

Land Rights Update

Meran landowners want land back

FORMER landowners of Meran, near Wasbank in Natal have sent a written land claim to the Advisory Commission on Land Allocation (ACLA). Meran landowners and tenants were forcibly removed from their land in January 1968 to the resettlement camps of Limehill and Vaalkop.

Meran consisted of four freehold farms - Meran, Mooispruit, Lyell and Willem Geluk - bought by three African families.

On Friday, January 26, 1968 the Dundee magistrate arrived at the local school and said to the assembled children: "Tell your parents on Monday our lorries are coming to move them." This announcement followed written notices issued in November 1967 to some people at the Maria Ratschitz Mission.

On the weekend before the removal, landowners of Meran made frantic efforts to get a stay of removal, but their application was unsuccessful. On Monday, January 29, 1968, as promised, the lorries were there to take the first load of removed people to the Vaalkop and Limehill resettlement camps, some 45km away.

When removals began most of the menfolk were away at the time, and heard the news

by chance. Many rushed home to Wasbank and found their homes demolished or deserted. Some found their cattle on the loose and, in the end, many cattle disappeared or were sold to speculators at ridiculously low prices. White farmers from the Orange Free State visited the mission adjoining Meran to ask where they could find "the cheap kaffir cattle".

Surprisingly, after the hectic rush to remove the people, little use was made of the land at first. According to former Meran residents, in 1984 the South African Defence Force took over the part of Meran known as Willem Geluk as a training ground for soldiers.

New land Bill to give homelands more control

THE Minister of Regional and Land Affairs has tabled six new land Bills before parliament. Three of the Bills deal with the powers of homeland governments. Possibly the most contentious of these is the Regulation Of Joint Action Regarding Certain Land Bill.

In 1992, the government entered into agreements with five of the six homeland governments around "joint administration" of about one million hectares of state land outside the homelands. The South African Development Trust (SADT), which has been scrapped, owned this land and it is now owned by the South African government.

At present, the homelands have no power to perform executive acts outside the homelands. This Bill will grant them this power. It will give effect to the agreements struck in 1992

with the homeland governments around "joint or coordinated executive action" of state land outside the homelands. The Bill allows the state president to take such measures as he considers necessary to give effect to this. This includes the power to amend, supplement or repeal any law of South Africa or the homelands. The state president will also have the power to do whatever he considers necessary to give effect to any future agreements with the homelands around land. Proclamations must be tabled before parliament and parliament may reject the proclamation or a provision in it. If that happens, everything done up to that date under the proclamation remains valid and only falls away from the date on which the rejected proclamation or provision falls away.

The existing agreements with the homeland governments around state land have not been published and parliament is therefore being asked to write a blank cheque.

In its 1991 White Paper On Land reform, the government undertook to stop further incorporation of land into the homelands. This Bill will authorise effective incorporation by giving homeland governments powers over land outside their borders without technically incorporating the land. In this way, the government hopes to avoid political challenges to homeland incorporation and legal challenges mounted by land claiming communities. The Bill will apply to any land outside the homelands, not only former SADT land.