



TRAC

Transvaal Rural Action Committee

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BRAKLAAGTE — RESISTING
INCORPORATION.

Introduction

On December 31 1988 the South African government gazetted a proclamation incorporating the western Transvaal community of Braklaagte into Bophuthatswana. This action, like the incorporation of Moutse into the Kwandebele homeland on New Year's Eve two years earlier, was taken in the face of massive community opposition. Should the government press ahead with its decision, the result could well be bloodshed.

The Policy of Incorporation

"Incorporation" refers to the process through which the South African government transfers black people and their land into the homelands through the redrawing of boundaries. Whilst this might sound like a technical and bureaucratic procedure, it is in fact a central foundation stone of apartheid policy and has devastating implications for people affected by it.

Incorporation is used to achieve the government's political aims of forcing blacks to live in their ethnically defined homelands. This means that the South African government relinquishes responsibility for meeting their material needs and political aspirations.

Recently, redrawing boundaries and shunting communities from one administration to another, has taken place for reasons other than ethnic ones. In areas such as Moutse and Qwa Qwa the government has used its powers to transfer land and people in order to achieve broader and more varied aims.

One of these reasons is to consolidate fragmented land areas into one block. Others are more directly political and are often linked to attempts to induce homeland leaders to accept independence for their bantustans. Large tracts of land with huge numbers of people have been made available in return for closer co-operation with apartheid's aims. The incorporation of 120 000 Sotho residents of Moutse into Kwandebele, and the incorporation of the vast township of Botshabelo into Qwa Qwa are the most recent examples.

Incorporation has been fiercely resisted by many communities who

have had it forced upon them. In Moutse, scores lost their lives, hundreds lost their liberty, and the peace of the entire community was shattered by the crisis and upheaval that incorporation caused.

Moutse is perhaps the most dramatic example of resistance to incorporation. But all around the country from Botshabelo in the Free State, to Peelton in the eastern Cape, to Matjakaneng and Braklaagte in the Transvaal, incorporation threats have catapulted communities into active resistance. It is a policy which the state has relied on increasingly since its statements that it no longer practices forced removal of communities from land that they own.

Why do these communities react so intensely to incorporation ?

The fierce anger with which communities fight incorporation is born of a deep seated hatred of the homeland system. This is founded on both a political objection to the apartheid assumption that blacks should exercise their political rights in the bantustans, as well as on direct experience of the material deprivation and repression that homeland residence means.

The South African government is not noted for the quality of the services it renders to the African population. Yet, however meagre these are, they are better than those in the homelands. In these areas welfare, social security and educational services are inadequate and inferior to those available in South Africa. Pensions are often lower, or non-existent, shortages of medical services and staff far worse, and schooling much more expensive. The administration in the homelands has time and again been shown to be riddled with corruption.

Most of the revenue used to run the homelands comes from South African sources. These are channelled to a small and powerful ruling group that is able to use them in ways that entrench their own power and support. The vast salaries of bantustan MP's and officials, extravagant expenditure on international airports and stadiums, casino payoffs all occur at the expense of the well being of ordinary people.

Intrinsic to homeland politics is the fact that the leadership is installed by Pretoria and not chosen by common consent. Thereafter it is unable to meet the demands of its population and so rules without the consent or support of the governed.

Their lack of legitimacy and support means they exert control through repressive means. Many of the bantustans and particularly those which are "independent" have used their law making powers to legislate with an iron hand. In Bophuthatswana, there may be a bill of rights, but any meeting of more than twenty people, whether indoors or out is illegal unless the permission of the Minister of Law and Order is banned. In the Ciskei senior police officers are currently standing trial for the assassination of anti-apartheid leader Eric Mntonga. In Transkei, prisoners

recently took the government to court in an attempt to expose the inhuman conditions in the prisons. In Kwandebele the vicious Mbokodo vigilante group was formed by the government.

Repression, corruption, poverty an inhumane bureaucracy and loss of citizenship: These are the consequences of incorporation. These are the reasons that it is so vehemently opposed.

The large communities such as Moutse and Botshabelo have tended to make headlines around resistance to incorporation. But there are many smaller and more vulnerable communities that are currently under threat. Particularly, those communities affected by the Borders of Particular States Extension Amendment are in a serious situation. This act enables the South African government to transfer land and people to the jurisdiction of the "independent" homelands of Transkei, Ciskei, Bophuthatswana and Venda. In most cases these land deals are negotiated between the South African government and these independent bantustans without the consent of or consultation with the communities concerned.

Braklaagte is an example of such an area.

Braklaagte

Twenty kilometres outside of Zeerust on the road to Botswana an old and established village nestles in the Marico hills. The farm Braklaagte was bought in 1907 and is the home of about 10 000 members of the Bahurutse ba Sebogodi tribe. At first glance Braklaagte presents a picture of rural tranquility. But the peace in this village has been threatened many times by government attempts to remove the area and to control its people.

Braklaagte's people have had to fight for the land they bought as a heritage and a haven for their children and for future generations. This battle is still continuing today.

The first time the community was threatened with removal was as far back as 1938. A headman and 40 families from a neighbouring farm were forcibly removed as the first steps in an attempt to get rid of the growing African population resident in this area. This attempt was resisted by the community and the outbreak of WW 2 prevented the government from seriously implementing its threats. Twenty years later, at the height of government attempts to implement the unpopular bantu authorities act and to force African women to take passes, Braklaagte was again threatened with removal. John Sebogodi, then chief of Braklaagte was imprisoned in Pretoria in an attempt to break the resistance to removal. At the same time Braklaagte was swept into the midst of an uprising in the Zeerust area against passes for women. When Abram Moila the popularly recognised chief of the district was deposed and Lucas Mangope imposed in his place the resistance flared up into violent confrontation.

Passes were burnt, houses were attacked, men and women were arrested and charged. Once again the militant resistance of the

Braklaagte community and the politically volatile situation in the Marico area meant that removal plans were left in abeyance.

Over the next twenty years the government slowly moved ahead with its plans to entrench apartheid structures in the rural areas. Land was bought for Bophuthatswana. Lucas Mangope, the bantu authorities chief who replaced chief Moila became Chief Minister and moves towards independence for Bop increased in intensity. Finally in 1976, Bophuthatswana took independence. Braklaagte together with the neighbouring farm of Leeufontein was left outside of Bophuthatswana because of its location in the midsts of a corridor of white farms.

This situation was not to remain. During the 1970's the Commission for Co-operation and Development was established to hear evidence and make recommendations to the government on the question of consolidation.

Between 1983 and 1985 the commission met a number of times to hear evidence on the future of the land in the Marico corridor. But the community at Braklaagte was not aware of the deliberations concerning its fate that took place at this time. Consequently it never gave evidence to any of the Commission's hearings.

The final decision of the commission was that all the farms in the Marico corridor, including Braklaagte and the neighbouring farm of Leeufontein should be added to Bophuthatswana. The white farmers would be bought out and the black owned land would be incorporated. The government accepted this recommendation and went ahead with plans to implement it. This included negotiating a consolidation agreement with the Bophuthatswana government.

The first the Braklaagte community heard of these developments was in July 1986 when it was informed of the pending incorporation by the Zeerust Commissioner and a Pretoria official. The decision was presented to the community's leaders as a fait accompli. They were told that the government was only waiting for the white farms to be bought out and then the incorporation would go ahead.

Community Response

The community responded angrily to the news of the incorporation. A tribal meeting was called to discuss the crisis. The overwhelming feeling at this meeting was that the incorporation plans should be rejected by the tribe and that the feeling of the people be communicated to the government. At this meeting nearly 3000 adults signed a petition rejecting the incorporation and stating their conviction that they should remain under central government jurisdiction. In addition to this a decision was taken that all residents immediately apply for the restoration of their South African citizenship which they lost when Bophuthatswana was

established. This was done as a statement to the government of the community's commitment to remain inside the RSA.

Following this the letters were sent to the government by both the community and by its attorneys expressing opposition to government plans and requesting urgent meetings to discuss the issue. No reply to the request for a meeting was made by the government until more than two years later.

The tribe's opposition to incorporation is based on a deep and clear understanding of the many problems that life in the independent Bophuthatswana would mean for it. These problems range from significant material losses to fear of denationalisation and of the repression meted out to opponents of President Mangope's regime.

Consequences of Incorporation

The question of citizenship rights and denationalisation figure prominently in the reasons for Braklaagte's opposition to incorporation. Until the abolition of influx control in July 1986 all Tswana, Xhosa, and Venda speaking people automatically became citizens of their respective homelands as soon as they became independent. When the pass laws were abolished, people who had lost their South African citizenship in this way, could apply for the restoration of their South African citizenship. This was conditional on their being able to prove that they were permanently resident in South Africa in July 1986 and had left the homeland before independence. But residents of the independent homelands had lost this right permanently. They are aliens who do not have freedom of mobility within South Africa and may be required to have permits to work and live in South Africa.

The tribe fears that should it be incorporated their children will be born as citizens of Bophuthatswana and will not be able to have rights to live and work in South Africa.

In addition, the Bophuthatswana government has taken up an extremely hostile attitude towards its citizens who opt for the restoration of their South African citizenship and the renunciation of Bophuthatswana citizenship. There are no provisions for dual citizenship in Bophuthatswana. People who opt for south African citizenship are often regarded as traitors and experience severe discrimination.

President Mangope himself, has made clear his attitude to such people. In a letter to the Star newspaper in April 1987 he said that Bophuthatswana had attained its "successes" without any help from those "Tswana", "that is South African Batswana who are opposed to our existence. We have never thought of them as anything but South African....We need to know those people who do not identify with us because there are many of them who, while

denigrating us, have the best of both worlds....We are interested in knowing exactly who is throwing their lot in with us and who is not. We are not interested in those who choose to be foreigners and use us from afar."

Attitudes such as these have caused the Braklaagte people to be deeply fearful of the treatment they will receive once they are in Bophuthatswana. The question of citizenship also has practical implications which could severely affect the access to resources and quality of life of Braklaagte's residents.

Should the incorporation go ahead they will be South African citizens resident in Boputhatswana. This means they will have no automatic rights. Not only will they have to apply for residence permits, but they run the risk of being denied access to social and state services in the same way that non-Tswana residents of Bop have been ever since independence.

Even if Braklaagte is allocated social services and other resources by the Bop government, these are likely to be inferior to those available in South Africa. For example, the increases in pensions in Bophuthatswana have lagged far behind South African amounts for many years. The same goes for the extent of state subsidies of infrastructure such as schools, clinics etc. Salaries in Bophuthatswana also tend to be lower than those in South Africa.

Finally the tribe believes that incorporation into Bop will mean the end of the harmonious existence it has managed to sustain for many years. Through many difficulties the tribe has maintained its unity under the leadership of its chief John Sebogodi. The Bop government has made it clear that it does not recognise his authority and that it wishes to impose a pliable Bop loyalist as chief over the area. Should this happen the community faces years of strife.

The fears raised by the community about what life in Bop would mean are not simply vague and abstract worries. They are born of close and bitter experience.

Mosweu

In 1927 the tribe resident at Braklaagte bought a farm called Welverdiend about 20km away from the main village to be used as a cattle post. Over the years, substantial numbers of Braklaagte residents have settled there. Today Welverdiend or Moswewu as it is known in Tswana has a school and a clinic. Until 1983 it was administered by a headman appointed by the chief at Braklaagte. In that year the area was incorporated into Bophuthatswana. Since then its residents have known nothing but hardship.

After Moswewu was incorporated, a new headman Edwin Moilola was appointed by Bophuthatswana to look after its interests in the area. The majority of Mosweuw's residents rejected his claims

to headmanship because they they only recognise the authority of people empowered by their chief at Braklaagte. Edwin's installation was neither discussed, nor sanctioned by the Braklaagte tribe.

Edwin's lack of legitimacy and the refusal of the tribe to deal with him has resulted in his attempting to force his authority on the residents of Moswewu. In late 1987 he and his men raided a building built by pensioners to be used as a meeting place. They confiscated all the furniture in the place.

In early 1988 the same men raided the village claiming to be carrying out a Bophuthatswana government census. People were assaulted and property was confiscated. They were told they could get their belongings back if they paid a fine, but were not told what the fine was for. In other incidents around the same time people had donkeys and carts confiscated by Moilola. Again they were told to pay fines to get them back.

The harassment of individual residents has been serious, but Edwin's actions have been to the detriment of the community as a whole. For years it has been customary any Moswewu resident has access to a local quarry where sand for making bricks is found. Edwin has stopped residents from using this sand and has allowed a building company from Dinokana to use the sand on the basis of a private contract between himself and them.

There is a severe water shortage at Moswewu. Early in 1988 a company which employs some of the Moswewu men offered to drill a borehole free of charge. The community gladly accepted this offer. However when drilling started, a contingent of Bophuthatswana police and soliders arrived together with Chief Godfrey Moilola, the magistrate from Lehurutse and Gilbert Moilola and forced the drillers to stop working and leave the farm. The company then tried to negotiate with the central Bophuthatswana authorities for permission to drill. This was obtained, but the local authorities were still not prepared to let the project go ahead. Nearly a year has passed and the Moswewu residents still have no water.

There has already been one death in Moswewu as a result of the tension and conflict caused by the incorporation. (One of Edwin Moilola's supporters died after he was hit by a young migrant who tried to prevent him from confiscating his parent's property.) The rest of the Bahurutse ba Sebogodi tribe see these tragic events at Moswewu foreshadowing their fate should incorporation go ahead.

Government Response

In June 1987 the government began to move ahead with the incorporation. A resolution was put on the agenda of one of the parliamentary standing committees to enable the technical steps that are a prerequisite to incorporation to go ahead. Following protests in parliament this was dropped. During debate in parliament on Braklaagte Minister Viljoen stated his belief that the community had agreed to incorporation, but also conceded that should this not be the case he was prepared to consult on the matter.

For almost another year the community heard nothing from the government about incorporation. Towards the end of 1988 rumours that the incorporation was imminent swept the community. Another approach for clarity was made to the government. This time the response was that no steps would be taken without consultation. On 5/12/88 the community's attorneys were informed that Dr Gerrit Viljoen and members of his department would meet the community on 15/12/88 to discuss the situation.

During this meeting the community put forward a memorandum which explained their reasons for opposing the incorporation and the problems it would cause them. The response from the government was that it had now heard the opinion of the community but that the community had not expressed its feelings to the government before and a final decision had now been taken. It was said that it was extremely difficult for the government to change policy decisions, however the government undertook to consider all arguments before taking any steps.

The community left the meeting feeling that there was now some hope in the matter. On 27/12/88 the community and its attorneys were informed that the incorporation would be gazetted on 31/12/88. Telexes were sent to the government requesting that this be postponed pending further meetings. No positive response was received and papers were prepared for an urgent interdict to prevent publication of the proclamation. However the gazette had already been published and was in the process of being distributed. On 30/12/88 a rule nisi was granted stating that the matter should come to court on 7/3/89 and that the government should show cause why the order should not be set aside.

During the process of the court case two important facts came to light. On 24/11/88 the director general of the department of Development Aid sent a memorandum to Dr Viljoen setting out the steps that needed to be taken to expedite the incorporation of Braklaagte. This was signed and agreed to on 28/11/88, a full week before the government contacted the community for a meeting. The proclamation incorporating the community was signed by Dr Viljoen on 20/12/88, only one working day after the meeting with the community.

For the Braklaagte tribe this sequence of events as well as the years long delay before the government met it, has raised fundamental questions about the sincerity of the government's commitment to negotiate with black South Africans. It believes that the meeting on December 15 was no more than one of the necessary steps before the incorporation went ahead and that the decision to incorporate had already been made.

The memorandum the tribe enclosed set out the very considerable disadvantages of incorporation. In its letter informing the community's attorney's of its decision the government responded to this by saying "I trust that the fears and concerns expressed by your clients will be fairly taken care of after incorporation." This is no serious response to a group of people who know from bitter experience that they face considerable material and political deprivation from the situation in which the government has put them.

The Braklaagte tribe are all South African citizens. They relinquished their Bophuthatswana citizenship in 1986. They go into Bophuthatswana as South Africans with no automatic rights in Bop. This step together with their vocal record of opposition to incorporation and bantustan independence means they will face considerable hostility from the Bophuthatswana leadership and administration. For them the future is full of fear and uncertainty as to the consequences of this.

Government Inconsistency

Dr Viljoen says that "the government is unable to rescind or renegotiate its position" on the incorporation. Yet, a few weeks before the government met the Braklaagte people he was able to overturn longstanding government policy with the greatest of ease. Early in December Mathopetad and Motlatla were reprieved. Both are Tswana communities resident on freehold farms in the white areas of the western Transvaal. Why should this not be a possibility in the Braklaagte case?

The government's refusal to negotiate alternative solutions to the problem also rings hollow. In the case of the Mogopa community the government was prepared to offer land on the edges of Bophuthatswana with a cabinet undertaking that this land would never be incorporated. If the government was able to commit itself to this step and to the practical implication that would follow, why can it not do the same for the community of Braklaagte.

A major consideration for Dr Viljoen may well be a fear of antagonising Bophuthatana by reneging on the consolidation agreement. However, there are cases in which the government has done this and has managed to resolve the problem. When the government reprieved the black spots of Mgwali, Kwelera and Mooiplaas in the white corridor between the Ciskei and Transkei, it went back on an agreement that this land should be added to the Ciskei. Instead it has made available another 14 000 ha of land to the Ciskei in compensation. Surely such a solution could be implemented for Braklaagte.

In this age of "reform" and "negotiation" the determination of the South African government to press ahead with one of the most hated aspects of old-style apartheid is to say the least, puzzling. The government did not at any time dispute the validity of the problems set out by the Braklaagte community. Particularly after last year's coup it is clear that even within Bophuthatswana there is massive popular opposition to the ex-

cesses of Mangope's administration. Why then in this day and age is it prepared to send its citizens into a situation of discrimination and suffering. The only conclusion is that there is no policy. That the decisions taken recently by the government in relation to land, removals and consolidation are wildly contradictory and inconsistent.

For the Braklaagte community there is little time left. Despite the pending court case the administration at Zeerust has already withdrawn the services it has provided them in the past. For now they are in limbo. Their children have been refused admission to Zeerust schools. But Bophuthatswana schools will also not take them. The reason given is that they are RSA citizens. This may well be the beginning of a refrain that the community will hear over and over again in relation to any requests for government services and social security.

meeting - 2 weeks ago - report back to count case

