THE INGWAVUMA/ KA NGWANE LAND DEAL

With the independence of four bantustans, the South African Government has already made foreigners of 8 million South Africans. If this proposed land deal with Swaziland is achieved, another 850 000 South Africans will become citizens of another country.

The deal involved the handing over of the Swazi bantustan of Ka Ngwane and the Ingwavuma region of Natal including Kosi Bay, to Swaziland. This amounts to approximately 870 000 ha. As a result of this 96 000 residents of Ingwavuma and 750 000 South Africans classified 'Swazi' will become citizens of Swaziland.

The 'negotiations' are being conducted between the regimes of Swaziland and South Africa, with South African Swazis and Ingwavuma residents left out completely. The overwhelming majority of these people are bitterly opposed to the deal.

BRIEF HISTORY.

KaNgwane : In accordance with apartheid policy the land property comprising KaNgwane was earmarked as the 'homeland' for South Africa's 750 000 Swazis. In April 1976 The KaNgwane Territorial Authority (T.A.) was established under Chief Dlamini. A prerequisite for the establishment of a Legislative Assembly (K.N.L.A.) included provisions for a massive relocation programme. A period of political in-fighteining followed Dlamini's refusal to sign the provisions. TA members ousted Dlamini and instated Chief Mabuza. Mabuza signed and became KaNgwane Chief Minister. Dlamini replaced him after Suprome Court ruling. Pretoria dissolved K.N.L.A. and Mabuza was re-instated. It is ironic to note that Mabuza subsequently fell out with Pretoria by joining the Black Alliance and opposing incorporation into Swaziland.

InGwavuma : The people of Ingwavuma are Thonga, who have lived in the area and Southern Mozambique since 1500. With the creation of the S.A. /Mozambique border and Kwa Zulu, the Thonga have become assimilated with Zulus. 1980 census figures put the population at 96 000 Zulus and 48 Swazis. Pretoria now claims it to be 64,00 with 55 000 Swazis and the rest 'Zulus and Tsongas' (Transvaler 16/6/82).

Swaziland : is one of Africa's five poorest countries. The land deal will almost treble its population of 56 000 to 1 410 000. Democratic opposition to the deal is impossible since the constitution was suspended in 1973, party politics abolished and a state of emergency declared. The Swazi media has been ordered not to publish adverse comment on the land deal.

Pretoria's Pursuit of the 'Deal'.

The first moves toward the land deal began with Pik Botha's visit to Swaziland early in 1981. By May the S.A. Cabinet had decided that 'preference should be given' to (KaNgwane's) unification with Swaziland.

In February 1982 Koornhof tried to sell unification along with 'a great deal of money' for development, to the K.N.L.A. 17 out of 21 K.N.L.A members signed a petition against incorporation. KaNgwane Commissioner General of George Botha expressed his opposition to the deal and resigned. He was replaced by ex-cabinet minister Punt Jansen.

Two requests for a Swazi referendum/---

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Two requests for a Swazi referendum were turned down by Koornhof on grounds of 'intimidation'. Koornhof did admit that there was considerable opposition to incorporation, but added that debate in the K.N.L.A. would 'inflame the issue.'

Chairperson of the Consolidation Committee, Hennie Van Der Walt, said that the deal followed a 'secret opinion poll' in the region in 1980 which put support for the deal at 90% among S.A. Swazis and 55% among Ingwavuma residents. This secret form of democracy was necessary among Africans to avoid intimidation "if the issue became public knowledge".

> "You know what it is like when you are talking to Black people - The answer depends on who is asking the questions". (Sunday Express 18/7/1982)

In May Koornhof tried to sell the idea to Buthelezi - offering as compensation for Ingwavuma large tracts of land including Hluhluwe and Umfolozi Game Reserves and Jozini dam. The offer of the Game Reserves was dropped following Natal Administration opposition.

The S.A. cabinet approved the deal on 8th June and on 14th it became public. Koornhof visited Ulundi to explain the deal and was met by 'thousands of angry Zulus'. After the meeting he left by a side door. Hennie Van Der Walt, was less fortunate and had his car pelted with stones as he left.

Koornhof is reported saying that the Tsongas, who really belong in Mozambique but had been included in Kwa Zulu, and were now to be included in Swaziland - "if they could be included in Kwa Zulu then why not Swaziland?". (Transvaler 23/6/1982) Prime Minister Botha said that holding a referendum would fall outside the jurisdiction of the Natal Provincial Council. Professor Marius Wiechers has refuted this.

Another offer of a 140 000 ha game reserve (and parts of the Drakensberg) was made by Pretoria to the Natal Province - members of the latter pointed out that this was just a case of Natal land being given to Natal.

On 25th June Chief Justice Shearer ruled that the Ingwavuma land deal was illegal and ordered Kwa Zulu to resume administration of the area.

Three days later Pretoria issued another State President proclamation, this time in terms of the 1927 Native Administration Act, making it retroactive to 18th June. It attempted to nullify the Supreme Court ruling and placed Ingwavuma back in the hands of the department of Co-operation and Development (CAD)

On 30th June a full bench of three judges of the Natal Supreme Court declared the second proclamation null and void. Because the State gave immediate notice of appeal they ruled that the CAD would remain in control of Ingwavuma. Kwa Zulu appealed against this. 5th July - Kwa Zulu wins appeal, government officials ordered to leave Ingwavuma.

22nd July - Pretoria Supreme Court hears KaNgwane appeal for urgent interim order reinstituting the KNLA, because of the danger of bloodshed in the area. Justice Myburgh ruled that it should be referred to a full bench of three judges!

After the stated appeal, he ordered the CAD to remain in control.

The KNLA officials vacated their offices and residences and removed their official cars.

25th November Pretoria signed /---

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25th November. Pretoria signed an out of Court settlement with KaNgwane and withdrew its proclamation dissolving the K. N. L. A.

The KNLA was then reinstated, just two weeks before the incorporation was to have proceeded.

The issue has now been removed from public debate.

A Commission under Chief Justice Rumpff has been set up to examine the issue. It is composed of five representatives appointed by S.A., three by Kwa Zulu and three by KaNgwane.

The Government can do nothing until the commission submits its findings and recommendations - however it's original intentions appear to remain, as do Swaziland's land claims. It is important to note that the land deal itself has not been declared illegal - only Pretoria's methods in attempting to achieve it.

The possibility of the deal going through cannot yet be ruled out. However the people in the affected areas are now mobilized and united in opposition. Both Mabuza and Buthelezi have emerged with greatly strengthened positions.

(For a more comprehensive survey of the issue see DSG/SARS information publication No 7.)

DRIEFONTEIN

Driefontein lies in the South Eastern Transvaal, in a triangle between Ermelo in the north west, Piet Retief in the North west and Wakkerstroom in the south. Adjacent to it are Daggakraal, KwaNgema and Driepan. All these areas are under threat of removal.

Each of the farms have different characteristics. Driefontein has a population which is of Swazi, Zulu and South Sotho extraction. Over 300 landowners and their tenants have intermarried and together have created a strong, viable community. In Daggakraal there are some 1 000 stand-owners also with tenants. KwaNgema is owned by the Ngema family, who have also leased their land to a few tenants. Driepan is unsettled and has been let out to a white farmer for grazing.

The story of Driefontein begins in 1909 when 60 men donated cattle to raise enough money to buy land in the Amersfoort area. Amersfoort lies apporximately halfway between Ermelo and Wakkerstroom. The cattle were driven from Amersfoort to the Germiston abbatoir, a journey which took three months and six days.

Then on the 19th April 1912 Pixley Ka Isaka Seme acting on behalf of the Native Farmers' Association of Africa bought three farms from Willem Gouws.

There were:

(a) Part of Driefontein (3106 morgen 188 sq roods)
(b) Part of Daggakraal (1148 morgen 510 sq roods)
(c) Part of Driepan (1415 morgen 436 roods)

£3 per morgen was paid.

Also 2 000 sheep at 15/- each and 150 cattle at £6 each.

The Land Act of 1913 prevented any further such land transactions between blacks and whites.

Transfer of parts of Driefontein to various landowners continued up to 1952.

A GOOD LAND

In spite of the dreadful drought that has gripped our country, Driefontein remains lush and green. Many of the landowners have sunk boreholes, other water comes from the Isonjane and Assegai rivers.

Produce grown at Driefontein includes maize, beans, potatoes, cabbages and pumpkins. Excess crops are sold throughout the community and also to the local co-ops. They have planted wattle plantations, which the people are able to use for firewood.

Each landowner has 10 morgen and some of them practise share-cropping with their tenants. The tenants pay rental of R24 per year. They are allowed to erect their own homes, have land on which to grow produce and have access to the landowner's boreholes.

/Some ...

Some of the homes are substantial affairs, built of stone and brick. Other houses are in more traditional style, but all look well cared for and there is an obvious pride of ownership.

Driefontein has three schools: Qalani (Start) Lower Primary, Cabangani (Think about your next step) Higher Primary and Qedelani (Finish up) Junior Se ndary School. There is no provision for Standards 9 or 10, but apparently classrooms have been promised, which will enable the children to finish their education in the area.

The health in the area is good. They have not had cholera, polio or any other major isease. The one desire the people have is that there should be a clinic in Driefontein to help with the minor ailments. A tribute to the healthy climate can be seen both in the ob iously vigorous elderly folk and the children.

There are 14 churches. Landowners are inclined to bury their dead on their properties. There is also a cemetery. Great consternation was expressed by the residents when it was discovered that certain graves in the cemetery had been numbered, with a possible view to removal. As is customary, the dead also form an important tie to the land and they are one of the most important reasons for there being resistance to the removal.

The people work mostly on the surrounding white farms, which they have been doing since Driefontein was settled. They earn R60 per month. Apparently the local white farmers are very content with the labour supply which Driefontein provides, and some are reluctant for them to leave. Others work in the shops and factories of Piet Retief, Ermelo or Wakkerstroom. Some are employed on the Witwatersrand. Driefontein people are not allowed to work on the coal mines in the area.

DRIEFONTEIN TODAY's HISTORY

It was in 1965 that the Driefontein people first had an indication that they would be removed. Although there was no official notification people were told to number their houses, "to help with the post", the Commissioner at Wakkerstroom said. The elderly began to have problems with their pensions.

Ten years later Mr Walt - the Commissioner at Wakkerstroom - verbally told the then chairman of the Community Board, Mr Thele, that the community would be moved.

In about 1980 Mr Prinsloo, who was the Magistrate at Wakkerstroom at that time, encouraged an election. Mr Msibi was the chairman. The Community Board consisted of 12 members and their mandate was to look after

(a) road construction
(b) cemeteries
(c) and to help in school organisation

In other words they were in charge of the general maintenance of Driefontein.

They were allowed certain moneys for improvements within the area.

/However ...

However most of the requests of the Board were never met or fulfilled.

It was in April 1981 that a letter was sent to the Community Board from the SA Development Trust giving notification of the removal. However the letter was not written on paper with a letterhead, and was not considered to be official by some of the members of the Board.

Official reasons for the move have altered over the years. Early on local farmers alleged that the landowners of Driefontein were robbing them of labourers. Then being "badly situated" became a popular phrase. Lat it was carefully explained that the removal was for "homeland consolidation and enjoyment of better civil rights".

Throughout 1981 various meetings were held with the Community Board and Mr Prinsloo. At first Mr Msibi made attempts to resist the removal but gradually the Government's efforts to convince him made their mark, and Mr Msibi obviously began to believe that the best service he could render the community was to try and make the removal as easy as possible for them.

In December of 1981, the Community Board received a letter from Mr J J G Wentzel, the Deputy Minister of Co-operation and Development. In this letter he stated that everyone, in some way or other, has to make sacrifices for the peace and prosperity of this land, and while he appreciated and respected the wishes of the people of Driefontein, the removal would have to be carried out.

In February 1982 Mr Prinsloo "suggested" to the Community Board that the people must sign in favour of the removal, before the 7th otherwise they would get no compensation. Initially 100 people signed, including 80 landowners. Mr Msibi encouraged the population to sign, telling them that if they didn't the army would be used and property could be destroyed.

Therefore in spite of many representations to the Government pleading for the removal not to take place, it began to be made very clear that no opposition to the move would be tolerated.

On a Monday the 9th August 1982 a meeting between landowners and officials was called. The officials were

Mr Pretorius, Magistrate of Wakkerstroom
Mr van Niekerk, Chief Commissioner for Northern Districts
Mr Halt, Commissioner of Land Tenure
Mr du Plessis, Commissioner of Amersfoort

Only landowners were allowed, and they were not allowed to be represented by members of their family, even though the meeting was held on a Monday, and it was difficult for them to take time off from work.

/During ...

During this meeting, and in spite of the many vocal protests from the landowners, it was soon apparent that the meeting was not being held to discuss whether or not the people would be moved, but rather over WHEN and HOW the move would take place.

Mr Pretorius stated that the Government was prepared to bend over backwards to help the landowners. He said they would be given "plot for plot" for land held under title deed. The usual ruling that only a person owning 20 morgen would be given land was not to be applied to the Driefontein landowners.

However Mr Halt was perhaps more honest when he stated that within five years infrastructure would have deteriorated to the point that most people will be asked to be moved.

The ears of the community were realised when a letter from Dr Koornhof arrived in October 1982 stating:

(a) The dam on the Assegai River will, on completion flood some of the Driefontein properties and

(b) It is a decision of Parliament that the people of Driefontein must be settled elsewhere.

The official reason had now become a dam. On investigation it appears that only 10% of the Driefontein land would be affected. Jericho Dam is also only 30 kms away.

It was on the 3rd November that the Swazi section of Driefontein was taken in buses to their resettlement area at Lochiel (Lovath) to have a "look". Armed riot police were present as they boarded the buses. Thirty standowners went - the rest were tenancy holders. Lochiel is in Kangwane and therefore it is quite likely that these folk will end up being Swazi citizens.

Later that month, on the 9th, the Zulu section went to Babanangu - 21 standowners went this time as did some tenants. Once again the police were present.

Little note: Mr Pretorius said he didn't know how far away Babanangu was from Driefontein so that the people could visit the graves of their ancestors - nor did he appear interested.

Throughout this year it had become apparent that resistance to the removal was growing within the community. This was being spearheaded by Mr Saul Mkhize. People were annoyed by the apparent spinelessness of Mr Msibi. Permission was sought and was granted to have a meeting to elect another alternative board.

On 26th December 1982, at a fully representative meeting of the Driefontein community, the Council Board of Directors of Driefontein was formed. Mr Saul Mkhize was elected chairman. The hope was that this Council Board would take over all the

/functions ...

functions of the old Community Board including the question of the removal.

This was a significant meeting as it gave the community a means of airing their opposition through an elected board.

However it has also meant that the opposition has become more visible and in response police activity has become more active. People are being arrested for pass offences. Women are being searched and fined (R30) if they are found without bra and panties. Pension applications and payouts are being obstructed.

Saul Mkize has received threats to his life and his property. On February 12th this year his 17-year old son was assaulted by a white policeman aided by a number of black policemen. As he cam off the bus from his school in Swaziland, he was met by a Combi load of policemen, who asked if he was the son of Saul Mkhize. They then took him into the bush, where he was severely beaten. His false eye, from a previous accident, fell from his eye and was lost. He was taken to the Piet Retief Police Station and given electric shocks. The police kept asking "Why is your father refusing to move from Driefontein?"

<u>SUMMARY</u>

Within the whole area Daggakraal and KwaNgema are drawing close to Driefontein and the stand of the three areas is becoming a united one.

Promises have frequently been made that forced removals do not take place any more. Driefontein is a good case study to ascertain if these promises will have any validity. Resistance is strengthening and Mr Msibi and Mr Mkhize have now joined forces.