



# TRAC

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Transvaal Rural Action Committee

## "GOD CREATED THE EARTH FOR PEOPLE TO LIVE ON"



Mrs Ngema farming at KwaNgema in the early 1980s.

*Pic: Gille de Vlieg*

**D**riefontein, Daggakraal and KwaNgema are three community owned farms in the South Eastern Transvaal. Driefontein and Daggakraal were bought before the Land Act of 1913 made it illegal for blacks to own land in that part of the country which was designated for whites only. KwaNgema was granted to the Ngema family by the British in recognition for services rendered during the Anglo-Boer War. In the early 1980s, the communities managed to jointly resist attempts by the government to remove them to KaNgwane and Kwazulu. Today the land is home to approxi-

mately 100 000 people living on about 15 000 hectares of land.

The original owners of the three farms numbered 780 families, who were largely able to support themselves by farming. Over the years, more and more people asked for a place to stay on their land. They include labour tenants evicted from farms where they had lived for generations, voluntary refugees from the harsh conditions on white-owned farms, people of insecure tenure in overcrowded townships, and refugees from the violence in Natal.

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Newly arrived tenants at Driefontein living on small plots. Pic: Gille de Vlieg

All have sought a home on black-owned freehold land, to seek refuge from the apartheid laws and administrations that harassed them.

The migration is still continuing. According to Younis Cajee, a store keeper at Driefontein about 500 families have moved there in the past year. This would amount to 3 000 -- 4 000 people, an increase in the population of Driefontein of over seven percent.

With a vastly increased population, the character and economic base of the communities has changed radically. Except at Kwa Ngema, there is very little farming taking place any more. Most of the inhabitants are tenants of the original landowners living on small plots, obtaining their income as migrants working in the towns, mines and surrounding white owned farms. And most of the landowners are in a similar position. With little of their land still available for farming, they get some of their income from renting it to tenants; but most of it is obtained by working outside the communities.

### Some Questions

**W**hy did the landowners take in tenants? How has it affected their ability to make a living for themselves and their children? And what of the tenants -- how do they see their conditions and their future? And who is responsible for the present crisis of land hunger and what can / should be done about it? What should be future government policy on sustainable growth of rural communities?

### And Answers

**T**RAC spoke to various people in the communities, both landowners and tenants:

We asked Zeblon Ndlangamandla, a tenant at Driefontein from 1955 until last year, when he bought a plot, for his views.

*"I left Bethal where conditions were very bad and was given a place here in Driefontein. In exchange I helped the land owner with farming. He had about 20 cattle. Then when the major evictions from white farms started taking place after 1965, his relatives started coming in and asking for a place. By 1983 there was only grazing for 3 cattle. Today the place is full up. Most of the people, being relatives, are not even paying the owner anything."*

We asked him why the owner had taken them in and he replied:

*"God created the earth for all people to live on. So all people should have a place to stay. In our culture we cannot refuse someone land to live on if it is available."*

Based on prioritising the human need for shelter, rather than the economic needs of individuals, this philosophy stands as a reproach to free market ideas which encourage people to forget about community. It also raises other issues: Surely if the apartheid system had not caused all these refugees, the landowners of these three communities would have been able to continue as productive farmers? And the tenants themselves would have been able to obtain their own land, an option denied them under the land act of 1913.

Moses Ngema, of Kwa Ngema has also taken in tenants:

*"I had no option. These people were desperate. We charged them R500 when they first came. They don't have to pay anything after that."*

Beauty Mkhize, a landowner at Driefontein, told TRAC that the arrangement there is that tenants pay annually, from R24 to R60 per year, depending on the size of the plot.

But the amounts paid as "rent" are very little and cannot replace the income that could be made by farming.

Moses Ngema said:

*"I still plant, but only get 20 bags a year now compared with 100 bags before the tenants came."*

And Mr. Setlakwe of Daggakraal concurred:

*"Some of us used to get 150 bags. Now for some the land is so full that they have stopped farming."*

One of the major concerns of the landowners is that, having taken in the tenants, they have no land to give their children to build a home, let alone farm. Yet most are reluctant to evict tenants, even though they might be legally able to.

Beauty Mkhize explained the predicament:

*"We cant tell them they must go.... They are part of the community. How can we do what the white farmers did to them?."*

And how do the tenants see their future? We asked Mr Mahlaba, a tenant at Driefontein.

*"Although I am quite happy here since I came 10 years ago, I don't have any land to give my children. I need land for them and also for farming. I want to farm but it is impossible here as there is not enough land."*

When asked how he envisaged getting land, he replied that it is the government's responsibility to provide it.

Beauty Mkhize and Moses Ngema concurred:

*"The only solution is more land. And that is the government's responsibility. After all it was the apartheid policy that prevented us (black people) from getting land, and that made it easy for the white farmers to evict people. Where were they to go? The only*



Land for farming at Driefontein in the early 1980s.

Pic: Gille de Vlieg

place they could come to was our farms."

### The Solution - More Land

**A**fter several representations from the communities about obtaining more land, the government referred the matter in 1989 to the Commission for Cooperation and Development under the chairmanship of Judge Mentz.. After nearly two years no answer was forthcoming. In reply to a query from the communities' lawyer, Mr J Scheepers, the deputy minister of Land Affairs said that the request was still in the hands of the Commission who would refer it to the Cabinet, which would announce its decision by means of a press release. This reply was dated 7th December 1991. A year later no press release has appeared. A letter sent by the community lawyer in October 1992 received the same response as in 1991.

### More Land -- The Option to Buy

**P**eople who have claims to land can make them to another commission called The Advisory Commission on Land Allocation, set up in June 1991. However this commission is limited to addressing claims for State land and therefore is mainly considering claims caused by the expropriation of private land by the state under forced removals policies.

The options for those who resided for generations on privately owned land are limited to purchase. But impoverishment caused by lack of land itself, means that this option is simply not one that can be exercised by most people. The price of farms in the South Eastern Transvaal averages R800 to R1000 per hectare, which amounts to over R1 million per farm, making it too expensive for even a group of people to buy. In addition the law preventing subdivision of farms has yet to be changed, so it is extremely difficult for a large group of people to subdivide a farm and get legal title.

### Policy on Land Allocation

**T**he gross imbalance in land ownership in South Africa whereby 13% of the population control over 80% of the land must be addressed by a



Mr Zebulon Ndlangamandla, a former tenant has now become a land owner of Driefontein. Pic: Gille de Vlieg

planned policy of land reform and development. A major component of such a policy could be the redistribution of State Land. The government could easily make its more than 1 million hectares of farming land available for agricultural development for black people wanting to farm, instead of transferring it to corrupt homeland governments and already rich companies as it is currently doing. The solution is not to set up commissions such as The Advisory Commission on Land Allocation whose limited terms of reference and powers actually preclude the development of a proper land reform policy. A step in the right direction would be to set up a properly constituted Land Court with powers to make decisions on both claims to land for those who had their land taken away from them by forced removals, and to allocate land to the landless. Only then will those who can and want to farm, such as the tenants of Driefontein, Daggakraal and Kwa Ngema, be able to get land and provide homes for their children.