

# BRAKLAAGTE

From a report by the Transvaal Rural Action Committee.

Since this account of events at Braklaagte was written all its people's worst fears have been realised. They have been incorporated into Bophuthatswana. The incorporation was followed almost immediately by an invasion by Bophuthatswana police and soldiers. They stopped buses taking children to school, asked the children whether they were South African or Bop citizens, and beat up those who said they were South African. From there they set out on a rampage through the community, beating, arresting, torturing as they went. Bophuthatswana has a Bill of Rights, once much admired as an example the rest of South Africa might follow. It is plainly quite useless in protecting the people of Braklaagte from the kind of government to which they have now been handed over, and which is supposed to administer it.

## INTRODUCTION

In December 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 Kwandebelo 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.

Moutse is perhaps the most dramatic example of resistance to the incorporation. But all around the country from Botshabelo in the Free State, to Peulton in the eastern Cape, to Matjakeneng 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 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.

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.

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 20 people, whether indoors or out is illegal unless the permission of the Minister of Law and Order is obtained. In the Ciskei senior police officers stood 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 Kwandebelo 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 World War 2 prevented the government from seriously implementing its threats. Twenty years later, at the height of government attempts to implement the unpopular bantustan 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 Moiloa 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 20 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 Moiloa 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 1970s the Commission for Co-operation and Development was established to hear evidence and make recommendations to the government on the question of consolidation.

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. At this meeting nearly 3 000 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.

### **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 discriminations.

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."

Should the incorporation go ahead they will be South African citizens resident in Bophuthatswana. 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.

### **MOSWEWU**

In 1927 the tribe resident at Braklaagte bought a farm called Welverdiend about 20 km 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 Moiloa was appointed by Bophuthatswana to look after its interests in the area. The majority of Moswewu's residents rejected his claims to headmanship because 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 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 soldiers 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 incorporate, 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 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. 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 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.

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. □