of conflicting land claims.

Kriel's statement that land would be allocated to "deserving persons, with concern for the claims by people who have previously been disadvantaged" aroused the concern that the use of terms such as "deserving" indicated an arbitrary process of restoration of land.



Groenkloof and Brooklyn—A lobby with 2 600 private boxes is at present being erected at the Groenkloof Post Office to serve both suburbs. The lobby will be completed during June 1991.

Pretoria North and Onderstepoort—A lobby with 2 000 private boxes will be erected adjacent to the Pretoria North Post Office. The expected completion date is April 1992.

Rosslyn—650 additional private boxes will be installed by January 1992.

Silverton—600 additional private boxes will be installed by August 1991.

Valhalla—A new post office with 1 000 private boxes will be erected. The expected completion date is June 1993.

Villieria and Lynn East—400 additional private boxes will be installed at the Villieria Post Office by August 1991.

Verwoerdburg—1 850 additional private boxes will be installed. The expected completion date is December 1991.

Olifantsfontein—100 additional private boxes will be installed. The anticipated completion date is not yet available.

Hennopsmeer—A lobby with 2 000 private boxes is planned. The expected completion date is June 1992.

#### Bramley: new post office/postmen's depot

342. Mr P G SOAL asked the Minister for Economic Co-ordination and Public Enterprises Whether any progress has been made in regard to the construction of the post office and postmen's depot in Bramley, Johannesburg; if not, why not; if so, what progress?

B916E

#### THE MINISTER FOR ECONOMIC CO-ORDINATION AND PUBLIC ENTERPRISES:

Construction of the post office and postmen's depot in Bramley, Johannesburg, has not yet

HOUSE OF ASSEMBLY

commenced owing to other priorities and a lack of capital funds in the current financial year. Planning of the building is in an advanced stage and provided funds can be made available in the forthcoming financial year, tenders for the construction of the building will be invited during 1992.

#### Development Trust: details of land transactions

343. Mr P G SOAL asked the Minister of Development and (271)

- (1) What was the total (a) area of land which had been bought in each province in terms of the Development Trust and Land Act, No 18 of 1936, as at 31 December 1990 and (b) amount paid for this land; (271)
- (2) what area of land (a) was bought in each province in 1990, (b) was added to each self-governing territory and independent Black state in that year and (c) remained to be bought in each province as at 31 December 1990;
- (3) (a) what area of (i) land was added to each such territory and independent Black state as compensation for the removal of Black spots and (ii) compensatory land remained to be purchased in each province, and (b) what was the total area of land held by the South African Development Trust, as at the latest specified date for which figures are available?

B917E

#### THE MINISTER OF DEVELOPMENT AID.

(1) (a)	Transvaal:	4 876 458 hectares
	Natal:	579 339 hectares
	Orange Free State:	199 988 hectares
	Cape:	1 547 381 hectares
	<b>TOTAL</b>	<b>7 203 166 hectares</b>
(b)	<b>R1 334 970 838</b>	
(2) (a)	Transvaal:	15 585 hectares
	Natal:	2 156 hectares
	Orange Free State:	8 956 hectares
	Cape:	17 528 hectares
	<b>TOTAL:</b>	<b>44 225 hectares</b>
(b)	KwaZulu:	36 638 hectares
	Lebowa:	—
	Gazankulu:	—
	KaNgwane:	—
	KwaNdebele:	3 524 hectares
	Owagwa:	—
	Transkei:	—

Bophuthatswana: 43 154 hectares  
Venda: —  
Ciskei: —  
**TOTAL:** 83 316 hectares

- (c) Due to the Government's new land reform policy and while it is the intention to abolish the South African Development Trust, it might be necessary to reconsider the necessity to acquire the land which has been earmarked to be purchased. The required information is therefore not readily available.
- (3) (a) (i) The required information is not readily available. A large volume of work will have to be undertaken to establish the particulars, which can not be justified
- (ii) It is no longer the Government's policy to remove people. Therefore no additional compensatory land is being acquired for this purpose
- (b) As indicated in the White Paper on Land Reform, the South African Development Trust still owns approximately 1 225 000 hectares outside the self-governing territories and TBVC states.

#### Certain toll-road companies: agreements

345. Mr W U NEL asked the Minister of Transport.

- (1) Whether his Department has entered into any agreements with two companies, the names of which have been furnished to the Minister's Department for the purpose of his reply, in regard to the past and future operation of the toll-roads; if so, (a) what moneys are payable by the State to each of these companies in terms of the above agreements, (b) in respect of what items will each such amount be paid, (c) when are these amounts to be paid and (d) what are the names of the companies concerned; if not,
- (2) whether any steps are to be taken to normalise the position, if so, what steps;

- (3) whether he will make a statement on the matter? B923E

#### THE MINISTER OF TRANSPORT.

- (1) No, but more than one agreement has been concluded by the South African Roads Board (SARB), because of the complex and protracted nature of toll-road projects. The SARB originally in 1986 concluded agreements with two companies which were conditional upon amendments being made to the National Roads Act, 1971. As Parliament declined to pass the relevant amendments these agreements terminated on 30 September 1990. Cabinet subsequently approved that the SARB may enter into short-term agreements in terms of existing legislation in order to permit the situation to be reassessed. These agreements terminated on 31 March 1991. Further agreements for the period 1 April until 31 July 1991 have been concluded in terms of which the two relevant companies are currently managing the toll-roads on behalf of the SARB. New draft agreements are being negotiated for a further four-year period.
- (a) The agreements prior to 1 April 1991, were concluded on a reimbursement of cost basis only. No claims in respect of remuneration for services rendered in the past, over and above reimbursement of cost, have been accepted by the SARB. The current agreements allow the companies to be reimbursed their cost of operation, managing and maintaining the toll-roads. The new draft agreements which are now negotiated, contain resolute clauses concerning the money to be paid in respect of the operation of the toll plazas and routes, as this aspect is under investigation by a private firm of accountants
- (b) The agreements relate to payments for project management, maintenance and operations of the toll plazas and routes. Appropriate remuneration for each aspect is under review

HOUSE OF ASSEMBLY



# Mbeki pays tribute to Van der Merwe

CAPE TOWN — Widely respected Green Point MP Tian van der Merwe would rest in peace if all South Africans joined hands to create a just and free SA, ANC international affairs director Thabo Mbeki told mourners yesterday.

The NG Kerk in Three Anchor Bay was packed for the funeral of Van der Merwe, who was killed in an accident on Sunday.

In his address Mbeki said the country was proceeding on its way towards the kind of SA Tian van der Merwe wanted — a SA at peace and free.

"But as it proceeds towards what Tian wanted, there are moments of despair, like this one, difficult moments, as when people

in hospitals are about to starve to death, difficult moments when news is announced of the death of a friend of South Africans, Rajiv Gandhi ... and it is at particular moments like this that we need Tian, to bring that touch which lifts us."

DARUS SANAI reports that in Johannesburg about 40 people gathered at a memorial service in the Central Methodist Church conducted by Bishop Peter Storey.

DP MP Dave Dalling praised Van der Merwe's dedication to "the oppressed and underprivileged", and said the loss of a politician of his ability was especially tragic in the current political situation. — Sapa.



DP MP Dave Dalling and Bishop Peter Storey at yesterday's memorial service. Picture: ROBERT BOTHA

## Tourism revenue up to R2,47bn

LESLEY LAMBERT

CAPE TOWN — Foreign tourists brought a record R2,47bn into SA last year — 16% more than in 1989, according to the SA Tourism Board's (Satour) 1990 report.

Arrival figures from abroad totalled 1,02-million — a 10,6% increase over the total number recorded the previous year.

Of these, 51,4% came from African countries and 48,6% from overseas, the board reports.

Europe continued to be

## Braklaagte incorporation appeal fails

BLOEMFONTEIN — The final bid by Braaklaagte community in the Marico district to reverse their incorporation into Bophuthatswana has failed. The Appeal Court has dismissed with costs the appeal by community leader Pupsey Ntsanyana Sebogodi.

The appeal dealt with Sebogodi's earlier application that the proclamation, whereby Braaklaagte was incorporated from December 31 1988, be declared invalid.

Mr Justice Joubert found Sebogodi had failed to establish its invalidity. Mr Justice Nestadt, Mr Justice Kumbelen, Mr Justice F H Grosskopf and Mr Justice Preiss (acting judge of appeal) concurred.

WILSON ZWANE reports that a Tranvaal Rural Action Committee (Trac) spokesman said the organisation was disappointed by the decision.

The problems the community had faced since its incorporation into Bophuthatswana "will not go away unless the whole issue of communities who have been incorporated into the homeland is addressed politically".

Yesterday Mr Justice Joubert said counsel for Sebogodi had contended government had fettered its discretion before the State President acquired — on April 30 1987 — a vested statutory discretion in respect of the incorporation of the farm Braklaagte. Secondly, that the President, when he entered into an agreement with the Bophuthatswana President on August 30 1985 — fettered his discretion before he had even acquired the discretion on April 30 1987.

Mr Justice Joubert said the fundamental objection was unsound.

The finality of government's decision of October 15 1984 that Brak-

laagte should be incorporated should be seen in its proper setting in the historical background to the case. The decision was taken after the opinions of interested people were canvassed in 1983. No objections were raised.

Mr Justice Joubert said the "finality" of government's decision of October 15 1984 was actually of a relative nature which amounted to a reversal of its earlier policy to resettle the occupants of the farm and to make it available for settlement by white farmers. In principle nothing precluded government from abandoning or altering its "final decision".

The judge found the submission that the decision of October 15 1984 fettered government's discretion could not prevail. Instead the case turned on the President's exercise of his statutory discretion. — Sapa.



# Braklaagte leader loses appeal on incorporation

*Sowetan 24/5/91* *(271)*  
THE Appeal Court in Bloemfontein has dismissed with costs the appeal of Mr Pupsey Ntsanyana Sebogodi, leader of the Braklaagte community in the Marico district, against the area's incorporation into Bophuthatswana.

The appeal dealt with Sebogodi's earlier application for the proclamation, whereby Braklaagte was incorporated into Bophuthatswana from December 31, 1988, to be declared invalid.

Mr Justice Joubert found Sebogodi had failed to establish the invalidity of the proclamation.

## Dismissed

Mr Justice Nestadt, Mr Justice Kumleben, Mr Justice F H Grosskopf and Mr Justice Preiss (acting judge of appeal) concurred.

Sebogodi's application to the Transvaal Supreme Court to have the proclamation set aside, on the basis that it was invalid, was dismissed by Mr Justice W J van der Merwe on March 10, 1989.

On Thursday Mr Justice Joubert said counsel for Sebogodi had contended there was a fundamental objection to the exercise of the State President's discretion.

Counsel had contended the Government had fettered its discretion before the State President acquired - on April 30, 1987 - a vested statutory discretion in respect

of the incorporation of the farm Braklaagte.

Secondly, that the State President, when he entered into an agreement with the State President of Bophuthatswana on August 30, 1985 - fettered his discretion before he had even acquired the discretion on April 30, 1987.

Mr Justice Joubert said the fundamental objection was manifestly unsound.

The finality of the government's decision of October 15, 1984 that Braklaagte should be incorporated into Bophuthatswana should be seen in its proper setting in the historical background to the case.

## Decision

The decision was taken after the Commission for Co-operation and Development had canvassed the opinions of interested people in 1983. No objections were raised to its proposal.

Mr Justice Joubert said the "finality" of the Government's decision of October 15, 1984 was actually of a relative nature which amounted to a reversal of its earlier policy to resettle the occupants of the farm Braklaagte and to make the farm available for settlement by white farmers. In principle nothing precluded the government from abandoning or altering its "final decision" - *Sapa*

By DAN DHLAMINI

WHILE several communities nationwide battle with the government over their right to land they were dispossessed of, the Barolong — who were forcibly removed from Machaviestad near Potchefstroom in 1971 — are optimistic they will get their land back.

Machavie Action Committee general secretary Karel Mogotsi said hopes were raised after trespass-

## Barolong hopeful on Machaviestad

ing charges were withdrawn against 223 tribesmen who had attempted to reclaim Machaviestad — also known as Matloang — in December last year.

Mogotsi told *City Press* they also felt hopeful because the Department of Development Aid had recently asked for details of everyone who had lived

at Machaviestad before the removals.

An attorney acting for the Barolong, James Sutherland, told *City Press* that he would make representations to win back Machaviestad after the land commission had been established.

Meanwhile, squatters at Goedgevonden farm

near Ventersdorp are praying that a Supreme Court judgment on Tuesday — over their right to the farm — is in their fa-

your. Afrikaner Weerstandsbeweging (AWB) leader Eugene Terre'Blanche told cheering rightwingers in Potchefstroom this week that he was also waiting for the outcome of the case. If the squatters were still on the farm after that there would be trouble again.



want to come to the hon member for Delmas. The hon member raised the problem of Delmac Agencies. Apart from the fact that the Transkei basically chased them out, the supplier of beer to Delmac also put a stop to it. That means the hon member was fighting for an organisation which in any case is no longer acceptable to the firm who supplied them with beer.

Furthermore, if one looks at the Sorghum Beer Act of 1962 and reads it carefully—it was our Bill—one would see that no business may sell beer in South Africa unless it produces it here. That means that we do not allow the Transkei to sell beer in South Africa. That is what is upsetting people, because incidentally our beer is very good. We have now formed the National Sorghum Beer Corporation and hon members will see, if they look at the information, that this enterprise is going to control the South African market for six years. Now hon members are saying that we must attack the Transkei.

It is not that I want to defend the Transkei, but that party's hon Leader, the hon the Leader of the Official Opposition, stood up and said that the person who was visiting them was Maj Gen Holomisa [Interjections]. They said they were friends with Holomisa [Interjections]. He is their only Black friend. [Interjections.] The only person they talk to is Maj Gen Holomisa of the Transkei. Why do they not mention the matter to him? Why do they not tell him that they will put his case here in Parliament? However, what do they do? They attack Maj Gen Holomisa in this Parliament. I do not know what type of friends they are [Interjections.]

Debate concluded

#### Indaleni/Magoda: displaced persons

2. Mr W U NEL asked the Minister of Planning, Provincial Affairs and National Housing:

- (1) Whether any steps have been taken to effect the return of certain displaced persons to Indaleni and Magoda near Richmond, Natal; if not, why not, if so, what steps,
- (2) whether any other steps have been taken in regard to the needs of these displaced persons, if not, why not, if so, what steps?

B1089E INT

The DEPUTY MINISTER OF PLANNING, Mr Chairman, the hon member wants to know

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whether any steps have been taken to effect the return of certain displaced persons to Indaleni and Magoda near Richmond in Natal. Unfortunately not, because the warring parties have not yet agreed to sit down to peace talks, which means that until then these displaced persons refuse to return. However, there are ongoing efforts to bring these warring factions together to discuss their differences, peace and the development of their region.

This is one of the dreadful results of ongoing violence affecting 465 people, of whom a hundred are children under the age of 10 years. Obviously these people must return to their place of abode. They are at present residing on two factory premises on an acre of land adjoining the SA Defence Force base in the Richmond Town Board area, but they will temporarily be relocated to the old NPA road camp nearby.

Obviously steps are being taken in regard to the needs of these displaced persons, but for the benefit of the hon member may I elaborate on the background.

The Richmond Town Board directed a written appeal to the Natal Provincial Administration on 4 April 1991 to assist with the establishment of a protected location outside the boundaries of the town to contain persons displaced on account of violence.

Natal Provincial Administration personnel investigated the situation and reported the matter to the Joint Co-ordinating Centre for Region 35. The Joint Co-ordinating Centre convened a meeting with the relevant role players on 30 April 1991, at which action plans were compiled to cope with the plight of the displaced persons on three different levels *inter alia*—firstly, accommodation, secondly, resolving their differences; and, thirdly, a communication strategy.

On 8 May 1991 the local co-ordinating committee convened the first of four meetings at the Richmond Town Hall with all the role-players to seek a solution to the displacement problem. Immediate steps were taken to obtain funds in order to establish a protected area on the outskirts of Richmond. Shelter will be by way of tents with pit toilets, piped water and a supportive administrative section under armed protection of the SA Defence Force.

Three sites, namely a local farm, the NPA roads camp and the Indaleni Mission were identified

Two sites, namely the local farm and the Indaleni Mission, were initially accepted by the displaced persons, but these have since been rejected. The local co-ordinating committee has decided to press on and establish the area as planned on the site of the NPA roads camp.

The role players were the Richmond Town Board, the local co-ordinating committee of Region 35, the NPA, the Department of National Health and Population Development, the clergy, the police, the SA Defence Force, Inkatha, the ANC and various committees representing the displacees.

Mr W U NEL: Mr Chairman, the communities of Indaleni and Magoda are only some three kilometres outside Richmond, but they are over the hill, out of sight and, it seems, therefore also out of mind.

So effectively has partition worked that even today the local residents of Richmond mostly form their opinions from the media, reports from Black people who happen to have fled out of the community and now live with their employers, or the few who have battled on to try and save what they have.

The hon the Deputy Minister refers to 465 people who now have to be attended to.

\* Allow me to inform the House about what is going on there. Since January this year Indaleni and Magoda have turned into ghost villages and it is estimated that between 30 000 and 40 000 people have left the area, not 465 people. [Interjections.] More than 70 people have died in unrest incidents since the end of January this year. Three secondary and seven primary schools with a total of nearly 5 000 pupils have been closed for nearly two months, and the teachers have been transferred to other schools.

This community is like the Wild West. Armed people can be seen everywhere. Last Wednesday two people were shot dead in broad daylight during a pension pay-out at the hall of the school for the deaf—the only school that is keeping up its good work despite everything and in the face of real personal danger.

This disaster is undeniably this hon Minister's baby too. Forty thousand people are homeless and at the mercy of either their employers or of their friends, or they are squatting somewhere else in Richmond or wherever they can. The rest

who have not yet fled, are in mortal danger and without services.

Many things have led up to this event. More than a year ago, after a protest march, a petition was handed over that requested that the access road to Indaleni, which was really untraversable, be repaired; that administrative services be rendered at Richmond and not at Bulwer 80 km away, and that water supply and certain other community services had to be looked at. Nothing was done about those things. The truth is that Indaleni and Magoda have always been Black spots that were to be removed eventually, and that is why no development took place there. KwaZulu administrators them at present, but they have not been incorporated. Therefore, they remain this Government's responsibility.

The community services of the Natal Provincial Administration are struggling with the problem at the moment, but without any significant success to date, and the idea of an emergency camp between Richmond and the Black township will not work either until order has been restored. The problem has to be addressed at the highest level, also together with the leaders of the KwaZulu government and the ANC, otherwise the hon the Minister will toil in vain. The people have to be resettled and not simply passed on.

Forty thousand refugees, 70 or more people dead, 5 000 pupils without schools and dozens of houses burnt down, is simply not good enough. The department has failed [Time expired.]

\* Mr D S PIENAR: Mr Chairman, the hon member of the DP is complaining to the Government, but he is not justifying himself in respect of the fact that the policy that has caused all this misery is also the DP's policy. I agree with the hon member that the problem baby belongs to the Government and the hon the Minister. However, the DP is just as guilty as this Government because they share the same policy.

It is a tragic scene of murder, disruption, flight, living on factory premises, emergency camps, old road camps, of tens of thousands of people with disrupted lives and of squatting as a result. It is the tragic face of the new South Africa that is emerging. It is the tragic face of violence, murder and disruption.

This is exactly the opposite of what the Government had imagined the new South Africa would

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look like. This is not peace, but violence; not security, but disruption in the worst degree; and not prosperity, no, but conditions in which there is no stability, where the country's real needs—job creation, growth and development—cannot be addressed.

Furthermore, against this background and in these circumstances, we have the statement made by the hon the Minister of Constitutional Development to the NP youth the other day, that the Government was no longer in the dock, since the violence was no longer being perpetrated by Blacks against a mainly White government. It is Black on Black now. A cynical observation!

**\*THE DEPUTY MINISTER OF PLANNING:** Mr Chairman, I am surprised at the hon member for Mooi River for trying to gain political advantage from a situation that nobody in South Africa can approve of. I want to say to the hon member that I think his comment about out of sight, out of mind, was really unfair. This hon member knows as well as I do that that situation arose in that area because of faction fights among the people living in that area.

Now I want to ask the hon member: Has he brought this matter to the authorities' attention? No, never. We are not aware of one single letter from him, neither at my department, nor at the province.

I have mentioned the role players here. The hon member is the MP for that area, Mooi River. When this issue was being addressed at the highest level, the Richmond Town Board was represented there, as well as the local co-ordinating committee for Region 35, the NPA, the Department of Health and Community Development, the clergy, the SA Police.

**\*MR C H PIENAAR:** The Broederbond!

**\*THE DEPUTY MINISTER:** the SA Defence Force, Inkatha, the ANC and committees representing these people. However, I do not see this hon member's name among them. All this hon member does, is come here and try to make politics out of it.

**\*MR W U NEL:** Who is making politics?

**\*THE DEPUTY MINISTER:** I want to say to the hon member that of course the final answer is that a solution has to be found between Inkatha and the ANC. I want to assure the hon member that talks with the factions are taking place. I

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want to say to the hon member that I am just as concerned about the matter as he is. I want to make him the offer that if he wants us to go and visit that area together, I shall gladly do so, but we are not responsible for faction fights and all the rest. Our department—the question has been put to us—is only responsible for those people who have been displaced and who turned up in another area. We have identified them and I told the hon member exactly what we are doing.

**MR P C CRONJÉ:** Mr Chairman, I am absolutely shocked to say that the hon the Minister identified them and now knows where they are.

For the thousands of victims of violence in Natal, the new South Africa is nowhere to be found. There is no single door of the State to knock on, no immediate relief, not to mention rehabilitation. Volunteer agencies can no longer cope with the constant stream of refugees. It is no excuse for the hon the Minister to say that because there is no peace, people are displaced. It was equally cynical of the hon the Minister last year, when we were talking about 20 000 refugees, to say that the money will only be provided if there is peace. The fact is that victims are victims because there is no peace, and the Government should look at that. A year later hardly any of the 20 000 refugees of the Edendale valley have returned.

At the end of last year Kwa Magoda and Ndalem near Richmond were thriving communities. There were only very few isolated incidents. Then suddenly there was an attack from Pathen and in January there were 2 500 refugees overnight.

The hon the Minister asked us whether we had brought this to the attention of the authorities. At that time I discussed it with the NPA, the SA Defence Force, the SA Police, the Richmond Town Board and the Richmond Civil Protection Unit. I warned them that they needed to take matters in hand immediately and that they had to deal with security, immediate relief and rehabilitation as a holistic exercise.

However, it is true that it was a case of "out of sight, out of mind", because they took those 2 500-odd refugees and simply expelled them from the Richmond Town Board area. The onslaught was then allowed to carry on for four months. For four months the systematic onslaught has continued until today. Today there are a further 34 000 refugees [Time expired.]

**MR R F HASWELL:** Mr Chairman, my hon colleagues have made the point that in the case of this hon Deputy Minister forewarned is certainly not forearmed. However, we welcome his enthusiasm about going to the area. We would simply like to know when we are leaving, because the communities cannot wait. We have once again drawn attention to the human suffering which has been endured in Natal with virtually no response from the State. When we hear of 465 people, it simply emphasises the complete lack of awareness of how serious the situation is. As a result of this neglect, people have to make do.

Nearly cities such as Pietermaritzburg, of course, now have squatters in ever-increasing numbers. However, rather than dealing with the cause of the problem and making it possible for people to return home, the State buys land for urban housing sites. The Natal Provincial Administration is expending R87 million on land this year. It has set as its goal the annual provision of 20 000 serviced sites. However, the same department turns a blind eye to the destruction of communities which produced twice their annual target in a matter of weeks. How on earth are we going to catch up with urbanisation if we set the figure of 20 000, while at the same time we are producing three or four times that number in terms of refugees, who have no alternative but to resort to squatting? We ask the question again: How much longer must the people of Natal suffer? [Time expired.]

**\*THE DEPUTY MINISTER OF PLANNING:** Mr Chairman, before I come back to the DP, let me briefly comment on what the hon member for Potgietersrus had to say. He made sweeping statements about the Government's policy in general in respect of the violence situation.

I find this very strange since the CP's solution is a separate "volkstaat". I want to ask the hon member the following question. If Zulu should fight against Zulu in Natal, how is the CP's policy going to solve that problem of two groups within one nation? [Interjections.]

When the hon the State President really addressed this violence problem by convening this conference, the only people who were absent, were the members of the CP. [Interjections.]

They and the ANC must not attack us when such conditions are created [Interjections.]

Let me come back to the hon member for Greytown. He said that there was no place to report. I do not think that is fair. I do not think that the hon member even listened to my initial remarks when I told him exactly what was happening and what was being done in that particular area. He did not listen to that. I gave him dates to indicate when it was brought to the attention of the Natal Provincial Administration. He can go and read the Hansard again [Interjections.]

I want to come to the hon member for Pietermaritzburg South. The question that was asked on the Question Paper for this interpellation—they say that we are only referring to 400 people—only relates to those people in the Richmond Town Board area. There are not 30 000 people there. They are scattered all over Natal and all over that area. The question relates to the Richmond Town Board area in particular, and I think I have dealt with that quite adequately.

Debate concluded

#### QUESTIONS

†Indicates translated version.

For oral reply

General Affairs.

**SABC: pirate viewing**  
**\*1 DR P W A MULDER** asked the Minister of Home Affairs:†

Whether he and/or the SABC intends to take any action in respect of pirate viewings; if not, why not; if so, (a) what action and (b) what was the estimated number of pirate viewers in the latest specified period of 12 months for which information is available?

B1021E

**†THE MINISTER OF HOME AFFAIRS.**

Yes.

(a) The SABC is continuously busy with steps to curb pirate viewing. In the past 12 months the SABC has taken the following steps:

HOUSE OF ASSEMBLY



# Squatters' agony over court finding

Star 4/6/91  
Staff Reporters

The Goedgevonden community say they were shattered by the Pretoria Supreme Court judgment ordering them to evacuate within three days the Ventersdorp farm they reoccupied in April.

Shortly after a Pretoria Supreme Court judge yesterday granted an eviction order against the black farmers, leaders of the farming community told a press conference in Pretoria they were "heartbroken and did not know where to go".

Passing judgment, Mr Justice Goldstein said he granted the eviction order with "distress and anguish".

He said the Government had "committed an error of judgment" in refusing to negotiate a settlement with the Goedgevonden community.

"Given the profoundly tragic history of this matter, no court can grant an eviction order without feelings of distress and anguish. But the decision is a cornerstone of the rule of law," he said.

The principle of the rule of law existed "long before the tragic history of this matter" and would hopefully continue to exist "long after the matter is merely a blot on the history books".

He ordered the applicants to pay their own legal costs "to do justice" to the case.

"No court can fail to be profoundly moved by what happened to the respondent and his

community," he said as he ruled in favour of P J Hall, who rents the land from the Government, and six other farmers.

Mr Justice Goldstein dismissed the application by the other applicant, the Minister of Agriculture, as he could not prove that he was in possession of the land.

He said that though the Minister of Agriculture, representing the Government, had no legal standing in the application, he had nevertheless "gained the distinct impression" that the Government was the main litigant against the squatters.

Accepting testimony by the leader of the squatters, Olifile Levy Segopolo, that his community had lived on Goedgevonden since 1947 and had been forcibly removed in 1978, the judge said they had nevertheless wronged the applicants by illegally returning to the land.

## Temper

In an apparent attempt to temper right-wing emotions, the Ministry of Law and Order warned yesterday that no one should try to move the 112 squatters before the messenger of the Pretoria Supreme Court had served their eviction notices.

Media representatives and a member of the South African Council of Churches were refused entry into Goedgevonden yesterday to interview the 51 families. Three policemen manned the entrance.

One said written permission

by the Transvaal Provincial Administration in Pretoria was needed to enter the camp.

At a press conference, Mr Segopolo said the black farmers were heartbroken by the order because the land had been theirs since 1947. "We did not steal the land from anybody. We occupied the land legally, while it was still a trust farm."

He said negotiations with the Government to settle the land issue were fruitless.

"We are going to report back to the people and they will decide what action to take."

Attorney for the community Car Kimble of the Legal Resources Centre in Pretoria, said an application for an appeal would be filed.

Sapa reported that some Ventersdorp farmers reacted with cautious optimism to the eviction order, which also included an interdict to prevent the community from occupying three other farms in the area.

The main applicant, Mrs. Hall, said she was optimistic as it now was up to the State to carry out the court order.

Prior to the squatter occupation, she had maintained 300 heads of beef cattle at the site.

Farmer J H Steyn of the adjacent farm Bruidgomskraal was less reticent.

He believed that Law and Order Minister Adriaan Vlok would have no choice but to order the forced removal of the Goedgevonden community, since the squatters had already indicated in the court documents that they would not move voluntarily from the farm.



lishing a national park in the North-Western Transvaal along the Limpopo River; if so, with what result, if not,

- (2) whether he will institute such an investigation, if not, why not; if so, when?

B1077E

# THE MINISTER OF ENVIRONMENT AFFAIRS

- (1) Yes A large area in the North-Western Transvaal was identified in terms of the Southern African Plan for Nature Conservation as a potential national park. However, it soon became clear that the establishment of such an extensive national park was not feasible and the original plans had to be scaled down drastically. It was eventually proposed that only a nucleus area be acquired by the Transvaal Provincial Administration and that the co-operation of private landowners be obtained in order to establish a larger protected area in time. The whole matter is receiving thorough attention at present.

- (2) Falls away.

Mr R V CARLISLE. Mr Speaker, arising out of the reply of the hon the Minister, and given the ecological need for such a reserve, can he inform the House as to what the problems are with the original envisaged size of the park?

The MINISTER Mr Speaker, I regret that I am not in a position to reply [Interjections]

## SA refugees from Braklaagte: assistance

\*5 Mr P G SOAL asked the Minister of Foreign Affairs:

- (1) Whether the Government has provided and/or will provide any assistance to the South African refugees who fled from Braklaagte to Zeerust over and above the assistance referred to in his reply to Question No 16 on 26 February 1991; if not, why not; if so, (a) what assistance and (b) when,
- (2) whether he will make a statement on the matter?

B1078E

# THE DEPUTY MINISTER OF FOREIGN AFFAIRS

(Reply laid upon the Table with leave of House)

- (1) Since the date of the previous Question, no additional financial aid has been given

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to the refugees from Braklaagte who are at present in Ikageleng near Zeerust. There have of late been fewer refugees present in Ikageleng. Clinic services have been initiated by the Municipality of Zeerust. Advice with regard to environmental services in respect of littering and the general neatness of Ikageleng has also been rendered by a municipal inspector from Zeerust.

- (2) Yes, I deem it desirable that the following details be supplied as background. Braklaagte was incorporated into Bophuthatswana in December 1988. Dissatisfaction arose in the area when the present tribal chief, Chief Edwin Moliwa, was appointed by President L. M. Mangope. A section of the residents felt that Mr Pusey Sebogodi, son of the former Chief, is the only legitimate Chief. Mr Sebogodi and his followers were also strongly opposed to the incorporation of the area into Bophuthatswana. This opposition led to a Supreme Court case in which it was found that Braklaagte had been legally incorporated into Bophuthatswana. The Sebogodi faction appealed against this verdict. On 23 May 1991 the Appeal Court dismissed the appeal.

The dissatisfaction about the reincorporation of Braklaagte and the Chief led to unrest earlier this year. It caused people to flee from the Braklaagte area to Ikageleng near Zeerust after 9 January 1991. Political elements played a role. The refugees in the meantime have indicated that they are not planning to stay in Ikageleng, but that they want to return to their homes in Braklaagte. They are demanding, however, the unconditional withdrawal of the Bophuthatswana Security Forces out of the area. According to the refugees the Bophuthatswana Police support Chief Moliwa and his followers, whilst they claim that Mr Sebogodi's followers are molested by the Bophuthatswana Security Forces. The Bophuthatswana Government has already called upon the refugees to return.

The refugees initially moved into the Roman Catholic Church but also moved to other churches. Eventually they moved in with residents in their houses. At the

beginning of May the refugees outnumbered the residents of Ikageleng and as a result a big burden was placed on the available services such as water, sewerage (bucket system) and electricity, for which the residents have to pay. Ikageleng was a peaceful residential area and was until recently not yet affected by rent and service boycotts. This peaceful situation is now changing rapidly, as appears from the following:

- In April 1991 there was a decrease of 40 per cent in the payment of rent and service charges
- Municipal workers who build houses and install services (water), have been chased away from projects and threatened with death
- Certain residents who are dissatisfied refuse to pay for water and sewerage connections and insist that they be supplied free of charge
- Meetings are held in the sports stadium without permission from the local authority.
- People occupy offices and demand that the council and personnel resign. The SAP have had to be called in to remove the demonstrators.

Due to intimidation, the residents are not prepared to lay a charge with the SAP and as a result no action can be taken against the refugees in terms of the Squatters Act.

Political opponents of President Mangope seized on the events in Braklaagte to make known their displeasure with President Mangope by supporting Mr Sebogodi in his actions. Earlier this year, Mr N. Mandela and President Mangope discussed the situation telephonically in order to try to bring about peace in the area. The Local Coordinating Centre, which consists of all state departments represented in Zeerust, gives continuing attention to the problem. The Municipality of Zeerust has provided clinic services to Ikageleng, and a municipal inspector of Zeerust gives advice with regard to environmental services.

According to the Regional Director of the

Transvaal Provincial Administration, a possible solution is the enlargement of Ikageleng to make provision for the refugees. There is, however, not enough land for such an enlargement and the local authority has already negotiated with the Municipality of Zeerust for adjoining land.

According to the South African Police (Crime Information Bureau) in Zeerust the number of refugees in Ikageleng has decreased. Over weekends the refugees leave Ikageleng to go back to their homes in Braklaagte. On two occasions, talks were arranged between the two factions in Bophuthatswana. At the first meeting on 8 April 1991 the ANC attended the discussions but at the request of the Governor of Lehurutshe left the room. He said that if the Sebogodi faction wanted to include the ANC, they should first get permission to do so. The ANC indicated that the problems in Braklaagte could not be solved without them. At the second meeting on 23 April 1991 an attempt was again made to solve the problems mutually. The Governor of Lehurutshe recommended that the two factions first resolve their mutual differences and come to an agreement with regard to a next date for talks. This meeting was again attended by the ANC and they again emphasised the fact that without their participation a solution for the problems in Braklaagte could not be found.

On 27 May 1991 Deputy Minister Wessels held discussions with the legal representatives of the Sebogodi faction. Resulting from this, the legal representatives will encourage the Sebogodi faction to have discussions with the Moliwa faction, with a view to obtaining stability in Braklaagte, especially if Pusey Sebogodi and his followers return from Ikageleng. It is estimated that the great majority of the refugees are RSA citizens. The Transvaal Provincial Administration would normally handle matters of this nature.

SADF officers: Nkosi Sikelele i-Afrika!  
\*6 Mr R R HULLEY asked the Minister of Defence.

HOUSE OF ASSEMBLY



# End farmer's lease - lawyers

Star 5/6/91  
By Jo-Anne Collinge

A simple matter of giving 30 days' written notice to the present leaseholder of the western Transvaal farm Goedgevonden is the only legal barrier to the Government restoring this hotly contested land to the impoverished community who were removed from it 13 years ago, lawyers claim.

The lease agreement between the Department of Agricultural Development and Ventersdorp farmer Petronella Hall, who uses Goedgevonden as additional

grazing, has become the latest weapon in the hands of attorneys of the Legal Resources Centre (LRC), who represent the threatened Goedgevonden community.

In terms of the lease, valid from March 1 1990:

- A period of 30 days' written notice by either party terminates the contract.

- Mrs Hall gets the use of 1 870 ha for a mere R311 a month.

LRC spokesman Geoff Budlender expressed outrage that Mrs Hall was entitled to the land at the "giveaway price of 17c a hectare" to

graze 300 cattle while a whole community dependent on the land was about to be removed a second time.

"The Government must now decide which is more important: that a white farmer should have a vast tract of land to graze a limited number of cattle almost for free or that thousands of destitute black people should recover the land from which they were forcibly removed."

On Monday the Pretoria Supreme Court granted Mrs Hall an order in terms of which the 81 black farming

● To Page 3

## Star 5/6/91 Terminate lease - lawyers

● From Page 1  
families who reoccupied Goedgevonden in mid-April are forced to leave the property within three days or they will be forcibly ejected by the sheriff of the court.

The LRC is lodging an application for leave to appeal against the judgment. This will stay the execution of the court order at least until the court decides whether to grant an appeal.

Mr Budlender commented that the breathing space created by the appeal procedure would give the Government one more chance to negotiate a settlement.

The political atmosphere around the Goedgevonden issue remains charged, with the Conservative Party chal-

lenging the Government to go through with the evictions, while rights groups insist they are witnessing a reversion to old-style apartheid.

Sapa reports that Minister of Law and Order Adriaan Vlok is due to meet CP deputy leader Dr Ferdi Hartzenberg and representatives of the Boereaksie Komitee on Friday, when the court order is due to be carried out unless it is stayed by the appeal procedure.

The Komitee represents the region's white farmers, many of whom took part in an attack on the Goedgevonden settlement by about 1 000 farmers on May 11.

Police acted forcibly against the farmers, who beat up residents and destroyed shacks.

# Squatters' eviction on hold

THE fate of the 400 Goedgevonden squatters was discussed by Cabinet yesterday.

Afterwards Agriculture Ministry spokesman Werner Raath confirmed that no one could order the squatters to move until a decision was made next week on whether they would be granted leave to appeal against their eviction order.

The squatters were served with the eviction notice on Tuesday after a Pretoria Supreme Court decision that they would have to vacate the land near Ventersdorp in the Western Transvaal.

Sources close to government said there was "serious concern" among senior Ministers about political repercussions that would arise if the community of 112 was forcibly ejected from the land.

The squatters were legal occupants of the land until they were removed from it under apartheid legislation 13 years ago.

In April they returned to the farm, which

**DARIUS SANAI**

government had since leased to a white farmer. 8/10/84 6/6/84

A Black Sash spokesman said yesterday that the squatters, who claim the farm is their ancestral home, had no intention of moving.

She said they were prepared to negotiate on the matter if government showed it was serious in efforts to find a solution.

The squatters' lawyer, Kerrie Kimble, has applied for a Pretoria Supreme Court date for hearing of the application for leave to appeal against the eviction.

Geoff Budlender of the Legal Resources Centre in Johannesburg told Sapa the court and legal representatives concerned had not yet established a court.

"Setting the date is entirely in the hands of the court. It is difficult to say when the application hearing will be heard."





HEADS BOWED: The people of Goedgevonden vow to die for the land of their ancestors and not to give it up.

● Picture: STEPHEN DAVIMES

# Goedgevonden people pray for happy ending

8/6/91  
A GROUP of priests yesterday visited the Goedgevonden farm near Ventersdorp in the Western Transvaal to hold a prayer service and to pledge solidarity with black families in their battle to re-occupy the land from which they were evicted 13 years ago.

About 100 people, mainly women and children, gathered outside the farm gate where the three-hour service had to be held because priests and members of the media were not allowed to enter the farm.

Messages of support were read from various local and overseas organisations.

8/6/91  
ABEL MUSHI  
General secretary of the SA Council of Churches, the Rev Frank Chikane, who could not attend the service, sent a message supporting the community in what he called the "reclaiming of your ancestral land".

Vuyisile Ndabeni of the SACC's justice and reconciliation network urged the community to "be united, stand together and continue with the struggle".

"We see you not as squatters but farmers who have been forcefully removed from your land by the apart-

heid government," he said.  
A community leader said the community was prepared to die for the land of their ancestors and would not give it up for any other place.

He told members of the media they were "starving inside" because their relatives were not allowed to bring food into the farm.

According to the farm occupants, five children who left the farm this week to buy groceries were not allowed back.

"The gate-keepers claim they haven't been registered to live on the farm," said Meriam Sweleng, whose

child was locked out on Monday.  
The families started re-occupying the land in mid-April. The farm is being used as an additional grazing field by a Ventersdorp farmer who leases the 1870 ha land for R311 a month.

● White farmers yesterday put forward proposals to the Minister of Law and Order, Mr Adriaan Vlok concerning the Goedgevonden issue.

Speaking after the 90-minute meeting, Dr Ferdi Hartzenberg, Conservative Party MP for Lichtenburg and deputy leader of the CP, would not elaborate on the proposals.



# Goedgevonden

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## rent only 17c/ha

By Jacqueline Myburgh

A western Transvaal estate agent has described the rent paid to the Government for the lease of Goedgevonden farm, where the community that recently reoccupied the land was victim of a right-wing attack, as surprisingly low.

According to Sienie van der Merwe, an estate agent dealing with agricultural property, the market-related rent for such a property was R3,33/ha a month. The Star revealed yesterday that Ventersdorp farmer Petronella Hall had the use of 1 870 ha of agricultural land for only 17c/ha a month.

That means Mrs Hall is paying the Government R311 a month for the equivalent of a piece of property measuring 5 km by 3,74 km.

The Goedgevonden community, which was moved off its "traditional land" during the Government's forced removals era, has until tomorrow to vacate the farm.

Mrs van der Merwe said the leasing of an agricultural property of

1 870 ha, with camps for grazing animals, water, and housing for employees, should cost about R3,33/ha a month. Mrs Hall would not discuss the matter with The Star yesterday.

Frans Loots, of the Department of Agriculture and Agricultural Development, said the amount payable for the leasing of a property was not market-related, but was determined according to the agricultural and productive value of the property.

This was because lease-holders on Government land were severely restricted in terms of grazing "to preserve the natural resources", he said.

● An SA Agricultural Union delegation met Defence Minister Magnus Malan and Law and Order Minister Adriaan Vlok to discuss the security situation, SAAU president Nico Kotze said yesterday.

"Some of the main issues discussed included squatting and problems resulting from this, lawlessness, the escalation of violent attacks and intimidation," he said.



# Repeal brings no joy to homeless

THE repeal of the Land Acts has not fulfilled the fundamental objective of the dispossessed black people, the president of Azapo said yesterday.

Mr Pandelani Nefolovhodwe said in a statement: "Azapo considers the reconquest, ownership and redistribution of land as a vital and cardinal objective of the oppressed and dispossessed.

"The homeless will still be homeless, the ownership of the land is still in the white hands, either in the form of land owned by white companies or by individual white landlords.

"Black people have no resources nor the collateral to purchase this land from white people.

"White people are also not going to release the land free to the poor with the result that the status quo remains, save to mention that discrimination is now no longer part of the statutes.

Meanwhile the scrapping of the Group Areas

By THEMBA MOLEFE  
and  
Sowetan  
Correspondent



NEFOLOVHODWE

Act has been widely welcomed in Natal by churches, community organisations and political groupings alike.

The director of Diakonia in Durban, Mr Paddy Kearney, said although the Act should have been scrapped years ago, the news was "very welcome".

He said the Act had had a devastating effect on communities in South Africa, and had also affected the work of the church severely as it had divided communities.

He urged people to welcome their new neigh-

bours moving into their areas "so that some of the hurt that apartheid has caused can be eased".

Spokesmen for the ANC and the IFP both welcomed the move and promised further official statements later.

However, conservative groupings are clearly unhappy with the Government's move.

"What's changed?" Civic Action League chairman and Durban city councillor Mr Arthur Morris remarked.

"Group Areas has unofficially been gone for quite a few months now."

"The fact that it has now been officially scrapped just bears out what I have always said - the Nats are the biggest liars in creation.

"They promised in the last general election to uphold separate development; that we would maintain our own schools and own residential areas:

"They're acting completely in opposition to their mandate from the white electorate."



ANOTHER LAND DISPUTE ... Doornkop activist Abey Maloma finds that a demolished school on the farm he was removed from 17 years ago has been turned into a police shooting range. The South African Police has built a training and recreation centre on the land, which the community plans to reoccupy  
Photo: KEVIN CARTER

## 'Error of judgment' in squatter dispute

**N**O court could fail to be profoundly moved by what happened to the respondent and his community," said Mr Justice Goldstein in the Pretoria Supreme Court this week — while ordering the community to evacuate their farm within three days.

The judge's "distress and anguish" in finding against the Goedgevonden squatters, who had reoccupied the Ventersdorp farm on which they settled in 1947 and from which they had been forcibly removed in 1978, clearly stemmed from his sense that in applying strict law, justice had not been done.

Ruling on an application for the eviction of the squatters by the tenant of the state-owned land, PJ Hall, and six local farmers, the judge found that the re-occupation, in April this year, had been unlawful.

But by declaring that the state's refusal to negotiate a settlement with the community had been "an error of judgment", he strongly hinted that the dispute should have been resolved on the political, rather than legal plane.

Lawyers for the community argued that government officials had informally agreed on humanitarian grounds to allow the squatters to remain.

In dismissing an application by the minister of agriculture on grounds that he had no legal standing, Goldstein said he had gained "the distinct impression that the government was the main litigant against the squatters".

Far-right pressure on the land issue has clearly influenced the state's conduct in the Goedgevonden imbroglio. Ventersdorp farmers warned that if the squatters were not evicted in terms of the judgment, the "Boereaksie Komitee" would meet to decide further action.

The judgment coincides with the enactment this week of the Abolition of Racially Based Land Measures Bill, which repeals the Land Acts. Although a major anti-apartheid measure, it fails to bite the bullet of compensation for forced removals.

The Act provides for "an advisory commission for land allocation" charged with making recommendations to the state president on the allocation of state land to those "disadvantaged" by the Land Acts, Group Areas Act and forced removals.

Legal Resources Centre attorney Geoff Budlender stressed that no-

Right-wing pressure forced the Goedgevonden squatters off their land — and the courts were obliged to stick to the letter of the law in ordering the community to vacate the farm despite the repeal of the Land and Group Areas Acts days later.

By DREW FORREST

where in the Act was the principle of land restoration formally recognised. "And its scope is very limited," he added. "The commission has advisory powers only, and can only consider land still in state hands which has not been developed."

Echoing the African National Congress and the Urban Foundation, he called for a land claims court which would hear disputes and rule on compensation and allocation of land.

"The government must accept that people should not have been dispossessed and the principle of land restoration, particularly where the original community and the character of the land is still intact."

Forced removal from urban land, as in the case of Sophiatown and District Six, was often problematic, as the communities concerned were dispersed and the land re-developed, Budlender said.

However, neither condition applied to Goedgevonden. "Mrs Hall is a tenant on 30 days' notice who is using the property to graze cattle. There is a strong case for terminating the lease and returning the land to those who have a right to it."

ARTHUR MAIMANE reports from Cape Town that the Further Abolition of Racially Based Land Measures was passed by all three houses of parliament on Wednesday.

The Democratic Party and the new "brown Nats" welcomed the repeal of several key apartheid laws.

But it's not been an easy passage through parliament to get rid of the pillars of the "experiment that didn't work". Next week should be the turn of the Population Registration Act. The first drafts of the reforms raised objections from opposition parties and outside groups, which said they maintained some measure of racism.

## Fingo Villagers miss out on buying back original homes

By BEVERLEY GARRON, Grahamstown  
HOUSEHOLDERS whose homes in Fingo Village were expropriated under the Group Areas Act 20 years ago have lost their chance to get their houses back on preferential terms.

Some 246 titles were expropriated, and now most of these houses are being offered under open tender.

The Rini Town Council had advertised for the original owners to claim their houses back. They were offered the houses at the same amount they were paid in compensation.

However, only a small number took up the offer, Rini town clerk Chris Muller said this week. He could not give an exact figure.

"Since March last year we have advertised in all newspapers and put up notices informing people that they could make claims on any of the houses that have been expropriated."

"Councillors were also told to inform residents in their wards that these houses should be claimed by their original owners," Muller said.

He said people were given 60 days within which to lay claims to their houses in Fingo Village but most original owners did not.

Fingo Village was one of the few areas in the country where black people

could own land.

However, in 1970 this land was expropriated because the landowners were to be moved to Committee's Drift. In 1982 the government called off the forced removal after a long struggle by the community.

In May last year the chairman of the Fingo Village Ratepayers' Association, BB Zondani, said the Rini town council had resolved that the original property owners should be given 60 days to buy back their properties.

Zondani could not be reached for comment, but in earlier reports he is quoted as saying that people living in the Fingo Village properties would get first preference to buy them.

He said: "Original property-owners are free to buy their homes back again — even those outside Grahamstown — and must contact the Rini administrative office if they are interested in buying the properties."

Muller said the original property-owners claiming their properties back only had to pay the amount they were compensated when the houses were expropriated.

He said no loans or subsidies were made available by the council to enable the original property owners to buy their properties back. — ANA



# Squatters: who will get tired first?

Star 12/6/91.

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**O**RIEL Monogoaha, a black squatter leader in the 1940s, does not occupy a grand place in South African history, but his words, uttered in the heat of conflict, are powerfully relevant today.

"The government is beaten," Monogoaha proclaimed during the struggle between squatters and the authorities over possession of land in Pimville on the outskirts of Johannesburg.

"The government is like a man whose cornfield is invaded by birds. He chases the birds from one part of the field and they alight in another part. We squatters are the birds. We shall see who gets tired first."

Today Pimville, part of Soweto, is irrevocably occupied by black people, some of whom are descendants of the squatters led by Mr Monogoaha.

But, more important, the battle is still being fought as squatters move on to unoccupied land around towns and cities, often in defiance of municipal and parliamentary law.

Hernus Kriel, Minister of Planning, Provincial Affairs and National Housing, admits that there are nearly 300 squatter camps, occupied by 2 million people, throughout South Africa. His figures are almost certainly an under-estimation.

Institute of Race Relations executive director John Kane-Berman reckons that squatters bivouacking in shacks and shanties exceed the total white population of 5 million.

In the last five or six years, as the bureaucrats manning the ramparts of apartheid gave up the challenge, the number of squatters has grown rapidly.

The repeal of the pass laws, which tried to corral blacks in their allotted and overcrowded tribal homelands, was one factor. The breakdown of local government in black townships was another. The steady but inexorable demographic pressure of the fast-growing black population was a third.

Right now the repeal of the Land Acts of 1913 and 1936 and the Group Areas Act has focused attention on a particular category of black people: the victims of "black spot" removals, who are potential squatters.

The Land Acts, of course, allocated the bulk of farming land

**PATRICK LAURENCE**  
offers an historical perspective on the squatter issue.

to the white minority, confining blacks to what used to be known as the native reserves, but which later came to be known grandiloquently as the black states.

The Group Areas Act provided for residential segregation in cities and towns.

Blacks who lived in areas designated white were forcibly removed and relocated to their "own areas".

According to the Surplus People's Project, 3.5 million blacks were moved, often at gunpoint and always at the behest of apartheid ideologues, between 1960 and 1983.

## Nostalgia

The extent of the removals is reflected in the population growth of the tribal homelands. In 1950, blacks in "bantustans" formed less than 40 percent of the total black population. Thirty years later, it was well over 50 percent.

Since 1980, and more particularly since the abolition of the pass laws in 1986, the flow has reversed, as more and more black people have come to the cities in search of work.

But some of the black people have headed to land which they once occupied and farmed before they were forced off.

Driven by nostalgia and a sense of righteousness, they have returned to their ancestral lands and restaked their claim.

The people of Goedgevonden, near the farming town of Ventersdorp, epitomise the situation. Forced from their land in 1978 and relocated to Bophuthatswana, they have since returned to reoccupy their land.

Their action provoked counter-action from white farmers who, unwilling to await the outcome of an application to the court to order the eviction of the "squatters", took the law into their own hands. On horseback, like their Boer ancestors, they attacked the squatters.

The security forces, however,

intervened, and opened fire on the farmers.

It was the first time since the Rand Rebellion of 1922 that security forces opened fire on whites.

Since then, the Supreme Court has ruled against the squatters, holding that the land is not lawfully theirs. But in his judgment Mr Justice E.L. Goldstein showed considerable sympathy for the squatters.

By a curious coincidence the judgment came less than 48 hours before Parliament's decision last week to rescind the Land Acts and the Group Areas Act and thus clear the way for President de Klerk to fulfil his promise to rid the statute book of racially discriminatory laws.

But the repeal law, the Abolition of Racially Based Land Measures Act, does not recognise the right of people deprived of land to restitution and, as a consequence, it has been criticised by the ANC.

The people of Goedgevonden — who have applied for leave to appeal against the Supreme Court decision and who are still holding on to "their" land — are a reminder that the quest for justice by the dispossessed is as strong as ever.

They have not been anaesthetised into acquiescence by reform policies.

Their sense that they are the victims of laws which they do not make has been aggravated by the disclosure that "their" land has been let by the Department of Agriculture to a white farm-owner for just more than R300 a month.

The Department of Agriculture could settle the dispute by giving the farmer 30 days' notice of its intention to terminate the contract.

As Geoff Budlender, legal representative of the Goedgevonden community, puts it: "The Government must now decide which is more important: that a white farmer should have a vast tract of land to graze a limited number of cattle for almost free, or that thousands of destitute black people should recover the land from which they were forcibly removed."

Like the "birds of the cornfield" referred to by Oriel Monogoaha, the people of Goedgevonden are determined, if necessary, to wait and see who gets tired first. □

# Squatters in final bid to stay

Political Staff

A last-ditch legal effort to stall the eviction of black farmers from Goedgevonden farm in the western Transvaal goes ahead today.

The community is awaiting a response from the Cabinet to representations made to Minister of Justice Kobie Coetsee on Tuesday.

An application by the Goedgevonden community for leave to appeal against an eviction order issued a fortnight ago will be heard in the Pretoria Supreme Court today.

If leave is not granted, the community of about 400 people will have to leave within three days or face forcible eviction.

If the appeal is granted, the eviction order will almost certainly be stayed until it is heard — which could be months away.

The residents reoccupied the farm from which they were removed 13 years ago under the apartheid laws.

On Tuesday, formal talks were held between representatives of the Goedgevonden community and a trio of Cabinet Ministers.

They were Mr Coetsee, Minister of Public Works and Land Affairs and of Development Aid Jacob de Villiers and Minister of Agriculture Kraai van Niekirk.

The talks were set up at the request of Presi-

dent de Klerk in response to a petition from the Goedgevonden people.

According to a statement released by Mr Coetsee, the Government delegation would report to the Cabinet on the position put by the community's representatives.

In Maritzburg this week Afrikaner Weerstandsbeweging leader Eugene TerreBlanche accused the Government of being too "pappbroek" (weak-kneed) to use its powers to evict squatters.

Mr TerreBlanche farms near Goedgevonden, and was allegedly associated with an attack by right-wing farmers on Goedgevonden on May 11.



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# Braklaagte baby burnt to death as talks loom

By Jo-Anne Collinge *Star* 14/6/91

As violence claimed the life of a baby in the Bophuthatswana village of Braklaagte, a senior homeland official held out the possibility of top-level negotiations to resolve the grievances of residents opposing incorporation of the village into Bophuthatswana.

A two-year-old baby was burnt to death and several people were injured in a spate of arson attacks on homes in Braklaagte this week, said Bophuthatswana police spokesman Colonel Dave George.

He said one of the houses burnt had been occupied by four adults and the baby.

An outbuilding at a second house was set alight and an explosion occurred at a third house, followed by a blaze.

Colonel George said police had arrested a suspect and investigations were continuing.

Attorney Clive Plasket, representing residents opposing incorporation, said three of his clients had reported to his correspondent in Zeerust that their homes had been burnt.

The renewed violence and the recent failure of the community's court appeal against incorporation have increased pressure on the authorities to find a political solution.

In an interview with The Star this week, Bophuthatswana director of information Stephen Mogajane said that if local-level talks convened by the Lehurutshe commissioner failed to satisfy the people of Braklaagte, President Lucas Mangope's door "was always open".

The attacks are likely to retard a return to normality in the village, incorporated into Bophuthatswana in 1988.





Camped out ... the Basotho-ba-Herschel are desperate after seven years living in tents near Thaba'Nchu in the Free State.

■ Pic: TLADI KHUELE

# No home for wandering Basotho

By SOPHIE TEMA

City Press 23/6/91

AFTER 10 long years the Basotho-ba-Herschel are still searching in vain for a place they can call their home.

The small tribe of about 80 families live in a clutch of shabby tents near Thaba'Nchu in the Free State.

They exist on handouts from an aid organisation but are determined to fight to the end for their own corner of land.

The Basotho-ba-Herschel originated from Herschel near the south-western tip of Lesotho, which was incorporated into Transkei after its creation in 1976.

Because of their ethnic differences, the Basotho refused to become part of the Xhosa tribal homeland under Chief Kaizer Matanzima, and in 1982 decided to pack up

and quit the Transkei.

The Basotho-ba-Herschel were led by David Tseki, an articulate historian appointed in 1981 to lead his people to a place of their own.

Ten years later, the tribe still has no land of their own.

Tseki is terminally ill at Pelanomi Hospital near Bloemfontein and his people are still nomads. They are camped at Botshabelo, near Thaba'Nchu, where they are known as the "tent people".

Tseki's wife Gladys tells their story.

In Herschel the Basotho became an embarrassment to Matanzima and his government after they demanded that they be allowed to stay as an independent group within Transkei.

Matanzima refused and put pressure on

them which forced them to flee to the Free State.

Tseki was detained for seven months before he left and Gladys was placed under house arrest.

The first stop of their "Great Trek" was Zastron, where they lived for three months before moving on to QwaQwa - the tribal homeland of the Basotho.

At QwaQwa the tribespeople were told by the South African Government that they would be allocated land near Harrismith for resettlement.

Gladys showed City Press piles of correspondence between her husband and different government officials dealing with the Basotho-ba-Herschel.

"We were looking forward to finally being settled on land of our own," she said.

But when the land was allocated by the South African Government, the QwaQwa Government took it and incorporated it into its territory.

"We were then told by the QwaQwa Government that the South African Government had ordered that we be moved to Botshabelo, where we are still waiting, seven years later."

The tribe lives in uncertainty, their seven-year-old tents torn and dilapidated.

Operation Hunger feeds the Basotho-ba-Herschel and provides them with blankets, but there is still a cold winter ahead.

"The organisation has now supplied us with sheets of heavy plastic to cover the torn tents to help keep out the icy wind.

"But we still do not know what the future holds for us," Gladys said.



# The 'turbulent priest' recalls vitality of Sophiatown

"THIS place convinced me of the evil of apartheid and how it destroyed people and their talents," said Anti-Apartheid Movement head Archbishop Trevor Huddleston, as he leant on his walking stick in the white suburb of Triomf — once his beloved Sophiatown. Dubbed the "turbulent priest", and

879V  
28/6/91

PAT DEVEREAUX



viewed as a public enemy by the National Party in the 1950s, Father Huddleston is on his first visit to South Africa in 35 years.

Saturday Star accompanied him to Sophiatown, where his old church building — formerly the Church of Christ the King, now the Pinkster Protestante Kerk — still stands.

"Only the street names and the church building are recognisable... it's disconcerting," said the white-haired anti-apartheid campaigner.

Now 78, Father Huddleston, who was determined to see the end of apartheid before he died, said he had never expected to return.

"I think I get more radical as I get older, because I want to see things move faster here and I haven't much time," he said.

## Conference

"But I'm not just here to walk down memory lane, I'm here to open the ANC national conference next week," he added.

The Oxford-educated priest left Britain at 30 to work in parish churches in Orlando, Pimville and Sophiatown for 13 years until he was recalled in 1956.

Reminiscing, he said. "I lived at 74 Meyer Street in Sophiatown, but the house in which I stayed has been bulldozed.

"We and a couple of other priests and missionaries were the only whites living in the freehold township of Sophiatown then."



**FUNDAMENTAL EVIL:** The destruction of Sophiatown convinced Father Huddleston that apartheid could not be reformed. **Picture: ALF KUMALO**

Amid the shanties there was St Cyprians school and the Princess Alice Clinic, which served the area well, he said.

"The township was tribally mixed and I will always remember the vitality of the place, the gifted musicians. It was immensely alive and that is why the place was so well known.

"It was here that I started my jazz band (the Huddleston band) which led to the first-ever African musical 'King Kong'."

From the start, Huddleston saw a potential for South African music and became deeply involved in the musicians' union, which he founded. He also presented Hugh Masekela with his first trumpet, which he had obtained from Louis Armstrong.

"I was here when the

bulldozers moved in. It was the first population removal under the apartheid system, called the Western Areas Removal Scheme.

"Over 60 000 inhabitants of Sophiatown and other Western areas of Johannesburg were forcibly moved to Orlando, now Soweto," said Huddleston.

## Campaign

Then chairman of the Western Areas Protest Committee, Father Huddleston helped launch the "We Won't Move Campaign".

"We held vast protest rallies in Freedom Square I remember one particular meeting at the old cinema which was addressed by Nelson Mandela and Walter Sisulu. It was broken up by police," he said.

But at dawn on February 9 1955 about 2 000 po-

licemen arrived in Sophiatown and began taking the furniture out of the houses which were the first to be demolished.

"In the end, we failed. The Government sent in massive force to effect the action," said the cleric.

The people were bundled into large trucks and driven away, while their homes were bulldozed behind them.

The removal made him realise apartheid was not just a political mistake, but "a fundamental evil that could not be reformed and had to be abolished".

"It convinced me that one cannot have rapport with something fundamentally evil," said Father Huddleston.

This led to his ardent commitment to the anti-apartheid struggle and his key role in Britain's

Anti-Apartheid Movement in the years that followed.

He said one of the first steps that should be taken in a new South Africa would be to "abolish the horrible name Triomf and rename it Sophiatown".

Asked about his feelings on being back in the country for a three-week visit, he said "I'm hopeful but not optimistic. It's going to be a tough transition, and until there is an interim government, we are going to be stuck in a dangerous period with all the violence.

"But it was ludicrous to believe that there would be no upheaval after so many years of oppression.

## Promises

"President F W de Klerk has been fulfilling some promises but this does not mean apartheid has ended. Even the international community wants to push South Africa off the agenda and focus on Eastern Europe and the Middle East."

"But the repeal of the Population Registration Act does not mean that black people can now go to the polling booths and vote," he said.

"My message to South Africa is to get a move on," Father Huddleston said, adding that he had recently visited Namibia and was pleased with the spirit of reconciliation.

As he was leaving Triomf, he was asked whether he would like South Africa to be his final resting place. Replying, he joked: "Perhaps some day my ashes may return here."





FLASH-BACK: Father Huddleston (right) protests as police arrest Yusuf Cachalia, joint secretary-general of the SA Indian Congress. ● Pictures: Bailey's African Photo Archives.

## Sophiatown lives on, Father Trevor

Star 28/6/91

**DON MATTERA, an ex-Star journalist, remembers the township he knew and the priest he admired.**

"HEITA," Trevor Huddleston, "heita." It was a moving experience to have embraced you at the airport the other day.

It seems like yesterday when snot-nosed kids like myself chased after you in Sophiatown, that teeming, cosmopolitan place, shouting "Hello Faadaah! Dumela Faadaah!"

You, always in black socks and shoes, black cassock and a thick waistbelt that held your cross, strutting the streets of a place that gave character to the fight for human freedom.

A pity, padre, I couldn't get to walk you through Triomf — their place of triumph. What triumph?

We now know differently, don't we? There was no defeat. For there is nothing that can be hidden from the mind, nothing that memory cannot read or touch or call back. Memory is a weapon.

We missed you, Father. Missed the voice that echoed from the makeshift podiums on open lorries, from the cinemascope stage of Odin Cinema, from the dust and stones of Freedom and Victory squares where the proud green, black and gold was hoisted as Special-Branch Spengler and his boys took notes.

It is a long time gone padre, but I saw you and Tambo and Robert Resha strolling in the soft, per-

sistent rain towards Bertha Street where Verwoerd's GG trucks and armed squads forced people to move. That was in February 1955.

You wore your thick coat and the rain on it glistened like tears.

Pity we could not get to walk through Victory Street, past the busy and teeming bus stop at Gibson and then past Cham Fat the Chinese shop to the weeping willow where the taxis parked.

### Death

You might have recognised Peggy Bel-Air's taxi and the guys shooting dice, the pretty women who moved like jelly and the dusty but carefree urchins and the Old Cat Woman that drove the fear of Satan into all and sundry.

I had wanted to walk with you up Meyer Street — your street.

Christ The King swimming pool — San Ceepee, as we called it — has been clogged with the same concrete that built it.

No swimming, no diving, no noise — Sophiatown has become a place of death. Apartheid does that, it kills.

And your church... what can I say about your church, except to weep at the desecration?

I can still hear those communion bells ringing as I watched my mother and her mother taste the wine and eat the bread, while the black and white angels on the walls around the altar looked on.

The tin gods say we can return to the native soil that bred us. They say we can buy back our historical home towns.

Change, it is called. Ja, snakes change their skins but they never lose their poison.

Perhaps they need to be told to give back the intimacy and proximity of those laughing and crying years — the spirituality of togetherness, oneness, camaraderie and reckless abandon that characterised our lives.

I say let them keep Triomf. We still have Sophiatown thumping inside our breasts.

Sorry I couldn't get to walk with you through Kofifi, Big Guy, but then again, you and Sophiatown will always live in me. And when I say me, I'm actually speaking for the rest of the crew.

So "heits daa," Father Huddleston, "heita daa."

● This article first appeared in Sowetan this week.



HELLO, CHILDREN: Father Huddleston with friends at St Peter's Priory.



## March in bid <sup>(271)</sup> to reclaim land <sup>ARGUS</sup>

29/6/91  
Weekend Argus Reporter

RESIDENTS of a rural West Coast community allegedly dispossessed of their land by the NGK are to hold a protest march in a bid to reclaim the property.

The march is to start at 9am today from the NGK hall in Citrusdal and the residents plan to hold a mass meeting later.

They claim they were forced off their Elandskloof farm in 1961 when the NGK sold the property to two brothers for R34 000 — without the consent of 70 families who lived there.

They said it was on record that Queen Victoria granted the land to freed slaves in about 1899 on condition that the residents paid for the surveying costs.

After the land was sold to the brothers, the families were forced to leave the land.

The families settled at Allandale farm but recently residents were asked to leave by the end of August.

# Elandskloof people want to go back

Staff Reporter

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CT 1/7/91

THE Elandskloof community near Citrusdal is about to be evicted for the second time — and now its members are demanding back their original land.

On Saturday about 200 people marched through Citrusdal, demanding that the land which they lost to the Dutch Reformed Church 29 years ago should be returned to them.

Ms Lala Steyn, a fieldworker of the Surplus People's Project, said the first forced removal had taken place in 1961 from the farm Elandskloof. The community had been living and farming there since the 1860s.

Recently 26 families of Elandskloof people, now living on Allendale farm, received eviction notices from their farmer. They were given three months' notice.

Sapa reports that a senior member of the community, Mr John Januarie, handed a letter addressed to the Dutch Reformed Church to the local police station commander during Saturday's march.

Mr Januarie said Queen Victoria had given the Elandskloof land to the community "for mission purposes".

However, the Dutch Reformed Church had sold Elandskloof to a farmer for R34 000 in 1962.

According to the letter Mr Januarie handed over, the community would leave Allendale only if they could return to Elandskloof.

In November last year, a march was held in Cape Town by members of the same community, ending at the Cape Town offices of the Dutch Reformed Church.



BLACKS have come back for their land near Ventersdorp and their leader Olfie Segopolo was adamant.

"This time we're not going anywhere," he said. "If the Government wants to remove us, they must shoot us and move our corpses."

To black Africans and white Afrikaners alike, land is an emotive issue.

The history of both nations is a struggle over acreage. It is a matter of blood and soil, of faith, roots and sacred ancestors.

Black tribesmen worked Goedgevonden farm outside Ventersdorp

# Land row worsens

for more than 30 years.

Then in 1978, they were evicted - some 7 000 forced out at gunpoint under the Government's apartheid laws.

Last month 70 families came back to reclaim their land.

They are ready for a showdown with the whites who now run the 1 800-hectare farm.

This battle is one of many which have flared since the repeal in mid-June of the Land Acts, central pillars of apartheid which reserved 87 percent

of land for the white minority.

A Rural Action Committee land rights group in the Transvaal estimates that at least 3.5 million people were forcibly removed from their land in the name of apartheid.

But the returnees of Goedgevonden farm caught the headlines because of its proximity to Ventersdorp, seat of the Afrikaner Weerstandbeweging which says it will resist apartheid reform measures with force.

"The future of any country is built on land. Wars have started over land," said Dries Bruwer of the Conservative Party.

Last month, about 1 000 white farmers tried forcibly to evict the black returnees but were blocked by police who shot and wounded two farmers.

The shooting outraged rightwingers. They said it marked the start of an Afrikaner revolution against the Government. A Pretoria court later ruled that the blacks had

no right to reclaim the land. An appeal against eviction is now pending.

Goedgevonden land was designated by the Government for whites, yet it was never resettled and now a local farmer uses it to graze cattle for R300 a month, an equivalent of 17 cents a hectare.

"How can a government take away a place where people have their roots and turn it into a grazing area for white people's cattle?" Segopolo asked.

Segopolo and his

people are not alone - representatives of 13 communities forcibly removed in the 1970s and 1980s have warned they are determined to retake their land and have demanded an opportunity to present their case to the Government.

At least six communities have attempted to re-occupy their farms.

Some were evicted by police, while others were allowed to stay while the Government considered their re-occupation.

Sapa-Reuters

# Pro-Bop leader shot, two killed

Star 4/7/91

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By Jo-Anne Collinge

Edwin Moilwa, headman and leader of the pro-Bophuthatswana faction in the village of Braklaagte, was seriously injured and two others were killed when a gunman opened fire on them as they stood at a bus stop on Tuesday afternoon, according to the Bophuthatswana Department of Information.

These killings bring to at least 25 the number of people who have lost their lives in a conflict generated by the involuntary incorporation of Braklaagte and neighbouring Leeuwfontein into Bophuthatswana at the end of 1988.

There are fears that Tuesday's attack will plunge the area back into generalised violence between Mr Moilwa's supporters and those who continue to resist incorporation.

According to Bophuthatswana police spokesman Colonel Dave George the gunman sped off in a car from Mosewu bus stop. He

identified those who were fatally wounded as William Rantoa and Kgosimang Mafora, both of Braklaagte.

Colonel George said investigations were continuing.

A spokesman for Transvaal Rural Action Committee said they had received reports from Braklaagte residents that two people had been arrested in the wake of the shooting.

The attack comes as something of a surprise because recent talks between the Bophuthatswana minister of information and leading opponents of incorporation yielded positive results. Thousands of the anti-incorporation group were forced into "exile" in Zeerust early this year by the violence of their opponents. They were set to return home shortly as a result of the recent talks.

● Bophuthatswana police have also reported the discovery of a body in the boot of a burnt car in Mmakaunyane village north of Pretoria.

The body was believed to be that of Joseph Mathe of Mabopane who was abducted by two armed men on Monday, said Colonel George.



# Braklaagte people are return

*Sowetan*  
12/7/91  
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ABOUT 6 000 exiled tribesmen from Bophuthatswana's Braklaagte village, forced to flee their land following attacks by vigilantes and also allegedly by homeland security forces, will return home tomorrow.

This was confirmed by the Transvaal Rural Action Committee (Trac), which is banned in the homeland.

Trac said a conditional agreement was reached between the Bophuthatswana authorities, the tribesmen and a host of other interest groups on April 10, for the return of the Braklaagte refugees.

In January the tribesmen took refuge in the Ikageng township, Zeerust, on the South Af-

## SAPA

rican side of the border.

"The people suffered great hardships over the months of their exile in Ikageng, but refused to return, fearing further harassment from the authorities of Bophuthatswana," Trac said.

Conditions regarding their return are:

### Meeting

- \* A guarantee from the Bophuthatswana authorities that all the residents, including those who fled after earlier incidents, will be able to return and not suffer further harassment;

- \* A guarantee that Chief Pupsey Sebogodi, the leader recognised by the community, will be

able to return and not be harassed;

- \* A guarantee that Bophuthatswana will reopen all schools in the community for the forthcoming term. The schools were closed in June 1989; and

- \* A guarantee from Bophuthatswana that the community can hold a mass meeting at Braklaagte, convened by neutral persons, to discuss issues of leadership and administration.

In the event of further incidents which could result residents fleeing into South Africa, the South African authorities have undertaken to recognise the refugees as South African citizens and to take care of them. - Sapa

# Braklaagte families set to come home

By Jo-Anne Collinge

Star 12/7/91

Hundreds of families from the village of Braklaagte, driven into "exile" in Zeerust six months ago by the violence which followed the forced incorporation of the area into Bophuthatswana, plan to return home tomorrow.

According to a press release by the Transvaal Rural Action Committee, the return will be preceded by a service in the Anglican Church at Ikageleng township outside Zeerust where many of the refugees have been accommodated.

The exodus from Braklaagte in January was dramatic — up to 6 000 refugees were taken into churches and homes in Ikageleng. The number has gradually declined, but it will still take a convoy of buses to ac-

complish the return.

The return has been preceded by several rounds of talks between the Bophuthatswana authorities and the leadership of the refugee community.

The refugees tabled a number of conditions which they felt should be met if they were to return. These were:

- A guarantee that those who fled could return without harassment from the Bophuthatswana forces or the pro-incorporation faction in Braklaagte.
- An undertaking that this safeguard would also include their leader, Pupsey Sebogodi, who had previously been detained.
- A guarantee that the schools, which have been closed for two years — since the outbreak of the first wave of violence, would be reopened.

● A guarantee that a mass meeting of all residents would be convened by neutral persons to discuss issues of leadership and administration.

Mr Sebogodi told The Star some time ago that he was satisfied that all conditions except the last had been agreed.

It is understood that the call for a mass meeting has not been rejected, but has still to be finalised.

It was feared that the recent shooting of Braklaagte's headman, Edwin Moilwa, might result in violence which would derail the planned return.

But this has not been the case. Mr Moilwa, who heads the pro-incorporation group, was injured by a gunman as he stood at a bus stop. Two companions were killed.



# Braklaagte people return - and find nothing

By THEMBA MOLEFE

A BEWILDERED Mr George Mokoena stood on the dry soil of his village, Braklaagte, where he returned on Saturday after fleeing Bophuthatswana security forces and vigilantes in January.

The only thing is that he is blind and could not see his land of birth, but he said: "Oh, I can still feel the familiar winter breeze and the smell of manure".

Mokoena does not remember his age.

Holding his 66-year-old wife Paulinah for support, Mokoena wondered about the livestock he left behind six months ago - three cows, several sheep and fowls.

The Mokoena household consisted of four elderly people, including Mokoena's sister Mrs Sinah Segiso, who had also forgotten her birth date save that she was born in Braklaagte, plus three great-grandchildren aged between three and four years old before the vigilantes looted and

torched it, forcing them to flee in terror in the middle of the night.

Mokoena remembers how the blisters under his bare feet burst as he trudged relentlessly on rough terrain to reach a farm near Zeerust where the white owner drove them to their refuge in the Ikageleng Township. He said he was all the time leaning on his faithful wife's arm who was the navigator and guide for the entire troupe.

Braklaagte, its Setswana name is Lekubu, is a typical rural village about 20km east of the Western Transvaal town of Zeerust and about 100km from the Gaborone border.

The Mokoena family was among about 1 000 villagers, mostly elderly people, women and children who took refuge in six churches in

Ikageleng. There they lived as exiles, depending on benevolent organisations such as Operation Hunger, the South African Council of Churches and other humane groups for food, clothing and shelter.

Braklaagte was incorporated into Bophuthatswana in 1988 despite resistance from the community. Many of the residents, including its leader Mr Pusey Sebugudi, had on many occasions been arrested by the government's security forces which had occupied the village.

Until recently the village had been unofficially declared out of bounds for non-residents, including the Press, and villagers suspected of being anti-incorporation had been subjected to interrogation, with claims of torture, escalating by the day.

Sebugudi who said he was "indemnified" six months of not learning.

and allowed back in Braklaagte two weeks ago, returned to the village on Saturday.

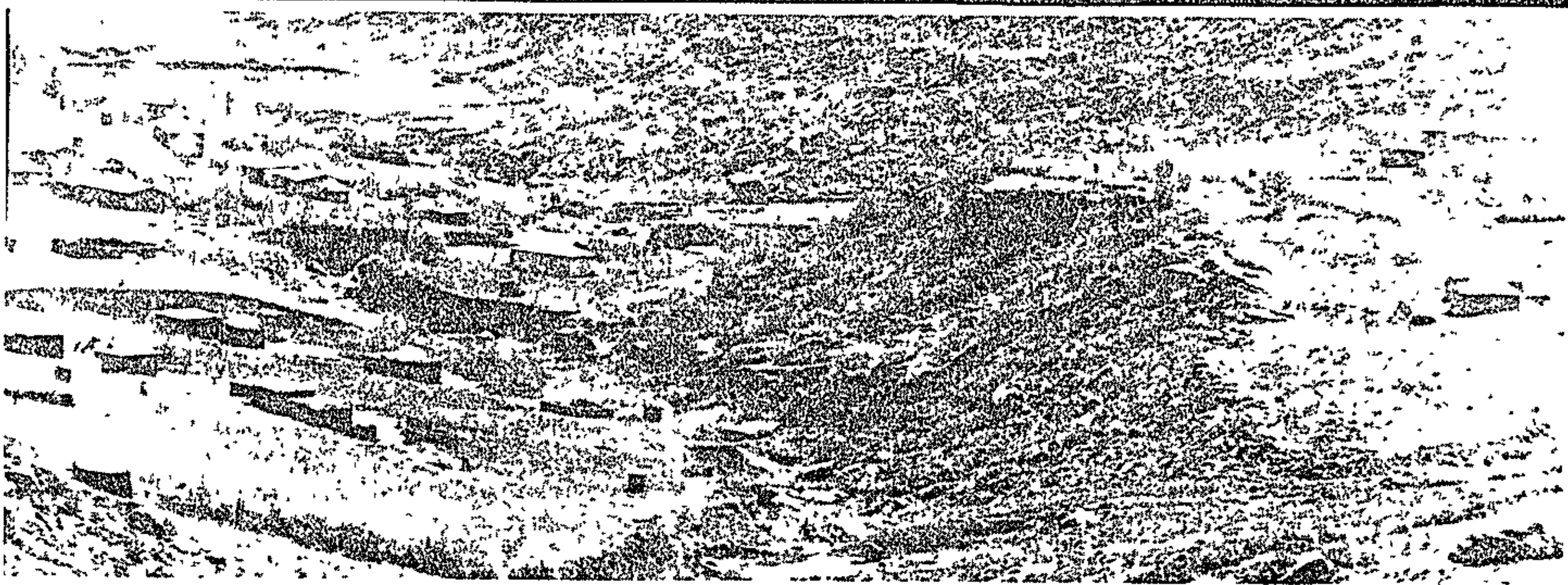
Indeed the Mokoenas were proud to be back at their village. "Lekubu is my roots", said a slogan on many a youth's T-shirt.

"But back to what?" said Mokoena. Actually, his wife put it thus: "It seems we are going to have to start afresh. Our home is not there anymore, our livestock is gone and this means our means of livelihood."

For a long time to come, it seems, a once proud provider in spite of his affliction, Mokoena has to depend on handouts from charity as the community continues its fight to be re-incorporated to South Africa.

To many other villagers it means rebuilding the community, to the children whose schooling was disrupted it means starting from scratch after six months of not learning.





The Village of Suduza - wounded land.

# Healing a wounded land

LAND is one of the thorniest issues in this country at the moment.

Black people who have been dispossessed want it back while on the other hand farmers - mainly Afrikaners - are adamant that it is their right to own the land.

Much has been said in the media about the land struggle. Anti-apartheid organisations like the African National Congress have set up commissions to look at the whole land to look at the whole land question, other canist Congress, say the return of land to the dispossessed black majority is non-negotiable.

*Healing the Land* is a documentary which deals specifically with this issue and more particularly about actually healing the land. By this it is meant the land must be used in such a way that the soil is not harmed and, instead

By MUSA ZONDI

of feeding the plants with chemicals, farmers ought to use natural fertilisers to enrich the soil first, which in turn will feed the plants.

The film traces the dispute, shows the "siege of Pretoria" by white farmers, touches on forced removals and settlement camps and finally deals with the solutions to the problem.

The message is quite blunt: Give the land back to the people who worked it before. That is the first solution. Once that is achieved, rural development should be next and, last but not the least, the people working the land must use more sustainable agriculture.

The film starts in the small village of Sunduza in the Transkei. Here field workers from the Environmental Development

Agency talk about the damage that has been done to the soil by overgrazing, deforestation and over-population. But these problems are put in the context of people suffering under apartheid, who have been forcibly removed from land they once occupied and dumped on small plots.

Here these people are expected to make a living but that in turn has a damaging effect on the environment.

## Suffers

This then becomes the question: What is more important - the woods or the people? Or to put it differently, how is the relationship between the land and poor people to be resolved in such a way that no party suffers?

This problem of deforestation is found not only in Sunduza but in other areas that have also

suffered under the bantustan policy.

While the film recognises the importance of commercial farmers, it points out that they are the cause of most of the damage that has been done to the soil.

The narrator, Seipati, talks to a farmer in the Free State and they discuss how fertiliser destroys the web of insects, worms and other creatures necessary for the earth to survive.

Perhaps the most eloquent person is Baba Mazibuko, who stresses the need for people to own the land so that they will treat it accordingly.

"African people have no sense of saying 'this is my land'. Without having that pride in the land, people do not care about it, they just take what they can and the day after they will repeat the process."

He echoes the sentiment that the land should be returned to the African people. He says commercial farmers are more interested in "feeding the plants with chemicals than feeding the soil" and, in the process, man has become "chemicalised" himself.

## Hungry

There is discussion with families who were once farmers but have been resettled. Some of them were once successful farmers, now dispossessed, they are hungry wanderers. The message is clear, give the land back to the people who once owned it and who know how to make it work.

All in all, the scope of the documentary is wide and SABC would do well to recognise its immense educational quality.

\* *Healing The Land* is

the second movie in a series about our environment. The first one, which is still being edited, is *Living in a City*, and these two will be followed up by *Living in South Africa*. The last will be *Living in*

*the World*.

The films come with a booklet for educational purposes. For more information on this package contact The Film Resource Unit at (011) 29-6967.

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Baba Mazibuko - the land is 'chemicalised'

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Signed

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A Bophuthatswana Defence Force armoured carrier blocks a bus ferrying mostly elderly Braklaagte villagers. The passengers were ordered off while soldiers searched the bus and other vehicles on Saturday.

Pic: VELI NHLAPO

# Braklaagte people return

ABOUT 6 000 villagers of Braklaagte who fled their land six months ago at the height of vigilante attacks returned home peacefully on Saturday.

But the community insists that they will press ahead with their demand to have the area re-incorporated to South Africa, and to have the decision taken in 1988 (by the South African and Bophuthatswana authorities) blocking the move rescinded.

The villagers arrived at Braklaagte, about 20km west of Ikageleng township near Zeerust in the Western Transvaal, where they had taken refuge in six churches.

At a service held at a church in the township before the villagers began their trek, Braklaagte community leader Chief Pupsey Sebugudi and lawyer Mr Clive Plaskett told villagers that a meeting with SA Government officials had been set for later this month.

Conditions for the return of the villagers were drawn up at a meeting between representatives of South Africa

By THEMBA MOLEFE

and Bophuthatswana's governments and the Braklaagte community on April 10.

The conditions included:

- \* A guarantee from Bophuthatswana authorities that all residents, including those who fled after earlier incidents, would be able to return and not suffer further harassment;

- \* that Chief Sebogodi, the leader recognised by the community, would be allowed to return and not be harassed; and

- \* Bophuthatswana would reopen all schools in the community which were closed in June 1989.

The Bophuthatswana Defence Force manned a roadblock, searching every vehicle passing or entering Braklaagte. Passengers were ordered off the buses ferrying villagers returning home and searched.

\* See story on Page 8

# Tension as refugees return to Braklaagte

By Jo-Anne Collinge

271

Star 15/7/91

The last 1 000-odd refugees from the western Transvaal settlement of Braklaagte returned home on Saturday to the sight of two armoured vehicles and armed men stationed at the turn-off to their village.

Tension mounted as the first busload of homebound refugees passed through the roadblock mounted by the Bophuthatswana police.

Passengers were ordered to disembark. But after a short discussion between the community's lawyer and the officer in command, the bus was allowed to proceed into Braklaagte.

The refugees, many sporting ANC colours, had spent more than six months in Zeerust's Ikageleng township.

They are part of the section of Braklaagte residents who have opposed the village's forced incorporation into Bophuthatswana.

In January, about 6 000 opponents of incorporation fled Braklaagte as a result of violence. The majority returned in

small batches. But about 1 000 remained until their leaders had negotiated certain guarantees.

The incorporation of Braklaagte and neighbouring Leeufontein into Bophuthatswana has cost at least 25 lives since Easter 1989.

According to Pupsey Sebogodi, who leads the anti-incorporation group, the Bophuthatswana authorities gave an undertaking that none of the refugees would be harassed by security forces or vigilantes

## Preceded

Despite the roadblock he felt that residents would be safe.

"I have tested the water by going back home about five times in recent weeks and nothing has happened to me," he said.

The departure from Ikageleng was preceded by a prayer service in the Anglican Church.

As the first bus drew level with Braklaagte early in the afternoon, the veld came to life with calling voices and figures galvanised into motion to welcome the returning villagers.

The single bus hired for the return ran back and forth between Ikageleng and Braklaagte. By 4 pm youths decided it would be quicker to make the 15 km journey on foot — and they toyi-toyed out of Zeerust.

In terms of agreements between community leaders and the authorities, schools are to be reopened for the new term.

In addition, Mr Sebogodi said, it had been agreed that a public meeting would be held within a fortnight. It would be chaired by a neutral party, so that residents could discuss conditions in their divided community.

Zakes Molekane, the ANC's western Transvaal organiser, said he hoped that Bophuthatswana stuck to the agreements "because we are living in a situation where formal agreements are being made and contravened by the very same governments who made them".

Attempts were made to halt coverage of the return by South African journalists. A Bophuthatswana police officer told The Star that South African reporters had no freedom of the press in Bophuthatswana. They could only report there with official sanction.





Within reach of home . . . Braklaagte refugees, watched by heavily armed Bophuthatswana police, get back on their bus at a roadblock a stone's throw away from their village.

Picture: Gill de Vlieg



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## Abstract

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# Tutu asks FW to give back land

Sowetan 16/7/91

~~SECRET~~ (271)

**ARCHBISHOP Desmond Tutu met State President FW de Klerk for 90 minutes yesterday to plead for the restoration of coastal woodlands seized under apartheid from members of his own Mfengu clan in 1977.**

"We had a very sympathetic hearing," Tutu told reporters outside De Klerk's Union Buildings office in Pretoria.

A spokesman said De Klerk interrupted a holiday to meet Tutu and promised afterwards to consider his appeal.

Tutu and clan spokesman Mr Thobile Makamba said they told De Klerk that 500 black families were driven at

gunpoint from land given to them 130 years ago by Britain.

They said 19 white families now occupied the land that had been home to 5 000 blacks.

The 8 000ha section of the picturesque Tsitsikamma forest, near the town of George, was given to the Mfengu by governor Sir George Grey in recognition of their loyalty to the British colonial administration.

## Removed

But the Mfengu, part of the Xhosa nation, were among 3,5 million blacks forcibly removed from their land after 1960 to fit the white government's apartheid blueprint.

Earlier this year De Klerk repealed cornerstone apartheid laws that

reserved 87 percent of the country for whites, but said the Government would not try to redress past wrongs.

Mr Nelson Mandela's African National Congress has insisted, however, that land seized from legal black owners should be returned.

"People will be reasonable. If we don't make a beginning to settle obvious cases like this one, the problems are going to be considerable," Tutu said.

De Klerk's office said in a statement: "The State President did not commit the Government to any specific decision or action, but assured the delegation that careful consideration would be given to their representations." - Sapa-Reuter.



Return Mfengu land,  
Tutu urges De Klerk

**By Jo-Anne Collinge**

Anglican Archbishop Desmond Tutu yesterday spent 90 minutes with President de Klerk arguing for the return of land to the Mfengu community of the Tsitsikama area who were removed to Ciskei at gunpoint in 1977.

He emerged from the Union Buildings with Bishop Bruce Ebyans of Port Elizabeth, members of the Tsitsikama Exile Association and their legal representatives, declaring: "In this case of removal I am very deeply personally involved because I am also an Mfengu."

Archbishop Tutu had suggested that the Government meet those communities that had been affected and allow them to make proposals so that solutions were not unilateral.

People were not unreasonable, he said. They wanted equitable solutions so that they could feel justice had been done.

... "that we feel deep in our turn-turns that we've not in fact been screwed".

The new land laws empowered the State President to make land allocations of the kind needed to redress the Mfengu case, he said.

Archbishop Tutu believed the delegation had received a "very sympathetic hearing" from the State President and two deputy Ministers. He noted with satisfaction that Mr de Klerk had described himself as "solution oriented".

Theophile Makamba of the Tsitsikama Exile Association pointed out that the Mfengu had made many fruitless representations in the past and felt it was up to the present Government to solve the problem.

He said the community had numbered about 500 families at the time of removal. Since then, 75 percent of their land had been sold to white farmers and the remainder retained by the South African Development Trust.

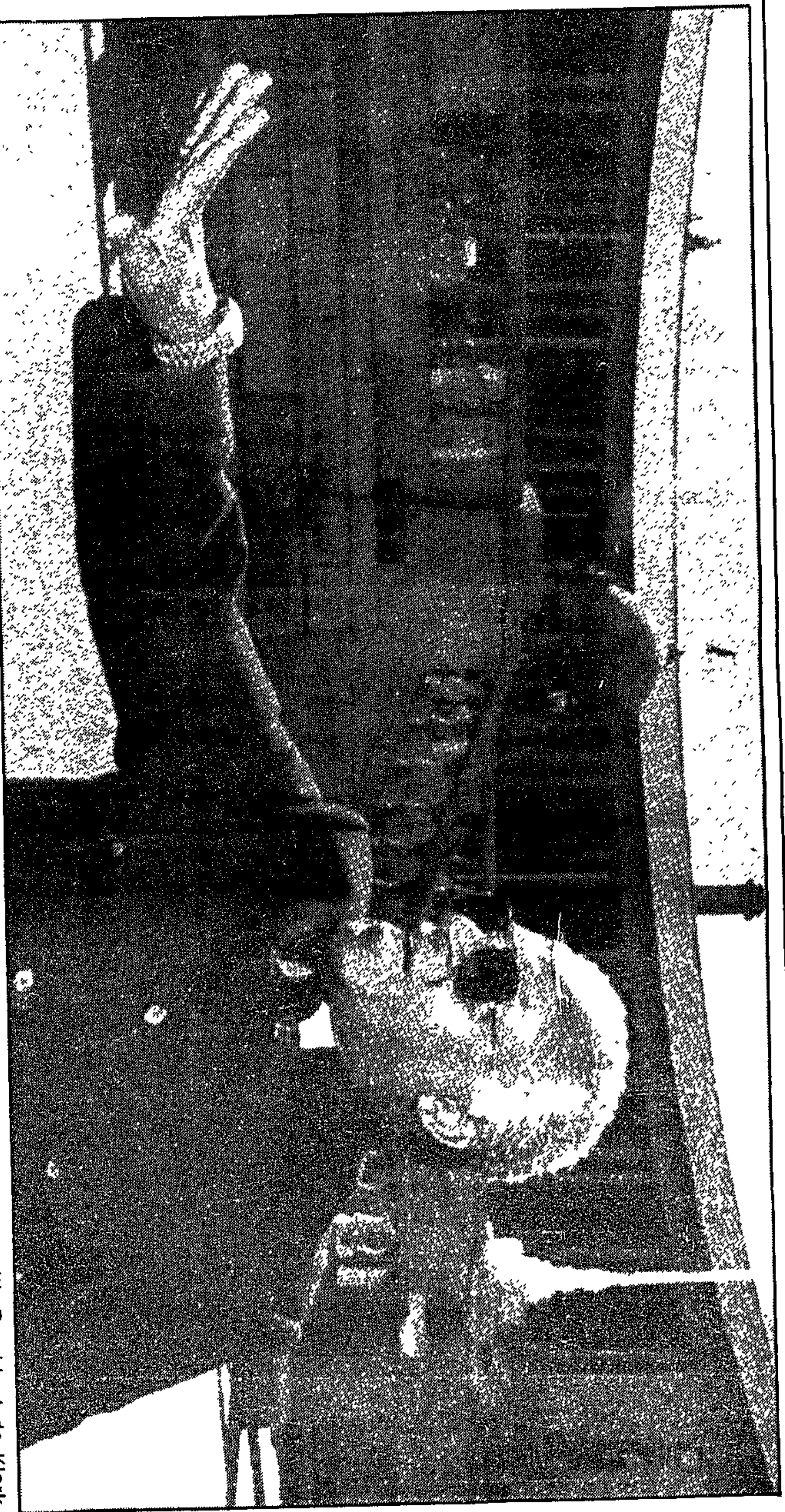
The delegation had pursued

moral arguments, based on the fact that the land had been placed in trust for the community some 150 years ago, legal arguments, which challenged the validity of the transfer of the land to 19 white farmers, and arguments highlighting the community's hardship since 1977 and the sheer violence of the removal.

A statement issued by Mr da Klerk's office said he had been assisted by Deputy Minister of Development Aid Piet Marais and Deputy Minister of Agriculture Tobie Meyer.

While they had listened closely to representations, "the State President did not commit the Government to any specific decisions or actions, but assured the delegation that careful consideration would be given to their representations".

In addition to yesterday's meeting, the Mfengu have instituted Supreme Court action in which they argue that the sale of the land was invalid. Papers were served two months ago but the hearing has yet to begin.



Putting forward his case . . . Archbishop Desmond Tutu emerges from the Union Buildings where he spent yesterday, arguing for the return of land to the Mfengu community who were forcibly removed to Ciskei in 1977

President de Klerk  
Picture. Reuter



## 95% turnout, says the SADF

LINDEN BIRNS

THE SA Defence Force yesterday denied reports that less than half of this month's expected national service intake had reported for duty, and said more than 95% of conscripts had begun their year of service.

The denial followed several reports that at some bases less than 40 out of 800 conscripts had turned up. *8/10/91 16/7/91*

An SADF spokesman said yesterday more than 95% of the intake reported for duty, but that some of the recruits had not reached their bases as they were still in transit.

"We hope to have transported everyone to where they have been posted within the next few days," the spokesman said.

He added the July intake was about one-third the size of the January intake.

According to unconfirmed reports, instructors had been told only 14% of the total July national service intake had reported for duty, with many of those not reporting for duty under the belief that they could no longer be forced to serve following the repeal of the Population Registration Act.

In terms of the Defence Act, only white males are eligible for national service.

The SADF spokesman said the SADF regarded the Defence Act as binding, despite the scrapping of population registration.

# Fingos ask FW to return land

ANGLICAN Archbishop Desmond Tutu led a Fingo delegation in a meeting with President F W de Klerk yesterday at which the community appealed for the return of their land in the Tsitsikamma area.

Tutu, who arranged the meeting, said the delegation received a "very sympathetic hearing".

At a news conference afterwards, Tutu said De Klerk had told the delegation he was "solution-orientated".

The delegation, which included Port Elizabeth Anglican Bishop the Right Rev Bruce Evans, met De Klerk at the Union Buildings.

## Listened

Tsitsikamma Exile Association general secretary Thobile Makamba said that in view of government's new proposals on land ownership "we had to act quickly so that we could regain our land. We wanted the existing government to make sure that it addresses the problems now ...".

He noted that a Supreme Court case challenging the government takeover of the land was pending.

De Klerk said in a statement he had listened carefully to the delegation's representations.

He "did not commit government to any specific decisions or actions but assured the delegation that careful consideration would be given to their

representations".

Tutu noted that De Klerk had been "under the legal constraint of the sub judice rule with the ... case coming up". However, the government delegation said it was "going to take very serious cognisance of what we proposed".

The community of about 5 000 Fingos were forcibly relocated to Keiskammahoek in the Ciskei in 1977.

The Tsitsikamma land was granted to them by the British government 150 years ago in appreciation of their support for colonial authorities in frontier wars against other Xhosa-speakers.

Nineteen white farmers now own 6 000ha of the 8 000ha tract of land. Government owns the remainder.

Tutu said the delegation had gone to underline four important points:

- ☐ The land was trust land given to the Fingo people in the 19th century;
- ☐ That in alienating the land and selling it, government did not follow even the prescriptions and procedures laid down in law;
- ☐ The incredible suffering the people experienced as a result of the forced removal; and
- ☐ That when the community was moved to Keiskammahoek, the people suffered as a result of unemployment, the infant mortality rate increased and there was starvation.

*8/10/91 16/7/91*

BILLY PADDOCK

# Land reclamation deadline

THE submission of applications for participation in the land reclamation scheme and advance payments for land development closes on October 31.

 (271)  
The Deputy Minister

of Agricultural Development, Mr Tobie Meyer, said in a statement on Wednesday that the scheme determined that new members would have two seasons to establish perennial pasturage successfully.

Meyer said there were more than 7 000 participants on whose land more than 403 000ha had been reclaimed.

A further 244 000ha were in the process of reclamation.- Sapa.

Sapa 19/7/79



# Battle for land is only just beginning

8 Dec 1971

DARIUS SANAI

GOVERNMENT and black liberation movements are set to clash head-on over the selling of tribal land to white farmers at nominal rates.

Spokesmen for the ANC, PAC and Azapo say the long-standing issue is paramount and central to any negotiated settlement.

However, a major problem obstructing every piecemeal negotiations with the authorities is government's secrecy regarding land ownership.

"There is extreme confusion over which government department owns which piece of land," says Harold Liversage of the Natal-based Association for Rural Advancement (Afra).

## Details

"All government-owned pieces of land belong to a different department or section, according to which stage of the transfer (from SA Development Trust or black ownership) they are in."

Business Day asked the Department of Public Works and Land Affairs, which the Cape Town-based Surplus People Project (SPP) says owns a considerable amount of the land in question, for details of the quantity and location of land in its possession.

The department refused, saying the information would only be available by the middle of next year.

The SPP says 3.5-million people were forcibly removed under various laws between 1960 and 1982, and hundreds of thousands more since then.

Several million blacks were also affected by influx control regulations.

Regaining land which is still held by

government is not going to be easy for black communities, but it will be "peanuts" compared with getting land which has now been sold to private farmers, says

Rosalie Kingwill of the Grahamstown Rural Committee (GRC).

The GRC deals with eight communities who were threatened by "black spot" removals from the "white corridor" between Ciskei and Transkei. The communities have been reprieved — but want more land.

"Some of the land around where they live is owned by the SA Development Trust, which is affiliated to the Department of Development Aid. But the rest is owned by private farmers and it really is very difficult for them to reoccupy private land," she says.

The SPP says that the majority of "black spot" land from which 650 000 people were removed in the past 30 years is still owned by government departments.

But about 1.25-million labour tenants and farm workers were also forcibly removed from farms throughout SA, and the land they used to live on is now mainly in private hands.

People who were shifted into homelands or other urban areas under the Group Areas Act — numbering just under a million in all — have the same problem: their former homes are now privately owned.

In most of these cases, the land was sold by government to private owners. Otherwise it was legally owned all along by whites who claimed the land under colo-

nial laws, co-existing with labour tenants who saw the land as their own.

And most of these people — numbering about 2-million — never had a legal claim to the land from which they were ejected.

"The situation is highly complex and varies from region to region," says a SPP spokesman.

Some legal claims can be made. Many farming communities, like the Magopa in the Transvaal, had freehold title deeds to the land from which they were forcibly removed, according to the Johannesburg-based National Land Committee (NLC).

Others, like the Goedgevonden community, had strong historical and legal claims to their land.

## Publicised

A small number of communities are pre-empting government action and moving back to the land from which they were removed. The Goedgevonden case, which is now before the Appeal Court, is the most publicised.

Afra, the Natal affiliate of the NLC, reports that three communities in Natal recently tried to reoccupy land they claimed as theirs, with limited success.

Some people were arrested while others remain on the land.

The Natal Provincial Administration (NPA) has promised to negotiate with these communities, says Liversage.

Other attempts to reclaim land have been reported, such as the "reoccupation" of government-owned land by communities bordering Transkei, and the move by a few

thousand blacks in the southern Cape who are reoccupying "private" land and challenging the Cape administration to produce the alleged owner, according to the Southern Cape Land Committee.

Pending the establishment by President F W de Klerk of an independent Advisory Committee on Land Allocation, negotiations are proceeding on a piecemeal basis with regional authorities.

Some communities are far more organised than others when it comes to negotiating. Kingwill says the eight communities in the Border "corridor" have all formed residents' associations and are negotiating with the local regional services council, which owns some of the land.

But dispersion is a major problem. Communities that were removed often scattered to different places over the years.

Many of those affected by Group Areas removals cannot claim to be communities at all, according to the SPP.

The case of the Mfengu community from the Tsitsikamma coastal region shows just how scattered the victims of forced removals can become. Kingwill says some of them are in Ciskei, some in Port Elizabeth and some in Johannesburg.

The web of problems caused by the victims' different types of claim to ownership, on the demand side, and by confusion over private and state ownership of land, on the supply side, have combined to create the complexities of the land issue facing the new SA.

This issue must be addressed, says the SPP, otherwise the fundamental basis for change in SA will not be established.

# Unique park born after 18 years

Pretoria Correspondent

The tiny community of Kuboes in the northern Richtersveld was witness at the weekend to the signing of an historic agreement for the establishment of South Africa's first true mountain desert national park — ending 18 years of negotiations.

The agreement was signed by Louis Pienaar, Minister of National Education and of Environment Affairs, David Curry, Minister of Local Gov-

ernment, Housing and Agriculture; House of Representatives, Dr G A Robinson, chief executive director of the National Parks Board, Paulus de Wet of the management committee of the Northern Richtersveld and Willem de Wet, a resident of the Richtersveld rural area.

Attempts to establish a national park in the Richtersveld, acknowledged as an area containing South Africa's oldest and youngest rocks, its most varied geological formations and an exceptionally high percentage of endemic plant species, started in 1972.

In that year, South Africa, as part of its contribution to the International Biological Programme, recommended the proclamation of a large conservation area.

In 1975, the National Parks Board also accepted in principle that a national park should be proclaimed in the Richtersveld.

Negotiations were initiated time and again, only to be halted by objections from various parties involved and it was not until the contractual agreement was agreed upon that all parties concerned were happy to accept.

In terms of the agreement the people of the Richtersveld will not have to move out of the territory.

Nomadic stock farmers will retain their pastoral rights and communities in the 1 162 000 hectare park will not be adversely affected.

Farms adjoining the Richtersveld have, however, been set aside for stock farming and if people wish to leave and resettle on these farms they will not be hampered in any way.

Another plus for the establishment of the park is that it will create employment and entrepreneurial opportunities

in the area, highlighted by Mr Curry in his address at the signing function when he said that 11 tourists created one job opportunity.

Speaking after the signing, Dr Robinson said that once fully operational, the park would provide many job opportunities and the ripple effect generated in terms of provisions, services, curios and so on would also assist in increasing employment.

Now that the agreement has been signed, Dr Robinson is of the opinion that it will be gazetted "within the next three to four weeks and then we will start to get things going".



**A** FORMER cabinet minister has asked the Mfengu people of the Eastern Cape to forgive him for their forced removal — at gunpoint — from land granted to them in trust by Queen Victoria. Dr Piet Koornhof, former Minister of Co-operation and Development and past ambassador to Washington, said he had "always" opposed forced removals and had stopped more than 18 of them in defiance of a government policy which he "knew all along was wrong".

These included removals from Crossroads near Cape Town and Alexandra near Sandton.

Speaking from his Stellenbosch home this week, Dr Koornhof said his decisions had provoked "tremendous opposition on the inside". He had received death threats and was called a "kaffirboetie" and a "liberal" by colleagues.

"When I became the minister in charge, it soon became clear that a policy of separate-but-equal was not going to work," he said.

"But when I inherited the department in September 1978, a lot of decisions about what we then called 'consolidation', had already been made.

"Of course it caused hardship — that's why I could not support the policy. It called for great sacrifices from black and white people.

"White farmers did not want to sell the land on which their forefathers were buried and blacks did not want to move off land on which they had settled hundreds of years before.

"Of course, one feels sad if one has been responsible for suffering.

"One asks for pardon and forgiveness. I was merely carrying out decisions made in Parliament. I am more sorry than anyone else," he said.

Dr Koornhof's plea for forgiveness comes at a time when representatives of the 4 000-strong Mfengu (Fingo) tribe are seeking Supreme Court intervention for the return of their land.

In papers lodged in the South Eastern Cape Division of the Supreme Court on May 7, 14 Mfengu community leaders have demanded that the SA Development Trust and 22 others — including 19 white farmers — return their land to them and asked the court to expunge the name of the State from the title deeds of other farms on "their" land.

The 8 000ha of fertile coastal farmland — 150km west of Port Elizabeth near the Storms River — was granted to the tribe in 1837 by Queen Victoria through Sir George Grey, as a reward for services rendered during the Frontier Wars against the Xhosa in the early 1800s.

**T**ODAY, 6 000ha of the land on which the Mfengu lived for 140 years is in the hands of 19 white farmers.

They bought it at an average price of R229 a hectare — with 100 percent government loans — in 1983.

The land is currently valued at R5 000 a hectare.

Portions of the land were registered in the name of the Moravian Mission Church superintendent and others in the name of the Civil Commissioner for Uitenhage, to be held in trust on behalf of the tribe and their descendants after it had been surveyed from 1841 to 1858.

In terms of the 1913 Land Act, a large portion of the area was set aside for exclusive occupation by blacks. The Land Act of 1936 vested nominal ownership of the land in the hands of the SA Native Trust, forerunner of the SA Development Trust.

Pto

Sun Times

July 28/91

## The Mfengu people have become a cause celebre in the national row over land claims. EVELYN HOLTZHAUSEN investigates...

Legally, the trust was obliged to honour the original Mfengu claim to the land. But in keeping with government policy at the time, indigenous peoples were moved from "black spots" neighbouring white areas and resettled in homelands.

The Constitutional Amendment Bill consolidating the land from which the Mfengu had been removed into "white" South Africa was passed after an all-night sitting of Parliament on June 12 1982.

The Bill made no reference to the land being held in trust for the tribe and within six months of the "Mfengu Land Grab", the government was able to sell to white farmers who moved on to their farms in January 1983.

The farmers were restricted from selling their farms without ministerial consent for 10 years.

For this "excision" of the Mfengu land, and to maintain the 13:83 black/white ratio of land, an area of comparable size near Queenstown was later set aside for occupation by "blacks" (not specifically the Mfengus).

The sale of their land to white

farmers was the final blow for the Mfengus. Their eviction came in the early hours on a December morning in 1977.

More than 500 men, women and children were loaded on to trucks by members of the security forces and moved more than 450km to a desolate area of the Ciskei, known as Elukhanyweni — the place of light — near Keiskammahoek.

The Mfengus were paid no compensation for their land, livestock or crops. They were paid a one-off lump sum of R200 000 — an average of R429 a family — as compensation for their homes which were later demolished.

**A** PORTION of the remaining 2 000ha is still owned by the government and another by the Moravian Church. The church, which claims it has always honoured the trust, has also bought additional land in the area outside the trust portion.

The chairman of the Moravian Church of South Africa's board, Mr Martin Wessels, recently travelled to Europe to discuss

July 28/91

**P**LANS by some farmers to sell their land at enormous profits prompted the Mfengu community to seek relief from the Supreme Court.

They claim the farms cannot be sold, even after expiry of the 10-year ministerial "consent-to-sell" clause, because the present owners are not the rightful ones.

A Mfengu delegation — including Moravian Church vice-chairman Bernard Lottring and led by Archbishop Desmond Tutu — recently met President FW de Klerk, Deputy Minister of Education and Development Piet Marais and Deputy Minister of Agriculture Tobie Meyer in Pretoria to plead their case.

This was the first time since the 1977 evictions that Mfengu leaders have been granted an audience by the government.

lease.

Income from this transaction has been used by the church to maintain municipal services at the nearby mission-administered coloured township of Clarkson, in which Mr Wessels believes some descendants of Mfengu tribesmen live.

"But this has been difficult to establish beyond doubt because of inter-marriage and various other factors," he said.

This week, Mfengu leaders said they had no quarrel with the Moravian Church, which had given moral and financial support to their land claims.

With the help of additional loans of up to three or four times the original purchase price, the white farmers have transformed the area into the "New Zealand" of South Africa, producing the country's highest dairy yield.

the issue with church leaders.

The former German parent of the church apparently transferred the Moravian Mission land held in trust for the Mfengus to the South African Moravian Church for an administrative fee of £1. Mr Wessels said the transfer honoured the Mfengu trust clause.

But the church is seeking legal opinion over the ownership of the land to establish exactly who the descendants of the original Mfengu tribesmen are. Mr Wessels said most Mfengus were members of the Moravian congregation.

He said the land was granted in trust "in perpetuity" and it had

to be established if the Moravian Church could ever legally hand the deeds of the land over to the tribe.

"We are willing to make land available to house about 50 families temporarily until the matter is settled, but we do not want a squatter settlement," he said.

"The church does not question that we hold some of the land in trust for the Mfengu people, but it is a very complicated issue. I don't know why church land was excluded from the black spot from which the Mfengus were evicted," he said.

Some of the church-owned land was rented to a farming company in 1976 on a 20-year

Five years after the removals, Dr Koornhof refused to receive an Mfengu delegation which travelled to Parliament to discuss the tribe's grievances. He said at the time that since they had been moved to the Ciskei, they would have to approach that government.

This week, he said he had never been vindictive in his approach.

"If I did not see people, it was because I was bound by law. Money had changed hands, land was allocated ... etc," he said.

Questioned about the legality of the removals, Dr Koornhof said. "If a situation arose in which there were legal implications, I was not told."

**L**AST month, tribal leaders received an assurance from the state attorney that applications for ministerial consent to sell any of the farms would be held in abeyance until the matter was resolved.

The white farmers — some of whom have claimed also to be "victims" of government policy — have formed a committee, headed by Mr Hugo Meyer, to defend their right to their farms.

Mr Meyer would not discuss the matter this week because it was *sub judice*.

Mfengu community leaders said if the land was returned to the tribe, some members would be settled in a township which would have to be created while others would farm.

But a quick solution to their land battle seems unlikely.

A Cape Town conveyancer predicted that the case could drag on for at least two years, with both sides filing claims and counter-claims "for months on end".

The Mfengus, it is clear, are still a long way from being home and dry.

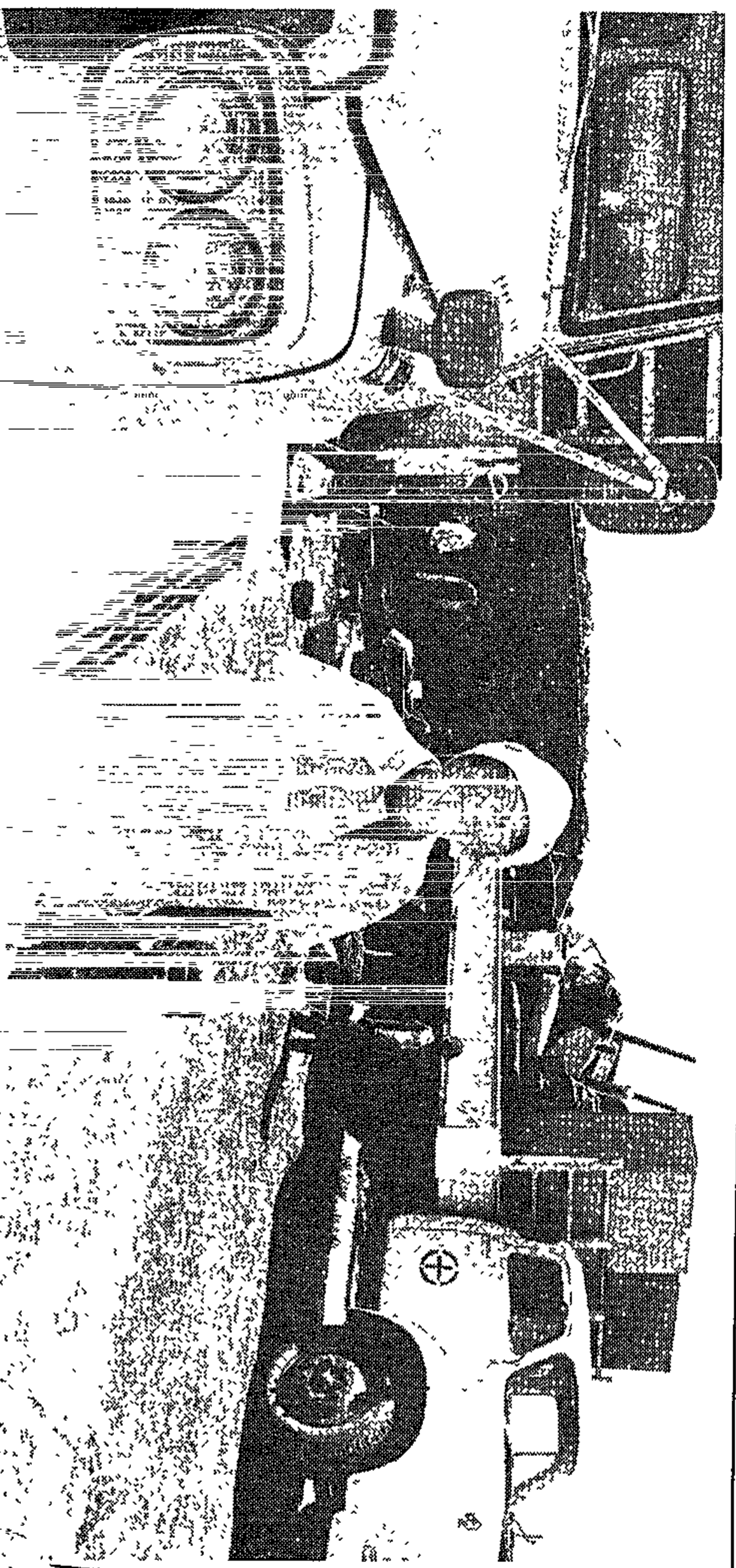


# I'M SORRY

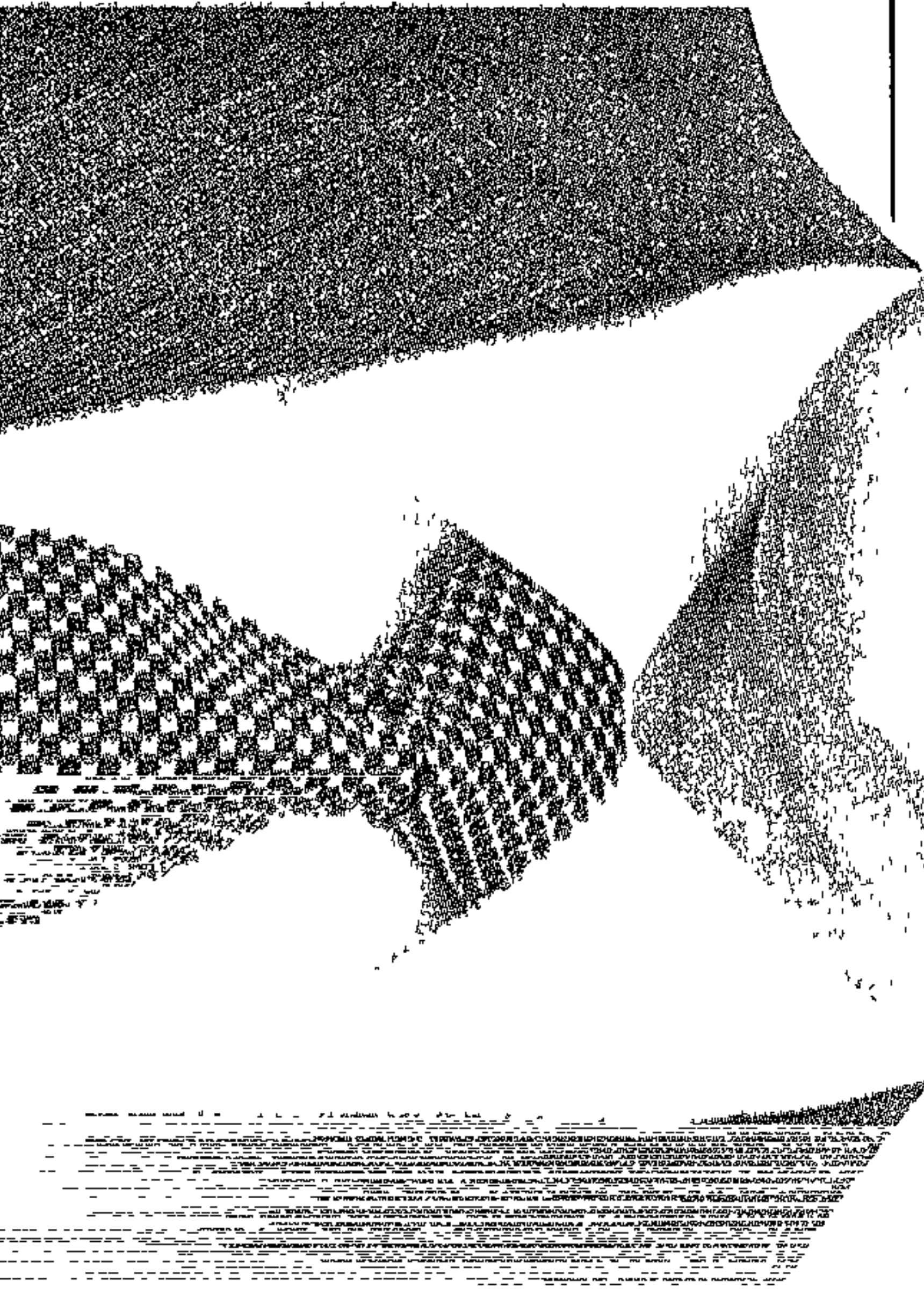
Since 28/7/91.

207A 211

Fourteen years after one of apartheid's most notorious forced removals, former Cabinet Minister Piet Koornhof speaks of the hurt and hardship that it caused



RIGHT: Ex-Minister and ambassador Piet Koornhof: 'One asks for pardon and forgiveness ...'  
LEFT: The reality of removals — a woman and child wait to be trucked away to foreign fields





# **Trial over** <sup>271</sup> **Bop farm's** <sup>104</sup> **incorporation** <sup>Star 13/8/91</sup> **put on hold**

Pretoria Correspondent

The legal quarrel with the State President of the 15 000-strong community of Leeuwfontein, who are opposed to their farm's incorporation into Bophuthatswana, has been put on ice pending negotiations.

Following a Pretoria Supreme Court order last year that the case by Nkgokoloane Dadelik Majafa, a tribal elder and councillor acting on behalf of the Bahurutshe ba ga Moilwa tribe, be referred for oral evidence, the matter was postponed indefinitely.

Counsel for the tribe yesterday told Mr Justice Curlewis — the Deputy Judge President, who granted the postponement — that as negotiations were under way between the parties, it was not required for the trial to go ahead for the time being.

The case, filed in 1989, against the State President, the Government of the Republic of South Africa, the Minister of Education and Development Aid and the Minister of Constitutional Development and Planning, contests the validity of a decision which incorporated Leeuwfontein into Bophuthatswana.

In court papers, Mr Majafa asked for the farm, incorporated with the Republic of Bophuthatswana on December 31 1988, to be declared part of South African territory.

He said the tribe had been living on the farm since 1906 and the majority of its members were South African citizens opposed to incorporation.

In court papers, the respondents claimed the President was not out of line to conclude an agreement for the transfer of land to Bophuthatswana because it had been done within the ambit of the law.



# **'Black spot' farmers may build, plough**

By Jo-Anne Collinge

The people of Mogopa — the last "black spot" community to be forcibly removed — have been granted permission to plough and build permanent homes on the land from which they were uprooted.

The community began to re-occupy the land nearly four years ago. Originally, the authorities took court action, but then renewed negotiations after the Acting Chief Justice recommended this.

The resulting concession, which followed meetings between the community and Deputy Minister of Development Aid Piet Marais, is reported in Land Update, a publication of the National Land Committee.

"The significance of the agreement for Mogopa is that at last the Government has come to accept the permanence of the community in the area. It is now only a matter of time until the title deed is returned to the community," the writer of the article comments.

Mogopa is in the tension-ridden Ventersdorp area of the western Transvaal, near Goed-gevonden, where re-occupation of land by black farmers drew a violent response from right-wing farmers.

The return of the Mogopa people followed an Appeal Court judgment that the original removal was unlawful. Neighbouring farmers have not shown resentment at the community's return.

According to the article, one of the conditions imposed by the Government is that the Department of Development Aid be accepted as the planning agent with powers over land use.

# The long siege of Braklaagte town

IT isn't even a dot on most maps, but Braklaagte is not hard to find.

Just look for military tents billowing in the breeze and razor wire that runs like a weed through a once-tranquil hill town, separating soldiers and civilians engaged in an unusual war.

On one side of the conflict is the government of Bophuthatswana, a tribal homeland recognised as an independent nation only by South Africa.

On the other are residents led by Mr Pusey Sebogodi, who want the town to leave a nation that doesn't exist and return to the jurisdiction of South Africa.

This farming community and the neighbouring town of Leeuwfontein have been in a state of siege since their 25 000 residents were transferred from South African rule in 1989.

Bophuthatswana's blue-and-or-

## FOCUS

ange flag flaps above the stone huts and well-kept farms, but the violence that has cost the lives of a dozen policemen and civilians is not over.

The dismantling of apartheid in South Africa, accompanied by the possibility of black majority rule, stokes the determination of Sebogodi and his followers.

"South Africa is an apartheid regime but I'm telling you, the apartheid and oppression in 'Bop' are greater," he said.

Sebogodi and thousands of others recently returned to Braklaagte from seven months of exile in Zeenust, 32 kilometres away, after negotiations with homeland offi-

cials. They said harassment by police and civilians who supported the Bophuthatswana government drove them away.

The government denies the charge, but harassment is evident in the town.

"Maybe you should take the cassette out, because there is no freedom of Press in Bop," Sebogodi said to a reporter who had taped an interview in his stucco house on a hill above the police camp.

Sebogodi is one of the few Braklaagte residents who speaks to outsiders. Other residents smiled, but shouted "No!" at sight of a camera.

Dozens of police milling behind the double barrier of razor wire around their cluster of tents and concrete-block offices, stared silently at a passing reporter.

A police van roared up the dusty road. Three armed men jumped

out and surrounded the reporter. One grabbed her notebook and the other tried for her camera.

In limited English, they ordered the reporter to accompany them to the "captain's office" for questioning. They twisted one of her arms and bent back the fingers of the other hand, then pushed her into the back of the wagon and locked it from the outside.

Inside a small, dark room a man identified as the captain, who did not give his name, said problems in the village made it dangerous for outsiders to enter without official permission. The police were trying to keep the peace and prevent outsiders from importing more problems, he said.

Half an hour later, the captain and another officer escorted the reporter to her car on the road leading out of Braklaagte. They hadn't noticed the cassette in the tape recorder - Sapa-AP



essentials," he said.

laugned.

# Home — for just a day

5 Times 15/9/91  
TODAY, for the first time in 14 years, the Mfengu people are going "home".

But it will be for one day only — and they will be defying a government order.

The leader of the displaced tribesmen, Tsitsikamma Exile Association co-ordinator Mashwabada Msizi, said the return was "deeply symbolic".

A commemorative service will mark the day in 1977 that former State President PW Botha signed an eviction order banishing the 500-strong Mfengu community to the Ciskei.

The tribe was granted 8 000 hectares of fertile

By EVELYN  
HOLTZHAUSEN

coastal farmland by Queen Victoria in 1837. Now 6 000 hectares of the land is in the hands of 19 white farmers, who bought it from the government in 1983.

Mr Msizi said he was confident that by Christmas about 50 Mfengu families would be permanently settled on land adjacent to that from which they were evicted. The land is owned by the Moravian Church.

The chairman of the Board of the Moravian Church of South Africa, Mr. Martin Wessels, confirmed that negotiations were

taking place to move the families on to the land.

He said the land was given to the church in trust for the Mfengus "in perpetuity". It had to be established if the deeds for the land could be legally handed over to the tribesmen.

In papers lodged in the South Eastern Cape Division of the Supreme Court on May 7, 14 Mfengu community leaders demanded that the SA Development Trust and 22 others — including the 19 farmers — return the land to them.

They asked the court to expunge the name of the state from the title deeds of other farms on "their" land.

# Community reprieved

C/P 120 15/9/91 (271)

By DAN DHLAMINI

RESIDENTS of the Welverdiend Diamond Diggings farm near Lichtenburg – who were given notice to vacate the land they have lived on for decades – were this week temporarily reprieved.

Eight of them, including a 64-year-old woman, spent 11 days in custody last month before their trespass charges were withdrawn.

Now Miriam Melato, 64; Samuel Masia, 53; Jan Sekoko, 52; Agnes Ndlovu, 52; Wilson Matebesi, 39; Johanna Moswang, 37; William Sikhali, 33 and Angeline Mashaba, 30; are considering legal action against the police for what they claim was unlawful arrest, unlawful detention and malicious prosecution.

Western Transvaal Lawyers for Human Rights regional director, Iqbal Motala, confirmed he had been instructed by the community to act on their behalf, but he would still have to study the documents before taking action.

Motala told City Press negotiations with the Transvaal Provincial Administration and farm owner Willem Mouton, regarding the removal, were still going on.

Masia claimed his community had been living at Welverdiend since 1926 when it was proclaimed a township for diamond diggings employees. It was later expropriated, he said.

Masia said they were arrested on August 3 following a complaint by Mouton.

When they appeared before magistrate H Frazer on August 5 he said they would be granted free bail on condition they evacuated the farm pending the outcome of their case.

They refused to make such an undertaking and were then kept in custody until August 14 when charges against them were withdrawn.

Prosecutor Ansie Maree said the matter had been referred to the Attorney-General for his ruling.



# Dispossessed urge return of own land

Star 16/9/91  
By Jo-Anne Collinge

A demand for a "workable" land commission with powers to actually settle land claims and make awards was made at the weekend by representatives of 19 communities subjected to forced removal.

Delegates from these communities met in Johannesburg under the auspices of the National Land Committee.

They made it clear that the Government's Advisory Commission on Land Allocation fell far short of their demands.

The communities also stated: "We want our own land back. We reject alternative land. The land was taken away from us

by force, without proper compensation. Therefore we should not have to buy the land back."

They added: "Where white farmers have been sold land stolen from us, the Government should fairly compensate them and return the land to us."

Spokesman Mashwabada Msizi of the Mfengu (Fingo) community expressed disappointment that President de Klerk had not agreed to meet the group and had referred them to Minister of Development Aid Jacob de Villiers.

"We are not taking that lying down — we intend to pursue that meeting," he said.

Many delegates said their communities were determined to reoccupy their land should other methods fail. Five have already begun to do so.

In the 19 communities' eyes, the Advisory Commission falls short in the following ways:

- It can only advise the State President and is not empowered to restore land to claimants.
  - It does not include representatives of affected communities.
  - In terms of legislation, it need report only once a year.
  - It has no jurisdiction in the homelands. "There are many communities in the homelands who are forcibly incorporated and who also have land claims in SA," the communities noted.
- They demanded that the Government begin to give notice to farmers leasing land from which "black spot" communities had been removed. Where such land was being used by the police or SADF, these forces should be moved off the land.

## Victims of removal to talk to govt

REPRESENTATIVES of 20 communities, victims of forced removals, were expected to meet Development Aid Minister Jacob de Villiers today, the National Land Commission said yesterday.

The commission said the repeal of the Group Areas and Land Acts as well as the overall change in government policy had given rise to expectations that the communities' land would be returned to them.

"The government's White Paper on Land Reform and the legislation which accompanied it did not address the demands of these communities," a commission statement said.

The delegation would also propose to the Minister that white farmers leasing land belonging to the communities vacate the land.

"Where white farmers have been sold land which was stolen from us, the government should fairly compensate them and return the land to us," the statement added. — Sapa.



## Meeting on land

REPRESENTATIVES of 20 communities, victims of forced removals, are expected to meet Development Aid Minister Jacob de Villiers today, the National Land Commission said yesterday.

The NLC said the repeal of the Group Areas and Land Acts had given rise to expectations that the communities' land would be returned to them. ~~2.71~~ 2.71

The delegation would propose that white farmers leasing land belonging to the communities vacate it. *Sapa* 1/10/91

# Who'll decide whose land it is?

Star 2/10/91

**T**HE Welverdiend community, now numbering about 200 families, has lived on diamond-bearing land near Lichtenburg since 1924 and worked on nearby diggings. Residents have no title to the land, but for decades held permits to be at the diggings. They built the village.

Then, when the farm was de-proclaimed as a digging in 1989, residents became squatters in the eyes of the law, according to the Transvaal Provincial Administration.

Willem Mouton, a Lichtenburg building contractor, and his wife are the joint owners of Welverdiend. They acquired the property about five years ago. The Moutons do not live on Welverdiend but graze some cattle on the land near the settlement.

Mr Mouton wants the Welverdiend community to leave. He has given them notice, invoking the Prevention of Illegal Squatting Act. They refuse to go.

Whose claim to the land is the more legitimate — the long-term residents' or the title holders? And who should decide this and similar cases?

The arbiter should be an independent court empowered to settle land claims, insist a wide range of organisations — from the National Land Committee (NLC), with its constituency of victims of forced removal, to the National Maize Producers Organisation (Nampo), representing a large body of white farmers.

But the only mechanism that the Government has provided is an advisory commission on land allocation, which will leave final decisions to the State President and which is not empowered to decide private disputes.

The Government has been slow to appoint the commission, which was provided for in the Abolition of Racially Based Land Measures Act. But there are signs that an announcement is imminent. It is unlikely to be greeted with enthusiasm.

"Virtually everybody views the Government's commission with real concern because we just don't believe the Government has the credibility needed to handle land disputes," says Dr Kit le Clus, head of research and development for Nampo.

"It is merely an advisory commission under the State President. We would prefer a court of law because this is a matter where a claim is being made against someone else's property."

**The Government seems set to make its first tentative land reforms — and has walked straight into controversy. Report by JO-ANNE COLLINGE.**

Joanne Yawitch of the NLC argues that while general land policy — including the question of redistribution — is a matter to be negotiated among political parties, specific disputes should be referred to a land claims court.

Dr le Clus highlights the fact that while the Government is looking at allocating State land for settlement, more and more private land disputes are surfacing. Claims have already been registered by black communities on land sold to white farmers — as with the Mfengu (or Fingo) people of Humansdorp in the eastern Cape.

The NLC, various lawyers and communities who were subjected to removal are clear that land claims cannot be considered in terms of residual apartheid laws, such as the Prevention of Illegal Squatting Act — arguing for the negotiation of new criteria taking into account the complexities of de facto South African land tenure.

The land allocation commission will undertake a far more limited task. According to the Act, its brief will be:

- To identify State land which is undeveloped or has not been allocated for any purpose, and rural land which the State might acquire for agricultural settlement.

- To recommend how the land can be planned and developed to offer the greatest number of people "a decent living" in agricultural areas or "adequate living space" in residential areas.

- To recommend how this land is to be allocated "with due regard to claims by persons disadvantaged in respect of "previous racial land policies".

The commission's limited terms of reference have undermined its credibility in advance of its launch. But the message from 19 communities seeking to reclaim their land is that the commission may yet win a measure of recognition if it is representative of diverse interests and if it makes an urgent attempt to bring consistency to the Government's dealings with victims of forced removal. □



# 'Revive the land commission!'

By  
**THEMBA MOLEFE**

TWENTY communities forcibly removed from their areas have demanded that a commission of inquiry on land allocation be taken out of mothballs within three weeks.

Community representatives from throughout South Africa raised the issue with Minister of Development Aid and Land Affairs Mr Jacob de Villiers in Pretoria this week.

Several other matters, including land claims, were discussed and a second meeting was planned for this month.

The State President's Advisory Commission on Land Allocation was created during the last parliamentary session following the repeal of the Group Ar-

reas and Land Acts.

The National Land Committee, which led the community delegation, told the Minister the victims were extremely dissatisfied with the terms of reference of the commission, saying they felt it had no powers.

The NLC said: "However, the communities are prepared to co-operate with the commission but, to make it effective, certain critical issues have to be addressed immediately.

"For instance, the displaced people want the inactive commission in action within three weeks. Most of them are desperate, as they cannot survive

where they have been resettled by the Government.

"Membership of the commission is crucial. It must be seen as an independent body and none of its members should belong to the present or past Governments.

"All affected communities should have the right to place their claims before the commission.

"The communities do not want charitable handouts from the Government. They insist on returning to the land which they believe is rightfully theirs and which has been forcibly taken from them."

De Villiers said the meeting was fruitful and that he would take the matter up with Cabinet.

## Communities push for say on land issue

By Jo-Anne Collinge *stew 3/10/91*

In finalising the membership of the new Advisory Commission on Land Allocation, the Government will consider proposals made jointly by 20 communities which were subject to forced removal.

This was announced yesterday by the National Land Committee (NLC) after a meeting in Pretoria between Minister of Development Aid, Public Works and Land Affairs Jacob de Villiers and representatives of the communities.

According to a statement by the NLC, the communities voiced their impatience at the delay in launching the commission as more than three months had passed since the enabling legislation was enacted.

They pressed for the State President to meet a three-week deadline in setting up the commission. "The communities are in a desperate situation, as they cannot survive at the places where they were resettled by the Government," the NLC statement stressed.

Comprising up to seven members, the commission will advise the State President on utilising, acquiring and allocating land for settlement and agricultural development.

Mr de Villiers' office de-



Fruitful talks . . . Minister of Land Affairs Jacob de Villiers

scribed the talks as very fruitful and said the Minister had undertaken to discuss with the Cabinet a number of issues raised.

"On his part, Mr de Villiers put certain matters to the representatives for their consideration. It was agreed that a further meeting would be arranged before the end of October to report back on progress made."

The NLC said communities remained deeply dissatisfied with the terms of reference of the commission, particularly its advisory status.

"However they are prepared to co-operate and to try to make it effective, if certain critical issues are now addressed."

These included:

- Ensuring that membership of the commission was "properly representative and balanced".

If it failed to include "people who have the confidence of the communities", these communities would perceive the commission as a delaying tactic and would refuse to take part in the process.

- Ensuring that the commission was perceived as independent.

This meant that past or present Government officials should be excluded.

- Guaranteeing that all affected communities would have the right to place their claims before the commission.

"These communities" are not looking for a charitable hand-out from the Government. They are claiming the return of land which they believe is rightfully theirs because it was forcibly taken away from them."

Delegates urged the Government to avoid pre-empting the work of the commission. This meant it should halt court proceedings against communities who have reoccupied their land and stop development on land which might be returned to the people.



Community claims back mission lands settled 100 years ago ARC 4/10/91  
(211)

# Lost people reprieved

## Farmer relents over eviction

VUYO BAVUMA  
Staff Reporter

A RURAL community near C-trusdal threatened with eviction from a farm it has occupied for 30 years has been reprieved.

The people of Allendale Farm, who settled there when they were evicted from the Ned Geref Kerk Elandskloof mission station in 1960, have been given an extension by the farmer, Mr Danie du Toit.

They had been given eviction notices effective on August 30, but did not leave as they had "nowhere to go".

The Elandskloof community is demanding the return of the mission

land, part of which it claims was given by Queen Victoria in 1899 on condition it was used as a mission station.

In 1961 the land was sold to two brothers for R34 000 without the consent of the 70 families living there and, allegedly, with the mission station clause removed from the title deed.

The families were forced out and their properties destroyed. They were refused permission to return to the mission church or to tend the graves of their relatives.

Surplus People Project said in a statement that Mr Du Toit had been "sympathetic" at a meeting with the Elandskloof community.



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... AND THE LAND OTHERS DON'T WANT TO GO BACK TO

REBECCA MABE, 67, remembers fondly her youth in the hills of Majeng, in the northern Cape. Her community prospered then, producing bumper crops of ground-nuts and selling milk to the nearby white-owned co-operative.

A victim of a forced removal 11 years ago, she now lives in a two-roomed shack in barren, remote Kgomoiso in Bophuthatswana. Life in this overgrazed township near Taung has been "hard and bitter".

"There is no work here at Kgomoiso. Our pensions are R300 quarterly. We have no fields where our cattle can graze. We have no dreams for our children," she said.

But while representatives from her community and 19 others were this week actively seeking the restoration of their ancestral land Mrs Mabe has no wish to go back to the land where she spent her youth.

"No! No! No! I will not move another time." Her shouts of protest are accompanied by much shaking of her head and waving of her arms.

## Desperate

Were she to go back to the fields that her forebears tilled since 1868 she believes she would be shot.

She is not alone in her attitude. An estimated 3.5 million blacks have been forcibly removed over the past 30 years — many frog-marched into government trucks at gunpoint.

Many, struggling to survive in barren townships in Bophuthatswana, Ciskei and KwaZulu are desperate to return to the fertile fields of their forefathers.

Five communities have already taken matters into their own hands and moved on to the soil they once farmed. Despite strong opposition from police and white farmers some have succeeded. Others are poised to act unless their desires are addressed.

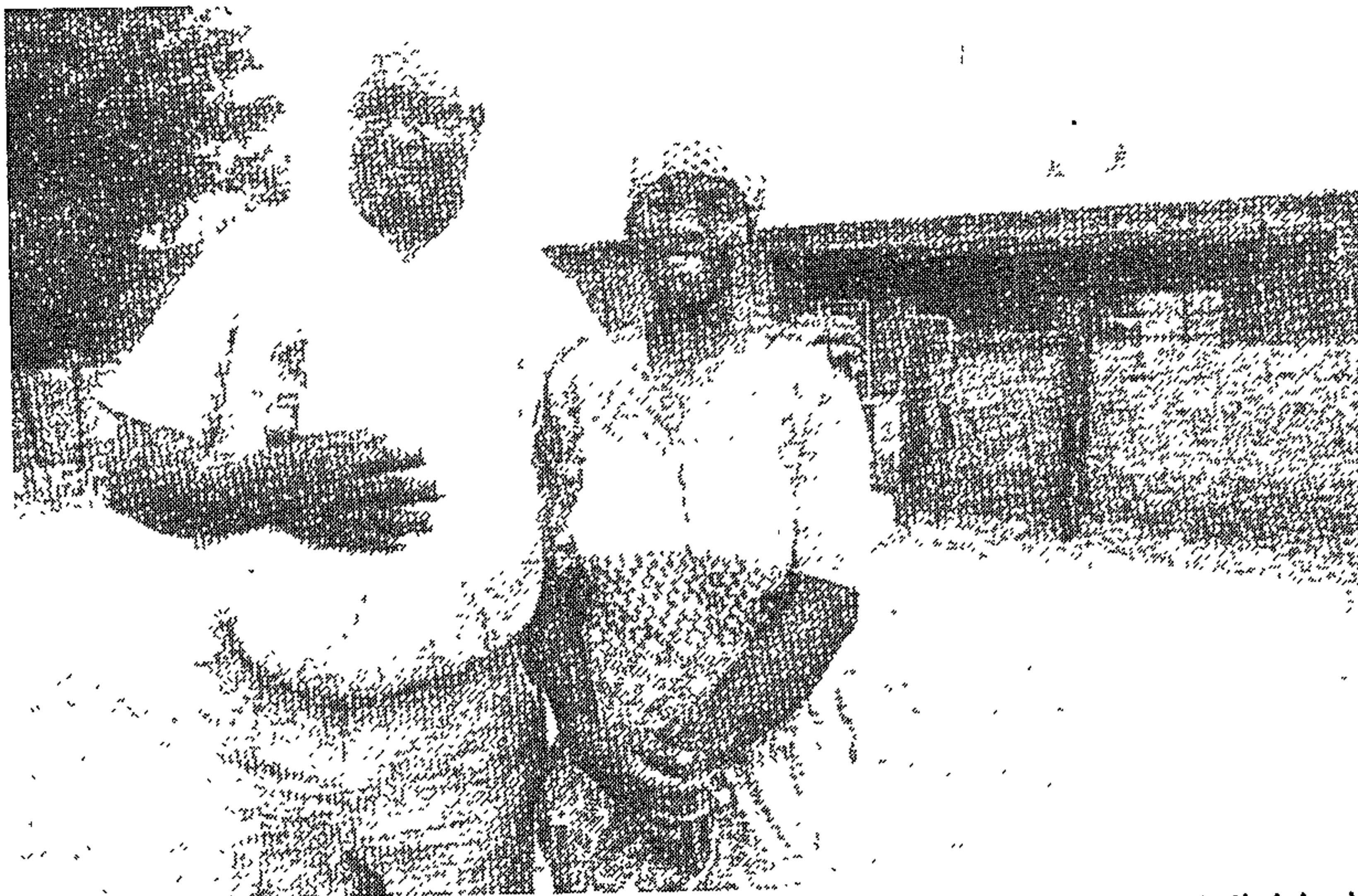
Others, like Mrs Mabe, want no part in yet another upheaval.

She remembers clearly the day, 11 years ago, that the police came and, in lashing rain, chased her family into the hills.

"We hid under the shrubs — like when Jesus went to the mountain to pray after Judas betrayed him. They caught us with their guns.

Representatives of 20 communities subjected to forced removals met Land Affairs and Development Aid Minister Jacob de Villiers this week in a bid to see the land they once occupied restored to them.

But while many community members have a burning desire to return to the land of their forefathers, others have no wish to do so. **DAWN BARKHUIZEN** reports on the dispossessed communities of the northern Cape ...



DIVIDED ... Ngonyane Nqunde and daughter Constance, who disagree on whether to return to their land

# Families split over return to tribal turf

They made our houses flat with bulldozers and put us in trucks.

"They took us to Vaalboshoek, a place with many stones. We could not plant crops and many of our old women died. It got so bad that Lucas Mangope had to move us and then we were put in tents at Kgomoiso.

"It was a terrible time. I never want to move again."

Opinion in the Noku family, formerly of Schmidtsdrift, is split.

From his four-roomed house in Kimberley's township, David Noku, 61, dreams of rebuilding his family homestead at Schmidtsdrift, near Douglas.

But he must overcome two hurdles: evicting 31 Bushmen Battalion from Schmidtsdrift and securing the capital and labour to clear an area overgrown with thorn trees.

For assistance, he is counting on his son and also the ANC's representative in the northern Cape, Wesley Matloapane.

Mr Matloapane says he is hoping for financial aid "from the Japanese".

## Graves

It is primarily a lack of finance that worries the branch of the Noku family who were "resettled" at Die Wyke in 1968.

Despite harsh and isolated conditions, losing most of their cattle to foot-and-mouth disease, lack of water and rocky terrain, they somehow survived.

Said one family member:

"We were put into government trucks at gunpoint. I never wanted to move, but I have built a life here. My wives' graves are here. All I have is here. I left Schmidtsdrift more than 20 years ago. I do not want to go back — and if I do, who will pay?"

In nearby Deerward, Bophuthatswana, is another divided family.

Retired warrant officer Ngonyane Nqunde, 64, was one of 3 000 people forced out of Dithakwaneng near Vryburg at gunpoint in 1973.

He is eager to relocate to the area in which Batlhaping Chief Tholitana took up residence in 1869. He is certain he will be compensated should he do so.

"Dithakwaneng was a wonderful place for ploughing. There was always water in the river. We had tall grass for the donkeys, sheep, goats and cattle. We

had apples, peaches, grapes and figs.

"Then the police and army came with dogs and guns and told us to get out. They burnt our houses. It took us six days to walk our cattle to Deerward."

Life in Deerward, said Mr Nqunde, was tough.

Education and health care were expensive.

There was no water for irrigation and foot-and-mouth wreaked havoc on his herd.

## Married

Only 15 families stayed on. The rest went in search of work in Kuruman, Taung and Rustenburg.

Despite the community's fragmentation, Mr Nqunde is confident that most are eager to return.

Mr Nqunde's 27-year-old daughter, Constance, does not, however, share her father's view. All her friends have moved into the towns and cities. She herself is marrying shortly and moving to Postmasburg.

"Me go back to the farm?" she shakes her head and laughs. "I left when I was nine years old. Only the old men are interested."



# The farms no one wants to buy

S/TIM

THE Land Bank is sitting on more than 100 farms that nobody wants to buy, not even at rock-bottom prices.

All the Land Bank wants for 100 000ha of good land is enough to pay off the outstanding debts on the land.

But low market prices and heavy outstanding loans mean the Land Bank often cannot auction the farms off at prices which recover its initial loans.

Land Bank general manager HS Hattingh said three-quarters of the farms that his organisation repossessed from indebted farmers this year could not be auctioned off at prices sufficient to cover the bank's loans.

The bank was now holding 100 000ha — more than ever before in its history. Most of the properties were located in the Western Transvaal and Free State. In terms of the Land Bank Act, the bank was obliged to buy back farms when public auctions failed to raise the amount of money owing to the bank.

The slump was said to be worse this year than it was during the 1933 depression or in the 1960s when there was a drop-off in prices.

## Pressure

In some cases the value of land in the summer grain area had dropped from an estimated R2 500 a hectare to R700, said Nampo agro-economist Dr Kit le Clus.

He said more land was coming on to the market as a succession of white farmers collapsed under economic pressure. Insecurity about the future or lack of finance was holding back potential buyers.

According to figures from the Land Bank a total of 298 farms were put up for auction between January 1990 and August 1991. Of these only 83 were resold on the day of auction at prices covering amounts owed to the Land Bank.

Of the 170 farms reclaimed in the first eight months of this year only 67 had been resold at economic prices — 43 on the day of auction and 24 at a later date. A further 14 cases were being negotiated.

Statistics showed that the situation was deteriorating.

By DAWN BARKHUIZEN

rating — of the 298 farms put up for auction, 128 farms (43 percent) were reclaimed during 1990. The majority (57 percent) were reclaimed in the first eight months of this year.

Mr Hattingh cited as an example a 147ha farm on which R231 000 was owing. When this amount could not be raised at a public auction the Land Bank bought back the property for R225 000. Attempts to re-sell the property for R240 000 had failed.

Mr Hattingh dismissed allegations from white farmers that the bank was holding on to land with the intention of handing it over to black farmers.

He said: "The bank is an autonomous institution free of control by any state department. It is a business operating within the parameters of the Land Bank Act. There is simply no possibility that it can donate or hand over farm property to anyone."

## Business

He said the Land Bank was not permitted to hold land other than that required for business, hence the provision that land bought in on account of debt be sold promptly.

Dr Le Clus said 266 farmers had been sequestrated in the first seven months of this year and predicted that the number would reach a record 524. A further 2 300 faced ruin following the government's decision to stop guaranteeing co-operative loans.

6/10/91  
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## Citrusdal community face eviction

Staff Reporter

(27)

Aug 10/10/91

A RURAL community in Allendale near Citrusdal are facing eviction for the second time in 30 years after being granted a reprieve recently.

Common law civic eviction procedures have been started against the people of Allendale Farm who settled there in 1961 — a year after being evicted

from the Ned Geref Kerk's Elandskloof mission station.

Community leader Mr John Januarie said summonses had been served on 70 families to pay the costs of eviction notices effective on August 30 and to vacate the farm.

The families had no alternative accommodation. They were given two months grace by the farmer.



# Ndebele land 'excised'

## by Buthelezi

W/Mon 18/10-24/10/91  
By CASSANDRA MOODLEY

KWAZULU Chief Minister Gatsha Buthelezi has renewed an old land dispute by declaring his government will excise land the Ndebele have occupied since 19th century, to give to the Buthelezi tribe.

A Kwazulu government gazette published earlier this year "excludes" two large Ndebele farms in Mahlabatini near Ulundi and "excises" the land from the tribe. The gazette also constitutes a "Buthelezi tribe within the district of Mahlabatini" and defines the Buthelezi tribe's area as the same tracts of land it removes from the Ndebele.

The order is enacted in terms of the Black Authorities Act of 1951, Black Administration Act of 1927 and the National States Constitution Act of 197, and signed by Buthelezi.

The move to excise Ndebele land renews an old land dispute between the Kwazulu chief minister and the Ndebele — a dispute Buthelezi lost on a legal technicality.

Two years ago Buthelezi had informed the Ndebele through a government gazette of his plans to excise the land. The Ndebele lodged an application in the Supreme Court to set aside the gazette ruling. In court papers the chief minister explained that the Mahlabatini land was traditional Buthelezi land and that the Buthelezi tribe living there had always wanted to live under their traditional chiefs.

However, Natal's judge president, Mr Justice Howard, ruled that Buthelezi used the wrong legislation for the purpose he had in mind, and that the order was therefore not valid.

Apparently Buthelezi had claimed to have excised land from the Ndebele tribal authority, acting in terms of a section of the Black Administration Act. However this section dealt only with "tribes" not with tribal authorities.

# POLICY



## LAND 1

### CURRENT STRUGGLES

The Land Acts of 1913 and 1936 have always been seen as one of the cornerstones of apartheid. During the last session of parliament, the government formally removed racial restrictions on land ownership by abolishing these acts. But people's struggle for land is not yet over. The effects of these apartheid laws and the policy of forced removals remains.

While very few old-style forced removals or incorporations into bantustans still occur, the question of who owns and benefits from land in South Africa has not been resolved. Many communities are at the moment engaged in bitter struggles about land.

What are the main themes of these struggles?

#### RESTORATION OF THE LAND

Many communities, uprooted from land they had owned or occupied for generations, have never lost the desire to return to their land. At the moment, there are 20 rural communities around the country actively involved in attempts to return to land they regard as theirs. And there are probably many more people who wish to return, but have not yet organised themselves. Many readers will have heard of the Mogopa people's story of forced removal and return. They occupied their land in defiance of the government two years ago. After protracted negotiations and court cases they have recently won the right to remain on their land. But there are many other communities who have not been so fortunate.

Since November 1990, the Barolong tribe of Machavie and the communities of Goedgevonden (in the Transvaal), Crimen, Charlestown and Roosboom (in Natal) and Macleantown (in the Border region) have all tried to reoccupy their land. Only some of the people of Goedgevonden and Roosboom have been able to remain on the land, but their position is still insecure as they await the outcome of court actions and negotiations. Other communities like the Mfengu of Tsitsikama and the people of the farm Doornkop near Middelburg have been engaged in protracted correspondence with the government and land owners about their right to have land restored. They have had no success yet.

#### DEVELOPMENT

Most communities that won reprieves from forced removal or incorporation into a bantustan, remain underdeveloped. This is because the area has

been deliberately neglected by a government which until recently was trying to push blacks out of "white" South Africa. Residents of townships like Tshikota (near Louis Trichardt), Koster (near Ventersdorp) and Lawaakamp (near George) are now trying to improve their housing, services and facilities at an affordable cost.

Water supply, health and education facilities are serious problems in many rural settlements. In areas such as Driefontein and Daggakraal (in South Eastern Transvaal), Mooiplaas and Kwelera (in Border region) and Matiwane's Kop in the Natal Midlands, there is severe overcrowding.

Because of previous policies which tried to force all black from "white land", areas like these became the refuge of homeless people and now there is not enough land for farming.

These areas need to get a share of available resources to develop their settlements and improve the everyday lives of people living there. In particular, women in these areas are starting to demand the right to help determine priorities for development, since they are often the ones who must run the household when the men are working in the cities.

#### RURAL LOCAL GOVERNMENT

To develop their areas, communities will have to work through strong accountable local government structures. Under apartheid, local government was used by officials to control and oppress communities. In the new South Africa, communities will have to think about how they want to administer their areas. This raises many questions about the role and composition of current structures - for instance should they be the civics, residents' associations, community authorities or tribal authorities? Should they be hereditary or democratically elected? Which structures will serve the community best? Can all sectors of the community (for example women, youth) participate equally?

At the moment the government is trying to change legislation about rural local government. Several communities feel that the proposed changes are not a great improvement on the present apartheid legislation. They want to work out a whole new system that will serve their needs and have the support of their people.

While there is a lot of discussion about development and local government in urban townships,

there has been little about rural local government.

#### BANTUSTANS

Under apartheid, the government established bantustans and cast millions of people into the "care" of these puppet governments.

Communities in the bantustans feel excluded from the debates and discussions about the new South Africa. In particular people living under the rule of Bophuthatswana have seen little change or improvement in their situation. Repression has continued, and the South African government is unresponsive to people's pleas for assistance. So even though the South African authorities are making concessions about reform in "South Africa", they still refuse to take responsibility for people in the bantustans.

Communities who were forcibly incorporated and who opposed Bophuthatswana face continued harassment by bantustan police and vigilantes. The tragic story of Braklaagte in the Western Transvaal was told in an earlier edition of Learning Nation. Other communities such as Thornhill and Peeltown in the Border region are affected by similar problems in relation to the Ciskei. Until constitutional agreements for a new government include the land and people of the bantustans there will be no real change in South Africa.

#### FARM WORKERS AND LABOUR TENANTS

The National Manpower Commission has finally recommended that farm workers' conditions of employment should be controlled by legislation. This is a major breakthrough for one of the most exploited sectors of workers in our country. But their rights to land and housing has not been addressed. Farm work-

ers live at their places of work and need to have some form of security or offer of an alternative place to live if they are evicted. Their situation is becoming worse as more and more farmers are deciding to reduce the number of their employees. These farmers fear future legislation over wages, unionisation and working conditions. Homeless and unemployed, evicted farm workers face a desperate future.

The problem may be even harder for labour tenants. These are people who farm land in exchange for working a few months year for the farmer. In many cases, the families of labour tenants have lived on the particular farm for generations, often witnessing the selling of land from white farmer to white farmer. But they have no legal right to this land. They are also farmers and in most cases have no desire to go into wage labour. But when a farmer decides he no longer wants them on the land, they have no legal right to stay even though they have invested in housing and livestock and may have lived there much longer than the current "owner". The land claims of labour tenants has to be addressed in a creative way which offers both tenants and farmers entrenched security of occupation.

There is no mention of their situation in the new legislation on land.

Next week, we will look at the government's 'White Paper' on land reform and legislation. We will also offer some guidelines for future land policy.

This article was produced by The Transvaal Rural Action Committee (TRAC) of: Khotso House, 25 Anderson St, Johannesburg Ph: (011) 833-1063





NEWS

New actor in Bafokeng saga appears on scene

# Pleas for Bop land fall on deaf ears

star 26/10/91 (241)

**A NEW actor has written himself into the script of the 'Dallas'-type drama surrounding the Bafokeng tribe outside Rustenburg. He wants a share of Sun City and a lump sum from the tribe's platinum royalties — and has challenged Bophuthatswana President Lucas Mangope to deliver both. To see that he gets it, he has just hired his 31st lawyer. ABBEY MAKOE reports.**

**PATRICK Modisakeng burst into the Saturday Star newsroom this week armed with piles of papers.**

He sat down and began regaling us with details about his battles with the tribal authority in the platinum-rich village of Phokeng.

What it all boils down to is his belief in his right to a "fair share of the royalties" the tribe is receiving from the mines.

Mr Modisakeng claims to be the chief of Kanana — Tswana for Canaan, sometimes called Tweede-depoort — a section of the Bafokeng which traditionally has no chief.

## Documents

Some of Mr Modisakeng's documents date back to 1903 ("I won't go back to 1895, it may confuse you," he says).

He maintains that the present Bafokeng chief's ancestors outmanoeuvred his forefathers and robbed them of Kanana — the biblical land of milk and honey — which boasts nine platinum mines, three dams and Sun City.

Mr Modisakeng does not want it all, he just wants to share "in the good times" with the Bafokeng authorities.

Since 1977 Mr Modisakeng has tried, without success, through the

courts to get his hands on his "fair share".

He says he has consulted "at least 30 lawyers" but each disappeared "just when I thought I was about to win". At the moment, the 31st lawyer is busy trying to do what the other 30 could not.

The acting chief of the Bafokeng, George Motolele, appointed by Mr Mangope to run the affairs of the tribe in 1988, after the rightful chief, Edward, fled to Botswana, told the Saturday Star that he did not know who Mr Modisakeng was.

Since Mr Mangope's involvement in Bafokeng affairs, the tribe's loyalties have been divided. The anti-Mangope group argue that George was wrong to agree to act as chief.

## Stooge

Known by villagers to be "a fiery lot", the group was convinced that Mr Mangope's appointment of George was aimed at bringing him closer to the wealth of the tribe.

The acting chief has vehemently denied the claims and stressed that he dislikes being seen as

Mr Mangope's stooge in the tribe's hot-seat.

"I am my father's son and have a right of access to the acting chief-laucy," he says.

When approached for comment about the "let's share" affair, it was the group which supported Chief Edward who knew about Mr Modisakeng and his grievances.

## Blunt

Responding, a member of the group, Mr Tuma-gole, put it bluntly: "We are fighting a serious battle with Mangope and George, and you expect us to 'really respond' to Modisakeng's claims?"

Another member, Mr Malebogo Nameng, said: "Modisakeng is not a chief. This tribe has only one chief, and he is in exile. Modisakeng is a mere headman who has been living in Soweto. Please ask him to pay us a visit here at Chief Edward's palace."

Previously been to the SACC's justice and reconciliation division and the Wilwatersrand Law Clinic for help.

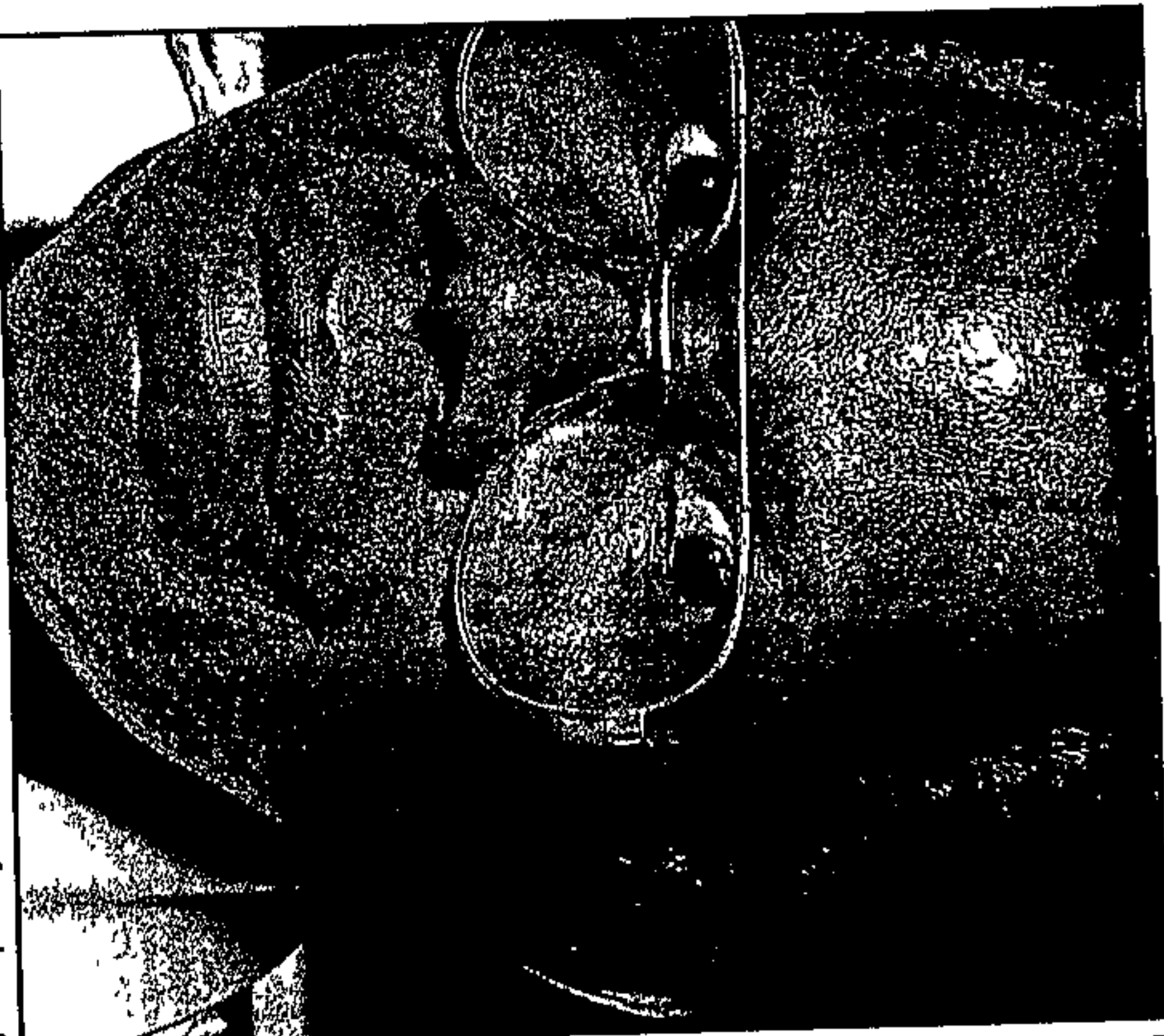
At the SA Government's Ministry of Constitutional Development

## Advertisement

by Gideon Langart

The heart of Langebaan Country Club is a challenging, figure-of-eight links golf course. But there's a lot more to this development overlooking Langebaan Lagoon than just a haven for golf fanatics. This resort estate has been designed as a complete recreational environment.

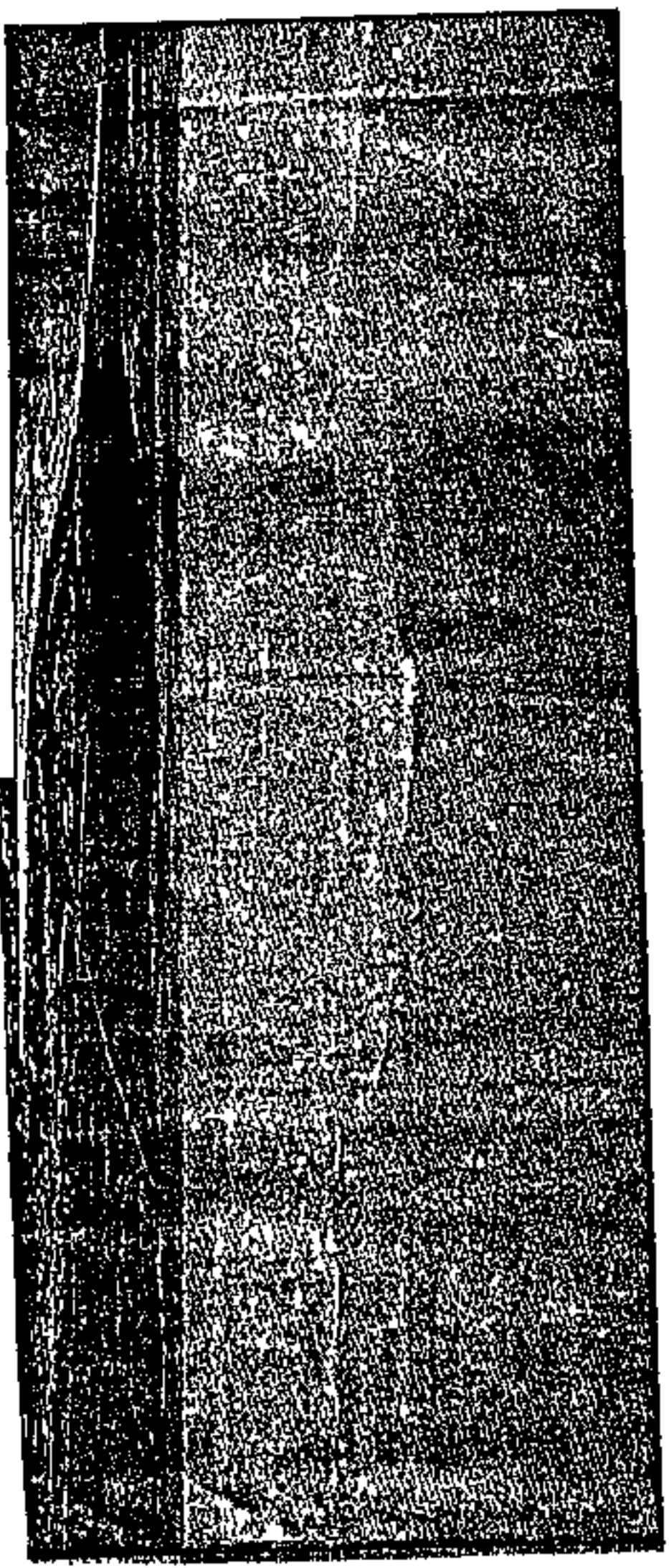
A private beach area lets sun-worshippers do their thing without leaving the property. Tennis buffs are



**TANGLED CLAIMS:** Patrick Modisakeng is the latest contestant for a share of riches found in Phokeng  
● Photograph. JOHN HOGG

Owen Wiggins Trust

# Langebaan Country a total recreational



# 'Inkatha was our protection'

CP Correspondent

Natal, in 1988

LANDOWNERS in the Trustfeed area joined Inkatha for protection against forced removals by the South African Government, the Maritzburg Supreme Court heard this week.

Trustfeed area Inkatha leader Jerome Gabela told Judge Wilson that in the 1970's landowners in the area feared losing their land after the area was classified a white Group Area.

He was giving evidence at the trial of seven policemen charged with the massacre of 11 people at a night vigil in Trustfeed.

The seven policemen have pleaded not guilty to 11 counts of murder and eight of attempted murder.

Gabela told the court the Trustfeed Landowners Organisation existed, but was not formally constituted.

He was responding to defence counsel's suggestion that there was evidence the Trustfeed Crisis Committee was the only organisation which had negotiated with the Development Services Board (DSB) on behalf of the landowners.

The hearing continues.



# Exiled leader denied his last wish

A LEADER of Tsitsikamma's exiled Mfengu community was denied his final wish — to be buried on his ancestral land.

Mr Moses Hlela, 65, was buried instead in a cemetery at the nearby Moravian mission at Clarkson after an application to be interred in the land of his birth was opposed by white farmers embroiled in a dispute with the community about ownership.

The land was granted to the Mfengus in perpetuity in 1837 by Queen Victoria

in acknowledgment of help given to the Cape government in frontier wars against the Xhosas.

The community was destroyed in 1978 when the last black *bittereinders* — including Mr Hlela — were loaded up at gunpoint and trucked 400km to Ciskei to

begin a miserable exile at Elukhanyweni, the Place of Light.

About 500 Mfengu mourners made the pilgrimage to Clarkson, an idyllic mission at the foot of the Kareedouwberge, which was established just two years after the Mfengus first set foot on their 8 000ha grant in the Eastern Cape.

By BILL KRIGE

S Times 10/11/91

# A community on the march

By JOSIAS CHABALALA

THE tiny rural community at Hartbeesfontein, near Brits, is becoming a headache for authorities.

A recent decision by the government to cede neighbouring land to Bophuthatswana has sparked fears that they will be "next in line". As a result, the community's "joint structures" committee has been able to unite the entire community around the issue. A recent march to present grievances to the Hartbeesfontein Township Management drew almost the full population.

Included in a memorandum presented to the township manager was a demand that Koevoet soldiers stationed at the Moordkop army base be removed immediately.

The march coincided with a work boycott which brought normal activity in the township to a virtual standstill, and was followed by a "mass squatting" action on council land around Hartbeesfontein. A squatter settlement has emerged as a result.

21/11/91  
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# Bafokeng protest against 'repression'

ABOUT 40 Bafokeng Action Committee members, including several pensioners, picketed outside the Bophuthatswana consulate in Johannesburg yesterday to protest against what they said was growing repression by the homeland's government and police against their community.

Bafokeng tribe spokesman Kebareng Bogopane told a news briefing yesterday the tribe was embarking on a defiance campaign as repression was "increasing daily" in Phokeng and other parts of the homeland.

Bogopane said the campaign would continue until President F W de Klerk and Bophuthatswana president Lucas Mangope met the community's

demands. These included the safe and unconditional return of exiled chief Edward Lebone Molotlegi to Phokeng and that Bophuthatswana police "immediately stop their brutal assaults, intimidation and harassment towards the Bafokeng community".

Molotlegi was allegedly linked to the 1988 abortive coup attempt and was served with deportation orders by the internal affairs department in Bophuthatswana earlier this year.

Bogopane said in the past two weeks, De Klerk had handed more areas to the Mangope regime. The tribe believed De Klerk was the per-

son who was sustaining and strengthening Mangope's government.

The committee called on De Klerk to reincorporate Bophuthatswana back into SA before the all-party conference was convened. It also called on government to apply the provisions of the Pretoria Minute to Bophuthatswana, including the release of political prisoners and freedom of political expression.

The Bafokeng region near Rustenburg had become the target of repression by the Bophuthatswana government because of the tribe's campaigns to secure Molotlegi's safe return, one committee member said.



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## High rates for car crimes

WILSON ZWANE

ONE in 10 urban whites had their car radios stolen in the past year, a survey by Market Research Africa (MRA) has found.

MRA chairman and MD Clive Corder said in a statement 218 000 (6%) of urban whites had cars stolen while 340 000 (10%) had their car radios or tape decks stolen.

The incidence of car theft was highest in Natal (10%) and lowest in the Cape (3%).

MRA conducted the survey in August on a representative sample of 1 000 urban white adults. Results showed automotive crime had increased in the past year.

Last year about 150 000 cars and about 280 000 car radios and tape decks were stolen.

In another survey, MRA found that more than two-million white motorists were prepared to have their vehicles converted to use lead-free fuel and more than 1,7-million would pay R500 for the conversion.

# Koevoet's in Bop, says tribe

By SOPHIE TEMA

MEMBERS of the Bafokeng tribe in Phokeng claim Bophuthatswana's newly formed police intelligence branch is terrorising the community with the aid of Koevoet, the notorious former South West African police "anti-terrorist" unit.

This week about 60 tribesmen went to Johannesburg to hand a memorandum to the Bophuthatswana consul-general in which they documented atrocities and complaints about the alleged existence of Koevoet in Phokeng.

The tribe has asked State President F W de Klerk to reincorporate Bophuthatswana into South Africa before the All-Party Conference "because of the increasing repression of the people in the homeland by the Bop government and police intelligence".

On Thursday afternoon the SAP was called in after several members of the Bafokeng tribe staged a sit-in in the corridors of the consul-general's offices - and demanded an immediate response to

their grievances.

Among the tribe's demands were the safe and unconditional return of their chief, Edward Lebone Molotlegi.

It is claimed in the memorandum that members of Koevoet were identified because they were unable to speak English or any of the black languages.

The tribe says hit-squads, which had been operating in South Africa, were now being sent to kill people in Phokeng and other areas of the homeland.



# Halt land body Govt urged

COMMUNITIES dispossessed of their land under the apartheid policy of "black spot" removals have demanded that the Government suspend the activities of the newly appointed Advisory Commission on Land Allocation.

Grave dissatisfaction with the composition of the commission, which was announced last week, has prompted this demand by representatives of 19 communities who met in Johannesburg at the weekend.

The main function of the commission will be to adjudicate land claims by communities such as the group of 19.

## Fruitless

Mr Dan Goeieman presented the group's view that their consultations with the Government about the terms of reference and membership of the commission had been fruitless since none of the five people they proposed as potential commissioners had been appointed.

"Contrary to the spirit of these discussions and our belief that our input was being taken seriously the Government has chosen to totally disregard our contributions," Goeieman said.

"Given this situation, we feel we have no choice but to reject the commission in its present form. We therefore believe that the commission should be suspended until such time as its terms of reference and composition enjoy our full confidence."

# Call for land commission's suspension

*Stew 18/11/91*

By Jo-Anne Collinge

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The 19 communities are to take the following steps to give effect to this demand:

- Approach the Government to inform it of the stance taken.
- Communicate the communities' attitude to the seven commissioners.
- Contact other communities wishing to reclaim their land "to inform them of the present situation...".
- Approach national organisations with an interest in land restoration "to actively support and take forward our demands". These organisations will include the Patriotic Front, the ANC, PAC, IFP, Azapo and the DP.
- Hold a national day of prayer on December 15 and a national day of action for land restoration on December 16.







# Rural town falls into bureaucratic limbo

Star 19/11/91

**P**OLITICAL change has left the people of Hartbeesfontein near Rustenburg in a kind of bureaucratic limbo.

Nobody in the dusty settlement — not even its manager, P J Opperman — knows who will administer the town of some 20 000 people in months to come.

Nobody without official standing knows for sure that Hartbeesfontein will not go the way of its neighbouring farms — into Bophuthatswana.

In the meantime the housing shortage grows, no new development occurs and the social services of the area remain rudimentary. And the political temperature climbs — through marches, mass meetings, unanswered memoranda, stayaways and land occupations.

"It is not yet possible to indicate which authority will eventually be responsible for the administration of Hartbeesfontein. The matter is at present being investigated by the Commission for Administration," said Department of Development Aid spokesman Willie van Heerden.

Hartbeesfontein at the moment is still owned by the South African Development Trust (SADT). Although the trust was abolished when the Land Acts were repealed in June, there is a legal device for it to exercise its powers beyond the grave.

Wandering into this rural town, I found myself stepping

Now that the SA Development trust has been abolished, nobody knows where Hartbeesfontein is going, reports JO-ANNE COLLINGE.

among desperate pensioners and following in the wake of the impatient homeless.

On November 4, during the widely supported VAT-strike, residents activated a "land invasion", settling the 64 homeless families on vacant land on the edge of Hartbeesfontein.

The families were unsure whether they had migrated involuntarily to Bophuthatswana, as five days earlier three farms adjacent to Hartbeesfontein — Welgevonden, Rooiwal and Kafferskraal — were ceded to Bophuthatswana. In the process Pretoria had given away the Moordhoek police camp, where its recruits from the former Namibian special force, Koevoet, are based.

"The land we are standing on could be the farm Kafferskraal. We don't know," commented Hartbeesfontein Civic Association executive member Max Mokgakabi.

"We actually followed the official waiting list and families who applied for stands in 1986 and '87 are being settled first."

Rebecca Motswe is one of these people. "I was left alone because my children got married so I had to see to a place. This is my first home of my own, as you see me

standing here," she said, hoe in hand, busy clearing the stand. "I came to Hartbeesfontein in 1987 and for four years I was forced to stay with my uncle."

It appears that fears of "straying" into Bophuthatswana are groundless. Development Aid's Mr van Heerden said Hartbeesfontein had been "newly consolidated" and fell entirely within South Africa. As to whether it would remain that way, "an agreement has been reached between the RSA and Bophuthatswana and ... a formal announcement will be made in the near future".

The unauthorised occupation of vacant land would be dealt with "in terms of applicable legislation", said Mr van Heerden. This could include the Prevention of Illegal Squatting Act, which allows landowners to evict without a court order.

The battle between residents and officials extends to "soft" services. In a mass march in late October, residents complained about policing, the absence of State labour regulation services and "maladministration in the health and welfare sectors".

On pension day the queue winds round the tiny brick

administration block and pensioners wait for hours in the blazing sun. The sudden interruption of a large number of pensions has caused bitter resentment.

As I arrived, I found about 40 old and disabled people clustered in a patch of shade waiting to lodge their complaints with an official dispatched from Rustenburg.

Goga Maleya held out his fingerless hands and pulled off a shoe to reveal a swollen and suppurating foot. Two months ago his disability pension had been halted without warning, he said. A hospital certificate disclosed that leprosy was destroying his hands and feet.

Paulina Sebataladi had her pension cancelled because the Department of Home Affairs subtracted 13 years from her age when issuing her new no-race identity document. Civic leaders were hopeful that payment would be restored that day.

Elizabeth Maseko, disabled since birth, had received State grants all her life. Last month the money ceased — at the point where the old-age pension should have replaced a disability grant. "The clerk told her to go and find a husband," said Mr Mokgakabi. "When we complained, they said the stoppage was an error."

Jalette Steynberg, deputy director of social security for the TPA, has been involved in the Hartbeesfontein pension issue. She pointed out that all social pensions were reviewed annually, with the recipient getting six months' warning. Nobody — no matter how seriously disabled — was exempt, "because it's a grant, not a right."

Mrs Steynberg added: "In the past, reviews were not being applied as strictly as at present." But the cost of social security was rocketing and her department was under pressure from above to ensure nobody who ceased to qualify received a grant.

When it came to face-to-face dealings with pensioners, clerks had varying attitudes and "we do experience a lot of problems", she conceded.

Hartbeesfontein is one of many out-of-sight communities affected by the abolition of the SADT. In Hartbeesfontein, change has had the contradictory effect of inducing developmental paralysis — and spurring social conflict. Is it unique in this? □



Find a husband . . . that was the advice a clerk gave Elizabeth Maseko (reclining), who has been disabled since birth, when her pension stopped.



# BID TO DEFUSE LAND ROW

AGRICULTURE Minister Jacob de Villiers will meet the National Land Committee and leaders of 19 dispossessed communities in Pretoria on Saturday in a bid to sort out differences over the newly appointed advisory commission on land allocation.

The land committee and community leaders last week rejected the commission and called for the body to be suspended pending

By DAWN BARKHUIZEN

further negotiation.

The commission has been briefed to advise President FW de Klerk on possible means to compensate victims of forced removals, and to identify rural land which the government could buy for them. (271)

The row erupted when the committee learned that none of its five nominees

was on the seven-man committee appointed by Mr De Klerk 10 days ago.

Department of Agriculture spokesman Manny da Silva said most of the nominees had been approached, but had turned the job down.

ANC national land commission president Aninka Claassens said the failure to appoint committee nominees was seen as an act of bad faith.

## Committee to meet Minister over land disputes deadlock

DARIUS SANAI

26/11/91

THE National Land Committee (NLC), which represents victims of forced removals, is to meet Land Affairs Minister Jacob de Villiers later this week to try break the deadlock over the composition of government's Advisory Commission on Land Reform.

The NLC is refusing to negotiate with the commission, which was appointed by President F W de Klerk earlier this month to resolve land disputes.

An NLC spokesman said yesterday composition of the seven-member commission — which is headed by Appeal Court judge T H van Reenen — was unacceptable to the forcibly removed communities it represented, and demanded that some of its own nominees be appointed.

He added that a meeting to discuss the matter with De Villiers had been scheduled for later this week.

Support

A Land Affairs Department spokesman said yesterday it would be difficult to add to the current composition of the commission as the legislation only allowed for a certain number of members.

However, the spokesman said De Villiers was keeping an open mind with regard to negotiations over land and "nothing is impossible".

He added that De Villiers said last week all five NLC nominees had been approached but had turned down the request to serve on the commission.

The spokesman confirmed De Villiers would be meeting representatives of the NLC later this week.

The NLC spokesman said the organisation would be actively seeking support from opposition groups including the ANC, DP, Inkatha and the SA Council of Churches for its stand against government.

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By SOPHIE TEMA

WHEN Paramount Chief Edward Lebone Molotlegi went into exile in Botswana many people believed it would signal the fall of the Bafokeng "monarchy".

Few people, however, including Bophuthatswana President Lucas Mangope, ever thought the chief's wife, Semane Bonolo Molotlegi, could so ably manage the affairs of the 300 000-strong Bafokeng tribe – said to be the richest in Africa – reaping royalties from platinum and investing them well.

Although their chief was away, the Bafokeng found pride in the chieftainess.

But the pride was shortlived for Semane was ordered to leave her Phokeng home soon after Mangope deposed her husband following the abortive 1987 coup and replaced him with his younger brother, George Mokgwaro Molotlegi.

After three years acting on behalf of her husband, the chieftainess was refused permission to continue staying in Phokeng, which is part of Bop, and was told to leave the area.

The Bophuthatswana Government's Home Affairs office ordered her to hand in her temporary permit and gave her 21 days to leave the homeland where she had stayed for 28 years.

# Great loss to the Bafokeng

C/press (200) 1/12/91 (271)



Semane Molotlegi

■ Pic: SIPHIWE MHLAMBI

To be nearer her children, who have been left alone at their Phokeng home, she decided to live in South Africa while her husband is in Botswana.

This week, the chieftainess told City Press of the

bitterness every time she is reminded that her children may eventually become aliens in the land of their birth.

"It is difficult to understand how I feel," she said. "It is difficult to ex-

plain my feelings to other people because they are mixed and keep changing every day.

"I keep asking myself why I am here. What have I done to deserve this kind of treatment? What have I done to be put into such a situation?

"These thoughts make me angry. But what makes me even more angry is knowing there is nothing I can do to change the situation.

"The most painful feeling I get is when I think that I have been forced to leave my children and my home and I do not know what the future holds for me. I am in limbo.

"It hurts even more when I think that my future has to be determined by another person; a man with no feelings or sympathy."

She said. "He has forced our whole family apart because his intentions were to break us up. He thought he would break my husband but he failed. He tried to break me and failed and now he is frustrating my children by forcing them to live as orphans. I am just a woman and, above all, a mother. Why must he torment me?

"But I hope that I am the first woman – and perhaps I will be the last – to go through such a painful experience. But I have great hope that things will change for the better."



# Leeufontein pensioners still wait for the payouts

Sowetan 12/12/91

By KENOSI MODISANE

**THE controversy surrounding the incorporation of Leeufontein into Bophuthatswana which has left schools closed, pensions unpaid and other social services suspended since 1988, has still not been resolved.**

Concern is also mounting in the tiny Western Transvaal village that schools will still be empty in the new year.

There is also concern that pensioners will enter their fourth year without payment from the government.

The area was incorporated into Bophuthatswana in 1988 - leaving thousands of children unable to attend due to the closure of schools.

Leeufontein - together with another neighbouring area, Braaklaagte - was included in a 1985 agreement

in the Government's proposed consolidation of "black spots" into Bophuthatswana.

These proposals resulted in many South African's losing their citizenship.

The community then took President FW de Klerk to the Supreme Court to challenge his decision to incorporate the area into Bophuthatswana.

## Application

The case between the 15 000-strong community of this village in Zeerust against the South African Government was filed in 1989.

The application was made by community leader Mr Dadehk Majafa, who asked the President to set aside the incorporation of the area into Bophuthatswana.

In court papers, Majafa

asked that the farm, incorporated into Bophuthatswana on December 31 1988, be declared part of South African territory.

He said the Bahurutshe ba ga Moolwa tribe had been living on the farm since 1906 and the majority were South African citizens opposed to incorporation.

The Supreme Court in Pretoria postponed the matter indefinitely after the case was referred for oral evidence.

By agreement between the two parties, oral evidence was to be heard in August this year.

However, shortly before the hearing an agreement was reached that negotiations would be entered into between the community and the SA Government with a view to resolving the

issues in an out of court settlement and to postpone the hearing.

A statement released by lawyers representing the community of Leeufontein yesterday accused the South African Government of reneging on its promise to resolve the issue "once and for all".

"The South African Government has reneged on an out-of-court undertaking to negotiate with representatives of the Leeufontein community," the statement read.

The issues to be resolved as a matter of urgency consist of the reopening of schools, the payment of pensions, the safe return of exiles and re-incorporation into South Africa.

Granting the postponement earlier this year, the Deputy Judge-President said: "As negotiations were underway between the two parties, it was not required for the trial to go ahead for the time being."

This has caused concern that there might not be schooling in the new year.

The SA Government's

failure to negotiate also means pensioners, who have not received pensions since incorporation, will continue to live in poverty.

Hundreds of other community members have been living in exile since incorporation. They all claim to have been harassed by the homeland security police when they attempted to go back home.

"Members of the SA Government, including De Klerk and Pik Botha, have been aware since 1989 that these issues need to be resolved urgently.

## Urgent

"But the SA Government has dragged its feet despite being aware that the matter is urgent.

"Representation has been made by the legal team on behalf of the community and the response from the Government has not been enthusiastic," the statement read.

The Leeufontein community has been extremely anxious that negotiations should commence well before the first school term commences in 1992.



# Honour agreement, villagers urge Govt

STAR 17/12/91

By Jo-Anne Collinge

Three years after their forced incorporation into Bophuthatswana, residents of the western Transvaal village of Leeuwfontein are struggling to obtain redress from the SA Government for the social problems caused by their incorporation.

At a meeting held near Leeuwfontein yesterday, residents resolved to pressure the Government to honour an out-of-court settlement in which it had undertaken to negotiate with representatives of the 15 000-strong community.

If necessary, they might consider launching an urgent court application for an order to compel the Government to enter into negotiations as agreed.

One after another, resident rose to express their anger that the authorities had reneged on their agreement to negotiate.

As a result, children of the

village faced a third year without schooling. And, as one man put it, "our old people have died crying about the loss of their pensions".

The schools were closed in April 1989 by the Bophuthatswana government after the incorporation provoked clashes in the community. Although peace has long been restored, the schools have stayed shut.

## Refused

The majority of Leeuwfontein residents are South African citizens. When their pensions were cancelled after incorporation, the pensioners refused, in protest, to apply for Bophuthatswana pensions.

The Government agreed to negotiate in August, shortly before a scheduled Supreme Court action by the community challenging the validity of the incorporation.

Minister of Constitutional Development Dr Gerrit Viljoen

would almost certainly have had to testify in this case.

Attorney James Sutherland told residents yesterday: "We have been pressing the Government for months to start the negotiating process — but until now we do not have a date on which to start negotiations."

Many excuses had been offered, he said, but these did not solve problems.

"For the Government to agree to negotiate in an out-of-court settlement is a serious matter."

"Therefore for the Government not to honour its agreement is also a serious matter," said Mr Sutherland.

He added that he had recently been informed that Deputy Minister of Development Aid Johan Scheepers would be coordinating the negotiations when he returned from leave next month.

Residents resolved that they would do all within their power to hold the Government to an early meeting.

## REVIEW '91 No change despite the demise of the Land Acts

BY FERRAL HAFFAJEE

**O**n a cold morning early in April, 16 families packed up their belongings and moved back to the farm, Goedgevonden, near Ventersdorp.

They were forcibly moved to Vrischgewaagd and Gannapan in 1982. After years of frustrated negotiations with the South African government, the momentum occasioned by the talk of land reform, and the scrapping of the Land Acts, gave the community the courage to move back.

But the Afrikaner Weerstandsbeweging mobilised farmers and they launched an attack, destroying 15

## So where's the land reform?

shacks. Then the government and seven farmers laid charges of trespass against Goedgevonden residents. They also sought an eviction order. Their application was successful but the community won the right to appeal. Still, they face daily harassment.

With the year ending in stalemate for the most visible of South Africa's dispossessed communities, it is surprising that the year started on a high note for land reform. After decades of the land issue being non-negotiable, the Land

Acts were repealed in one fell swoop. But it soon became a highly contested arena. In the end, land reform changed nothing by the end of 1991. Many communities are awaiting court decisions which will allow them to stay on the land or evict them from it. Others face charges of trespass and malicious damage to property.

The scrapping of the 1913 and 1917 Land Acts took place on March 12 this year when the government published its White Paper on Land Reform along

with five Bills to provide the legislative framework for land reform.

The paper scrapped the Black Land Act of 1913 and it became legal for blacks to buy, lease and occupy land in areas previously set aside for whites.

But the elation was short-lived. The White Paper did not address redistribution. Restoration, said the government, was impractical. The only option open to those who wanted their land back was to buy it. But dispossessed communities did not allow the free market

to be the deciding factor in land restoration. Following hot on the heels of Goedgevonden, communities of Crimen and Charlesown in Natal and Macleanown in the Border region also attempted to reoccupy the land.

The government was forced to amend the land reforms and to pass an Act which made provision for an advisory commission to entertain claims to land. But the National Land Committee says the commission can only advise the state president—it has no power to give back land. The committee also suggests that a land court be set up to adjudicate land claims and make legally binding decisions.



# Tribe meets deposed chief

2711  
Sowetan Reporter

THOUSANDS of the Batlhaping tribe in Taung gathered at the Jan Kempdorp stadium in the Northern Cape to see their deposed and banished paramount chief, Samuel Morwagaabusi II Mankuroane.

The meeting was held near the Bophuthatswana border because the chief feared he would be arrested if he set foot in Bophuthatswana.

Mankuroane alleges his sister, Ruth, was arrested a week before the meeting for distributing pamphlets on his behalf.

In the pamphlets, the chief thanked the Batlhaping tribe for its support since fleeing from Bophuthatswana four years ago. He also wished them a merry Christmas and a happy New Year.

Among the issues raised by the chief at the meeting were his immediate safe return and reinstatement.

Mankuroane said he was deposed because of his democratic way of ruling his tribe and forced to join the Bophuthatswana Democratic Party in vain.

He said problems began after the death of Chief Scotch Mankuroane.

He said although Chief Morwagaabusi was the successor, several others claimed chieftainship.

"Since then I have never been on good terms with the Bop Government."