



boks.) We were never asked for taxes before. We were told in the early hours of the morning that we were to be taken to Mdantsane only to find that we were dropped here. We were placed in an open space and given tents."

There are many such painful stories throughout the community.

### THE POTSDAM THREE

An application by three residents of Potsdam to be declared permanent residents of South Africa has been argued in the Grahamstown courts. The residents, Mrs Nellie Nozewu, Mrs Velile Dasi and Mr Popo Ntwanambi applied for a court order:

- Confirming their right to permanent residence in SA, without any permit or exemption.
- Interdicting the government from preventing them from being permanently resident in SA.
- Interdicting the government from subjecting them or their families to forced removal from SA.

The residents stated that they were born in SA, acquired citizenship by birth and have not relinquished it. At all times they have been permanently resident in SA and of Blue Rock.

On 22 January this year the Supreme Court delivered its judgement which gave the above residents of Potsdam the right of permanent residence in SA without permit or exemption. The court found that the community had been unlawfully removed from Blue Rock in SA into the Ciskei.

The SA government has since given notice of its intention to appeal against this judgement. This could take up to two years to be heard, thus frustrating the community for a further two years. The entire Potsdam community are in a position identical to that of the three applicants.

Although the court has given the people of Potsdam the right to permanent residence in SA, it has not given them a specific place to go to in SA to settle. The backlog of African housing is enormous. Even if the community could afford to pay township rents, which they cannot, they would find it almost impossible to acquire housing. They were "squating" at Blue Rock and with new legislation will find it illegal to go back to this.

In 1986 SA enacted the Restoration of SA Citizenship Act. This act provided that persons who had never lived in an independent homeland such as the Ciskei, who lost their SA citizenship on the independence of that homeland and who have ever since remained resident in SA could regain their SA citizenship. Crucial to an application to regain SA citizenship is that one must be resident in SA at the time of making the application. Thus the struggle for a place to stay is important to their regaining their SA citizenship. The quest is now to settle on SA land. So far the people of Potsdam have not received any help.

While SA is not under a legal obligation to provide them with a place to stay, the government is certainly under a moral obligation to do so, firstly because it allowed them to be forcibly removed to the Ciskei by the Ciskeian authorities in the first place; secondly because on two occasions SA itself forced the community back into the Ciskei and was responsible for the suffering and deaths that occurred in consequence; and thirdly because until the community is permanently resident in SA they cannot regain their SA citizenship and thus be guaranteed access to SA medical services and old age pensions etc. Thus if SA is slow to meet their needs there will in all likelihood be another emergency situation created by a mass exodus, something that can only add to the suffering of the community and serve to embarrass SA further.

### STOP PRESS

## POTSDAM EXODUS

On Tuesday 11 April the third exodus of the Potsdam community began. More than 500 people settled on an unused farm near Mount Ruth in South Africa. The farm is owned by the Department of Development Aid (DDA). Police arrived on the scene during the first night but residents showed them the January court judgement and the SAP seemed satisfied that nothing was amiss.

DDA has said they will provide land for the community. They are responsible for the administration of rural black areas, though they have never intervened on behalf of the community before. Minister Viljoen has approved that the Potsdam people be settled on a portion of Farm 303.

People are living under plastic shelters using thorn bushes as frames. Doctors have visited the farm and emergency supplies have been sent by relief agencies.

The community plan to call their new home Eluxolweni, "Land of Peace." □



Potsdam