



# AFRA

**ASSOCIATION FOR RURAL ADVANCEMENT**

**AFRA NEWSLETTER 11 (April 1991)**

## **BACK TO THE LAND CAMPAIGN 9/10 MARCH 1991 : THE RE-OCCUPATION OF CHARLESTOWN, CRIEMEN AND ROOSBOOM**



**Roosboom residents return to their land, December 1990**

**Pic: Cedric Nunn, Afrapix**

### **Introduction**

In Newsletter 10, we reported that one rural community in Natal (Roosboom) had begun to re-occupy land from which it had been forcibly removed in the 1970s. Since then, two other communities have joined the struggle.

On the 9th-10th March 1991, delegates

from Roosboom, Criemen and Charlestown, gathered in Pietermaritzburg to launch a public campaign for the restoration of their title to the land.

Over 100 freehold areas in Natal were forcibly removed due to apartheid land policies. This involved the forced relocation of about 105 000 people between 1948 and 1982.

Forced removals were effected in terms of Section 5 of the Black Administration Act. The victims frequently suffered threats, intimidation, and divisive tactics. Their land was arbitrarily expropriated. They were moved into vast overcrowded townships or resettlement camps far away from their former lands and remote from employment opportunities.

Varying forms of inadequate compensation were offered, but many turned even this pittance down. Those who accepted felt that this was only compensation for their homes; they were never compensated for the loss of their land, or for the destruction of their schools, churches and other structures which were bulldozed.

These landowners have never forgotten their lands or relinquished their desire for the return of their properties. In the light of the government's stated policy in 1990 to reform the apartheid Land Acts, communities began to negotiate for the return to their land. But their pleas have been ignored. Thus, former residents of Roosboom have simply returned to Roosboom, and the people of Charlestown and Criemen have stated their intention to return.

### **Just claims to restoration**

The restoration of title to the land is an issue of common justice for these communities; what makes the case of Charlestown, Criemen and Roosboom landowners more legitimate is that their land has remained in the government's ownership and there has been no attempt to develop it in any way. Some of the land has been leased to white farmers to be used as grazing land, which has caused considerable bitterness to the previous owners who have had to lease land to retain their livestock.

The decision to return to the land is not a compulsive one, nor is it aimed at creating conflict or winning political

mileage. It has followed intensive discussion within communities. Behind it lie legitimate grievances. Between June 1990 and March 1991, at least five Memoranda were delivered to government officials in Pietermaritzburg, requesting negotiations and warning of an imminent 'return to the land' movement. **No response was received to any of these Memoranda.** The communities feel therefore that all other means have been exhausted.

In addition, they have a bitter sense of injustice at being forcibly removed from ancestral land, and they have suffered severe economic pressure caused by the harsh conditions of resettlement areas. There is a great desire to rebuild the stable social life which existed before and which is impossible in the crowded and sometimes crime-ridden resettlement townships.

On his wish to re-occupy his land, a resident of Waaihoek said:

---

**'This place we are at now is a prison, we live in a shack with four walls, a toilet and a tap. It is unhealthy, it is not our way or wish to live like this...'**

---

\*

### **The origins of black freehold land & removals**

The history of these communities goes back to the 19th and early 20th centuries when black Christian syndicates bought up land under freehold tenure, before territorial apartheid had become law. They were seeking security of tenure. To the profound shock of these freehold landowners, the 1913 and 1936 Land Acts ended Black purchase of land outside the homelands. Their freehold areas became known in official government terminology as 'black spots', and were scheduled to be forcibly relocated.

## Recent government land claims

How land claims are addressed is obviously a sensitive issue which needs careful consideration. However, the victims of forced removals have a clear and reasonable demand which must be met. The government's white paper on land reform, released on 13th March 1991, indicates that the past must be forgotten and a new South Africa must be built. Nevertheless, the white paper goes on to say that the claims of land restoration cannot and will not be addressed, even though it advocates private ownership and freehold tenure.

It would be unwise to build a 'new South Africa' on foundations which are unstable. The past injustices must be addressed first.

The brief outlines of each community which follow indicate that they have suffered sorely from forced removal, and that they have now organised themselves to return to their land and to re-establish stable, productive communities.

\*\*\*\*

## CHARLESTOWN

Charlestown (on the Natal/Transvaal border near Volksrust) has had an unusual history; it has experienced two major population movements. In 1948, it had a population of 6000 africans, 300 whites and 100 indians. Between 1963 and 1979, however, the government forcibly removed over 8 000 africans to remote resettlement areas, and today Charlestown is a ghost town.

The irony of the forced removals of blacks from Charlestown is that they had originally been encouraged to buy and rent land in the town. After Union in 1910, Charlestown lost its status as a customs and railway centre, and there was an exodus of whites. A member of the Town Board, a Mr S.R Higgins, deliberately encouraged blacks to buy land in an effort to stave off bankruptcy. The first recorded transfer was to a Mr Abraham Ngwenya in 1911. Further sales occurred, including many in the adjoining townships of Clavis and Clavis Extension.

At the time of the removals, Charlestown and its townships had



Charlestown  
Community  
Meeting 30.4.91,  
to plan their  
return to the land.

Pic: AFRA

several schools, two clothing factories, and a commonage for grazing. The africans had built homes and planted trees and gardens, convinced that their title deeds granted them secure tenure. Many worked in nearby Volksrust or in Charlestown itself, and easy access to road and rail routes enabled many migrants to other centres to return home over weekends.

None of these benefits were available in the isolated resettlement areas they were moved to, the tenants to Madadeni, 10 km from Newcastle, the land-owners to Osizweni, even further from Newcastle. All suffered a drop in their living standards, their possessions were damaged and destroyed in the move, and they were forced to restart their lives in tin shacks. Their livestock was left on Town Board land for a grazing fee.

**The people of Charlestown have resolved to re-occupy their land by April 30th**, in an orderly and phased manner. The Bambisanani Bathengi Charles-town Committee was elected to plan the return; it has held two meetings with government officials to discuss its intention and to submit a memorandum.

So far the official response has been that services need to be in place before the community returns. The latter sees this as a delaying tactic; there was virtually no formal infrastructure before they were moved, and they have requested that services be established **in response to their expressed needs** once they have returned.

As Mr Solomon Makubu, chairperson of the Committee has said:

---

**'When we left there were no services and so we will return to what there was before and improve it on our return.'**

---

\*\*\*\*

## CRIEMEN

The community of Criemen, an area near Elandslaagte to the north of Ladysmith, who were moved off their land in the 1970s, are also preparing to re-occupy their land. Over 2 800 people were moved from Criemen, and like the people of Roosboom they were moved to Ezakheni, 25 km to the east of Ladysmith. Their land has been leased out to neighbouring white farmers for grazing.

The people of Criemen have elected the 'Mayibuye iCriemen Committee' (Return Criemen Committee) to represent them. A Memorandum was submitted to the Natal Provincial Administration in February 1991; it met with no response. The Mayibuye iCriemen Committee therefore question the government's stated willingness to meet and negotiate with communities. In the light of this, they have decided to return to their land on the 20th April 1991.

In their Memorandum the people of Criemen stated that

---

**'when the land is repossessed, no squatting will be allowed nor shall we accept any location settlement system to take place at any cost, because we are determined fully to make the best use of our land.'**

---

The Memorandum makes it clear that the people of Criemen are determined that on their return, their land shall be utilised productively.

\*\*\*

## ROOSBOOM

Roosboom was one of the more prominent relocated freehold communities because it put up spirited - albeit unsuccessful - resistance to the government. It was a settled, relatively prosperous community, and was

Some of the people who were removed from Roosboom to Ezakheni in the 1970s met at Roosboom in November 1990 to discuss their return to the land.

Pic: AFRA



virtually a dormitory suburb of Ladysmith. But between 1975 and 1977, 7 353 landowners and tenants were relocated to the resettlement camp of Ezakheni.

The vacated land at Roosboom was at first hired out to white farmers for grazing. Then in November 1990 it was suddenly announced in the *Ladysmith Gazette* that Roosboom had been allocated to the S.A Defence Force as a shooting range. This was confirmed by the S.A.D.F.

The relocated people endured Ezakheni with helpless resignation and a deep sense of injustice. But the government's apparent change in policy in early 1990 encouraged them to explore ways of having their land restored to them.

In June and October 1990 they were signatories to 2 memoranda which were delivered to the Department of Development Aid (D.D.A.) in Pietermaritzburg. These included the demand for the right to return to their freehold land and to have title deeds restored before Christmas. 80 families had indicated their wish to return to Roosboom. The D.D.A. failed to respond to these demands, but it indicated opposition to the return of

Roosboom landowners and tenants.

Since the government was clearly unwilling to negotiate, and since the Roosboom Interim Committee (formed in May 1990) believed that if they did not re-occupy their land before the Land Acts were repealed, they might lose it to white buyers, it was decided that the people should quietly re-occupy their land. By December, 19 families had returned and begun to erect homesteads.

In December the Department of Public Works and Land Affairs (D.P.W.L.A.) issued the 19 families with eviction notices. When families continued to occupy Roosboom, it applied to have over 40 families evicted and relocated to Waihoek in terms of the Prevention of Illegal Squatting Act (52 of 1951). The case was postponed twice.

Finally, on 22 February the lawyers acting on behalf of the D.P.W.L.A. met the Roosboom community attorney and the following agreement was reached: the case would be postponed pending a meeting between both parties for further negotiations on the 19th April; in the meantime, the people who had moved back would be permitted to remain, but there would be no further influx of people and cattle.

Although this development seems positive, so far the negotiations remain within the parameters of government versus 'squatters', and the status of the people as landowners has not yet been officially recognised.

### **GOVERNMENT RESPONSE TO LAND RE-OCCUPATION**

Apart from its statement that there will be no restoration of land to the victims of apartheid land policies, it is clear from the above that the government has not developed a formal strategy to handle the determination of removed communities to re-occupy their land.

### **BACK TO THE LAND CAMPAIGN, 9-10TH MARCH 1991**

It is in the context of official torpor that the 3 communities decided to mount a public campaign. They met for 2 days to discuss tactics and demands, and drew up a Memorandum which was presented to government officials on the 11th (see below).

The delegates also addressed a press conference and representatives of the Roman Catholic, Anglican and Methodist churches (Archbishop Dennis Hurley, Bishop Michael Nuttall and Bishop Khoza Mgojo respectively). The latter gave their wholehearted support to the 'back to the land' movement, and promised pastoral care and educational support to the communities.

Other such communities in South Africa, have also either begun to re-occupy land or to warn that they will do so unless the government meets for negotiations.

The plight of relocated people deserves immediate and positive response so that the return to the land becomes an officially sanctioned movement, and a major step in redressing the injustices of the past.

\*\*\*\*\*

### **JOINT MEMORANDUM FROM NATAL RURAL FREEHOLD COMMUNITIES SEEKING TO RETURN TO THE LAND FROM WHICH WE WERE FORCEFULLY REMOVED: ROOSBOOM/CHARLESTOWN/ CRIMEN (TREKBOER 4225)**

**11TH MARCH 1991**

#### **PREAMBLE**

1. We the representatives of the communities of Roosboom, Charlestown and Crimen are here to-day to present to the government the demands of our communities.
2. Our forefathers bought and settled on land in these areas before the 1913 Land Act.
3. Through the efforts of our forefathers and our own efforts, we established schools, churches and other facilities to promote peaceful and viable Christian communities.
4. As a result of the government's apartheid policies, we were forced to leave our good places. We were unilaterally expropriated and forced to accept pitiful compensation, which the majority refused to accept and which to this day we have never recognised as legitimate.
5. We were moved to places not of our own choice where we found tin houses with which we were not satisfied. As a result of the removals we lost our belongings and most old people got sick and died.
6. At the same time schools, churches and other facilities which we had built were destroyed and our communities were scattered. Compensation for these facilities was never paid. In losing our land we lost jobs and means of self-employment.
7. Our places were leased to white farmers who grazed their livestock and built accommodation for their herdsmen. The white farmers' cattle trampled on the graves of our forefathers.
8. Since the expropriations the government and the white farmers have benefitted from the use of our land.



The Criemen delegates at the Back to the Land Campaign, 9-10th March 1991, held at the Lay Ecumenical Centre, Edendale.

Pic: AFRA

9. As from the time we were moved, we have always told ourselves that these places belong to us. We have never lost hope that we would one day return to our homes, our land and the graves of our ancestors.

10. We welcome the government's decision to scrap the Land Acts of 1913 and 1936, but note with deep concern the government's refusal to redress the legacy of these Acts, particularly our forced removal. We also take note of rumours that the government may be considering selling our land from which we were moved. This we totally reject.

**RESOLUTIONS ADOPTED  
UNANIMOUSLY AT A MEETING ON  
9TH AND 10TH MARCH 1991 BY  
REPRESENTATIVES OF  
CHARLESTOWN, ROOSBOOM AND  
CRIMEN (TREKBOER 4225)**

This meeting demands that the government

**1.  
LAND RESTORATION**

makes a written undertaking by 15th April 1991 to return our land;  
- Issues a notice in the government gazette to that effect,

- Publicly informs our communities of this fact at a meeting arranged by the representatives of our committees that have been established to restore the land,

**2.  
REVERSAL  
OF EXPROPRIATIONS  
RESTORATION OF TITLE DEEDS AND  
MINERAL RIGHTS**

Reverses the land expropriations, restores the title deeds and mineral rights to the rightful owners;

- Instructs the Registrar of Deeds to write to each landowner informing that person that the ownership has been transferred back to their names,
- That any legal or administrative costs incurred in this process be borne by the government,
- Where the rightful owners and their heirs may be difficult to ascertain, the government must liaise with the community committee to assist in this task,

**3.  
LEASES**

Terminates leases where our land has been leased to other parties.

4.  
COMPENSATION

Provides full compensation for schools, churches and houses for which compensation was not received. Provides compensation for grazing land which has been leased to other parties and benefits made therefrom,

5.  
DEVELOPMENT

Develops our places with the consent and on the terms of our communities.  
- Notes that the development of our places must not delay the process of re-occupation of our land,  
- Notes that the development of our communities must be given special attention so as to restore them to their past status and to redress the suffering and impoverishment caused by the forced removals,

6.  
TENANTS

Acquires land for tenants who were forcefully removed with us so that they can be able to plough and keep livestock in their own places;  
- Notes that they were forced off white farms and came to our communities with nowhere else to go,

7.  
COMMUNITY COMMITTEES AND LOCAL REPRESENTATION

Recognises committees which have been elected by our communities;

8.  
REGIONAL GOVERNMENT AND REPRESENTATION

Recognises our total rejection of the homeland system and notes our appreciation of recent statements by the government that no areas will be incorporated into any self-governing territories against their will;  
-notes that the present restructuring of regional government must be done in consultation with our communities,

9.  
GOVERNMENT RESPONSE

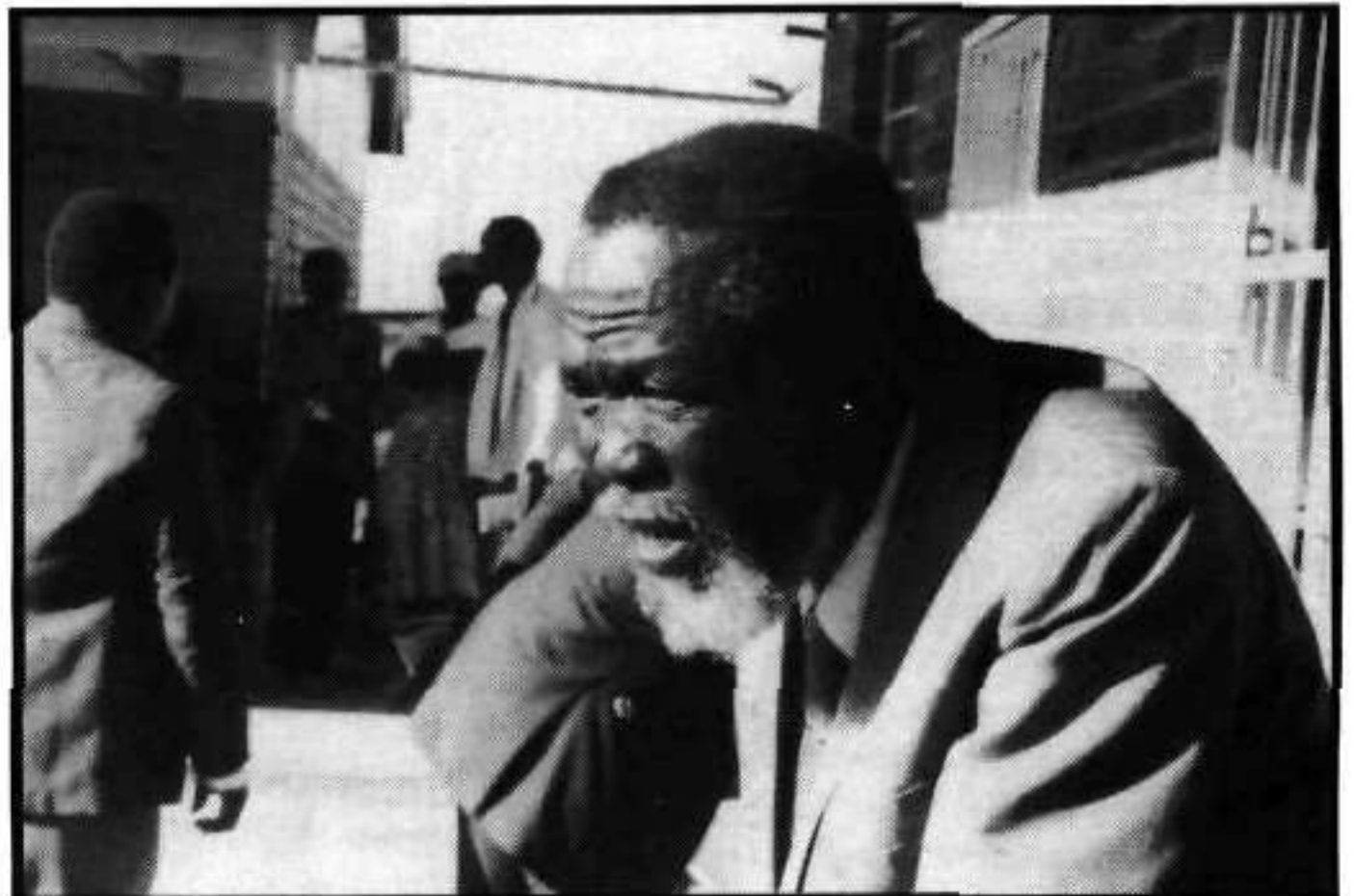
- Notes that this joint memorandum follows previous submissions by each of our communities to which we have never had any response.  
- Notes our demand for a quick response.

Signed.

\*\*\*\*\*

Mr Solomon Makubu,  
chairperson of the  
Charlestown Committee  
at the Back to the  
Land Campaign,  
March 1991.

Pic: AFRA



Laser-printed by AFRA; printer  
supplied by Canadian Embassy.

P.O.Box 2517/170 Berg St.  
Pietermaritzburg  
3200, S.Africa.

ASSOCIATION FOR RURAL ADVANCEMENT

(0331) 457-607/  
458-318/943-732  
Fax: 455106