

Large numbers of people in Natal are being forced to move and this process is going on almost unnoticed. In the last annual report of the Dept of Co-operation and Development which covered the period 1st April 1981 to 31 March 1982, the Dept maintained that it had moved 10 054 people in this period. It is true that removals in which the state actually moved people with state trucks, has slowed down over the last few years. This is not due to a change of attitude by the state, but rather, to limited finance, controversies over consolidation proposals, and the resistance of people in these areas.

However, removals as a result of enforcement of section 26 of Act 18 of 1936 continue relentlessly. This section states that africans may neither reside nor congregate on land which is non-scheduled, non-prescribed or non-trust land, unless:

- 1) He/she is the registered owner, or
- 2) is a farmworker
- 3) is a dependent of the above.

An owner who allows africans illegally on his/her land is guilty of an offence unless it can be shown that the africans are in the process of being ejected. Large numbers of people are continuing to be forced to move as a result of enforcement of this legislation.

On the 6th June this year in Parliament, the Deputy Minister of Development and Land Affairs, Mr Van der Walt, in replying to criticism from the Conservative Party that not enough people had been moved, said, "Does the hon member mean to tell me that if we concentrate only on the so-called Black spots or poorly situated areas, these are the only removals should take place? There is enough evidence in this connection in our neighbouring states to the north of SA. It has been said that the most dangerous situation which has arisen in Zimbabwe was due to the fact that the government did not give attention to the Black people on the farms in the rural areas."

Two cases that have recently come to Afra's attention will indicate the processes at work.

-Cliffdale consists of Indian-owned land close to the National Highway running between Pietermaritzburg and Durban. From the 1860's the Natal Land and Colonization Company owned a large portion of Cliffdale. In the 1920's it was sold off to individuals and gradually from the 1950's onwards indians began to buy up portions of Cliffdale. In the late 1970's there was debate as to whether or not Cliffdale should become a white group area. The Cliffdale indians finally got the support of industries which were wanting an indian township to be developed near Hammarsdale for workers in Hammarsdale, Cato Ridge and Camperdown. R.Cadman, then MP, also lent his support, saying that the area supplied most of Durban's vegetable needs. Cliffdale was finally gazetted an indian area in 1978.

Over the years african tenants moved onto the land. Until this year there were approximately 200 families living on the land as rent tenants. Some families had been living there for over 20 years. People were paying low rentals of around R10/month, living in substantial houses and were close to their work in Hammarsdale. A school owned by the Roman Catholic Church served 120 primary school children from this community.

In 1975 there were threats of removal. These were forgotten until September 1982 when tenants were given eviction notices by the Drakensberg Administration Board and later by Indian landowners. This follows the Administration Board tactic of prosecuting both tenants and landowners under section 26 of Act 18 of 1936.

A number of Indian landowners were fined R100 in the Camperdown Court for illegally having tenants on their land. Tenants were compelled to appear in the Hammarsdale Court and were fined R40 or 80 days suspended until the end of June. Indian landowners were thus compelled to serve eviction notices on their tenants to avoid further fines.

Until the intervention of the Drakensberg Administration Board there was an amiable relationship between landowners and tenants. However african tenants now began to perceive

the indian landowners to be evicting them, and consequently racial tensions developed in the area. A Mr P Singh was shot by an assailant and a number of lesser incidents of inter-racial violence took place. Indian landowners out of fear were reluctant to meet their tenants formally to discuss this matter and this exacerbated tensions.

The local Inkatha committee which attempted to resist the removals was hopeful that KwaZulu would intervene on their behalf to prevent the removals. However the Secretary for the Interior of KwaZulu replied to queries about imminent removals that "according to the statement made by representatives of the above mentioned families, the farm in question is privately owned and the KwaZulu government has no say or jurisdiction over such farm."

Tenants are currently leaving Cliffdale, trying to find a piece of land in a reserve where they can begin again. The state is not providing an alternative place for these people to stay, is not paying compensation, does not have to pay the costs of transportation and avoided the embarrassment of being seen to move people. In reply to a query, the Dept of Co-operation and Development replied that the tenants had the following options open to them:

- 1: Find a place in the KwaZulu area.
- 2: Live in approved housing provided by an employer.
- 3: Register with the Administration Board and employment and approved housing will be provided.
- 4: Approach a local chief for a place to stay.
- 5: Apply to the Chief Commissioner for a place in a closer settlement.

The fact that these people are working at Hammarsdale, close by across the valley, that this is a time of high unemployment, that Cliffdale is a well-established community and that it is extremely difficult to find a place on the already overcrowded reserves, are issues which the Dept chooses to ignore. Rather than be transported to a closer settlement, most likely Compensation, more than 150 km from where the people currently live, most of the people have chosen to dismantle their homes and try and find some land in the reserve near Shongweni. The school in the area is likely to close now that the pupils have been forced to leave with their parents. The community at Cliffdale has been destroyed.

- The second instance, at a black freehold area in the lower Tugela district, indicates the same process at work. Earlier this year the Port Natal Admin Board came onto a black freehold area and served notices on four of the tenants. One of these four tenants was a farmworker who had been born on this black freehold farm where his parents were tenants. He was retrenched from the white farm on which he had been working in November 1982, and having no place to go, returned to the black freehold farm on which he had been born. During the visit by the PN Administration Board he was given 21 days to leave. Then on the 17th May 1983 the owner of the land was summoned to appear in court in terms of section 26 of Act 18 of 1936 for allowing "africans to congregate upon or reside on her land." She appeared in court and was fined R100 suspended until the end of June 1983. This clearly places great pressure on the landowner to evict the tenant. However because the tenant family is poor and has nowhere to go, the landowner has not yet done this. However, eventually it is most likely that she will be compelled to evict these people.

Afra believes that large numbers of people are being evicted from their homes and forced to move as a result of the implementation of this vicious legislation. These removals are neither a financial drain on the state nor an embarrassment. Generally they go by unnoticed as people are forced to dismantle their homes and try and find a new place to stay.