

**FORCED REMOVALS IN NORTHERN NATAL:
A COMPARATIVE STUDY OF THE STEINCOALSPRUIT AND
ROOSBOOM COMMUNITIES IN HISTORICAL PERSPECTIVE.**

By

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LIST OF ABBREVIATIONS

AFRA -	Association for Rural Advancement
ANC -	African National Congress
CNC -	Chief Native Commissioner
DDA -	Department of Development Aid
EFA -	Elandslaagte Farmers Association
IDT -	Independent Development Trust
IFP -	Inkatha Freedom Party
INR -	Institute for Natural Resources
NAU -	Natal Agricultural Union
NPA -	Natal Provincial Administration
NTS -	Naturellesake
PMB -	Pietermaritzburg
PTA -	Pretoria
SNA.-	Secretary for Native Affairs
SPP -	Surplus People's Project

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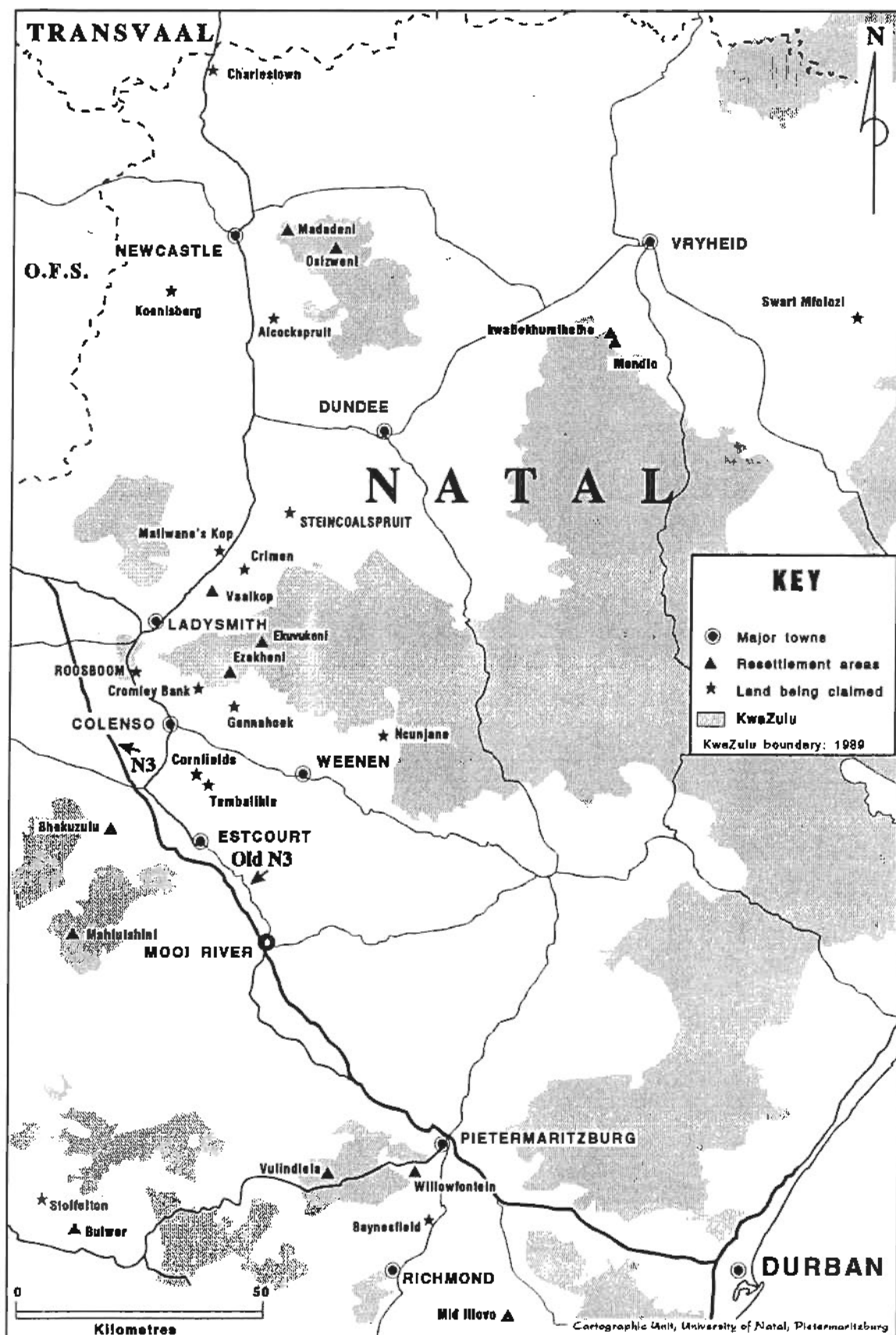
Lastly, I pay tribute to all those who inspired me to undertake this project through their role in fighting against the forced removal of people from their land.

PREFACE

This work is about the story of resettlements in Steincoalspruit and Roosboom in Northern Natal (see map on page vi). The story of the two areas provides a microcosm of the larger picture of the effects of the implementation of territorial segregation in South Africa. The comparative aspect probes the different origins of the communities, the timing of their removal, and the effects thereof, including the present possibilities and problems in these areas.

The suffering experienced by the people in the two areas, like in many other resettled areas, is irreparable. In spite of the recent restoration of their titles to the landowners in the two areas, the "black spot" (black-owned land in areas demarcated for white occupation by the 1913 Natives Land Act and the 1936 Native Trust and Land Act) removals will remain a permanent ugly scar in the history of this country. The present position of the resettled areas brings the past into the future, for the damage incurred was great.

In reconstructing the history of the two areas, it was necessary to consult a wide range of sources. Newspaper cuttings, AFRA documents and oral history were used to give the non-official perception and to supplement the archival sources which provided limited information on the history of the communities.



Map : Location of Steincoalspruit and Roosboom and related areas

CHAPTER 1 : A GENERAL OVERVIEW OF PATTERNS OF LAND OWNERSHIP IN SOUTH AFRICA.

The dynamics behind forced removals¹ in South Africa can only be well understood by tracing patterns of land claims and ownership in this country in a historical perspective. An attempt will be made to illustrate how these patterns were changed and modified to suit the aims of the various South African governments ranging from the colonial to the present De Klerk administration. This background will provide a vivid picture from which the notorious legislation of the first half of the 20th century affecting land emerged in South Africa. The history of the disruption of African land ownership and occupation in this country and how the new controllers of the land laid their claim will shed some light in the assessment of the two areas under focus, namely, Steincoalspruit and Roosboom, as part of the wider erosion of African landownership rights under the cloak of land reform.²

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1. Some authors prefer the term 'relocation' or 'resettlement', instead of forced removal. The author prefers the latter in line with D. Tutu's motivation in his article 'Tearing People Apart' (South African Outlook, Oct. 1980, p.152), that language is not only descriptive but also 'creates the reality we may perceive'. Hereafter, these terms will be used without any distinction.
 2. E.M. Letsoalo, Land Reform in South Africa - A Black Perspective, (Johannesburg, Skotaville, 1987), p.11.

The colonisation of the Southern Africa brought about a conflict of ideas of land ownership. The arrival of European colonists, first the Dutch, later the English, introduced a system of private and individual ownership of land. This alien freehold land tenure was contrary to the communal land tenure practised by the Khoisan and Bantu-speaking tribes. The chief in the latter group was acting merely as a trustee of the tribal land.³ The freehold land tenure became predominant as the process of dispossession was advanced into the interior with the ultimate effect on the whole territory comprising the present South Africa.

The contest which ensued from these conflicting land systems affected the power relations and economic activities of the tribes. The defiance of the right of one group over a particular territory and skirmishes over land were inevitable. Davenport and Hunt quote one Dutch East India Company (D.E.I.C) official as having stated that the Khoikhoi '... declared boldly that this was not our land but theirs and they would place their huts wherever they chose'⁴. Such differences induced policies towards Africans, which varied from one territory to another. The essential differences were over the

3. S.M.M. Lekhela, 'An Historical Survey of Native Land Settlement in South Africa from 1902 to the Passing of the Natives Trust and Land Act of 1936', (Unpublished M.A. Thesis, University of South Africa, 1955), p. 4.

4. T.R.H. Davenport and K.S. Hunt, The Right to the Land, (Cape Town, David Philip, 1974), p. 9.

question of the franchise which was linked to land ownership rights. The Cape colony and Natal advocated a common citizenship to all their subjects without distinction on grounds of colour, whereas the two Dutch Republics (Transvaal and Orange Free State) regarded blacks and whites as unequal in both church and state.⁵ This belief affected land transactions which were based on strict territorial separation and the prohibition of the freehold tenure to Africans.

Despite the introduction of the new type of land tenure, Africans especially during the nineteenth century started to acquire land on white terms in areas where it was permitted. This endeavour gave rise to the emergence of a new element among Africans, which could substantially reverse their historical land dispossession. The early pioneers of the African peasant communities based on private land tenure dwarfs 'the deeply entrenched belief that Africans were hide-bound traditionalists slow to adapt to a dynamic settler economy which they neither liked nor understood ... that they were late comers in a race they were bound to lose'.⁶ The Cape Colony and Natal set the pace in this new trend of land ownership by Africans on a freehold basis. But in Natal this pattern was

5. C.M. Tatz, Shadow and Substance in South Africa: A Study in Land and Franchise Policies Affecting Africans, 1910 - 1960, (PMB, University of Natal Press, 1962), p. 1.

6. N. Etherington, 'African Economic Experiences in Colonial Natal, 1845 - 1880', in African Economic History, vol. v, (Spring 1978), p. 1.

more widespread than in other areas. The reason behind this, as it will be shown, was not only the colony's principle of a non-racial franchise, but also due to British influence emanating from the relatively longer period of direct administration of Natal and the extensive activities of Christian missions in the area. The latter's activities afforded Africans in Natal a favourable setting for early economic experiments.⁷

Unlike in the Cape Colony, British influence was stronger in Natal, because it did not acquire complete internal self-government until 1893. After the passing of the Charter of Natal in 1856, which provided a representative government for the colony, the franchise was granted to every adult male over the age of 21 years who had an immovable property valued at £50 without any distinction on the basis of race or colour.⁸ Theoretically, an African could vote for or become a member of the Legislative Council. But this liberal franchise was enjoyed by Africans for only nine years, because the Natal law number 11 of 1865 disqualified all Africans, except those exempted from the "Native Law". The hopeless situation created by this law can be deduced from the fact that by 1907 there were only

7. Ibid.

8. E.H. Brookes and C. de B. Webb, A History of Natal (PMB, University of Natal, 1987), p.75.

six registered African voters.⁹ Therefore, in practice the Natal political colour bar was effective as the Transvaal principle of no equality in church and state. The land position of Natal Africans was as unsatisfactory as the political one. At the time of the establishment of the Union of S.A. (1909 - 1910), only about one third of the black population lived on lands set aside for them and the remainder were on European-owned land.¹⁰

In the Transvaal and OFS Boers adopted the policy of complete territorial segregation which was evolved during the short existence of the Republic of Natalia, 1838 - 42. These two Boer republics epitomized the so-called northern principle of Native policy 'that an African or Coloured man was absolutely precluded, because of his inherent inferiority from being granted any political rights'¹¹ This practice was entrenched in their constitutions, thus making sure that political power would rest with whites who formed only one quarter of the population in the Transvaal and one third in the OFS.¹² In line with the political safeguards, Africans could not participate in land transfers. Although the OFS did not

9. Tatz, Shadow and Substance, p.4.

10. Lekhela, 'Native land Settlement', p.61.

11. Tatz, Shadow and Substance, p.4.

12. Ibid., pp.5-6.

permit individual African tenure, the Thaba 'Nchu district was an exception. In this district individual holding had been established before the area was incorporated into the Republic.¹³ It is clear that the two Boer republics were very explicit about their reservations regarding political power and individual tenure, whereas Natal and the Cape devised implicit means of introducing a political colour bar.

Natal, the smallest province in South Africa, occupies a unique position not only because of its physical and climatic characteristics¹⁴, but also because of its extensive African freehold ownership of land. It included the territory bounded by the Thukela and Mzimkhulu rivers. It has a remarkable history dominated by aspects such as the Zulu power, Boer penetration and withdrawal, and the British Administration. Furthermore, this province is the most English of the four provinces. Like Africans in other provinces, Africans in Natal also suffered land dispossession, first under the Boers and later under the British. But there were avenues for them to purchase land on the open market, unlike their counterparts in Transvaal and the Free State.

Three years after its annexation by the British in 1843, Theophilus Shepstone, the son of a Methodist missionary, was

13. Davenport and Hunt, Right to the Land, p.31.

14. L.S. Suggate, Africa, 11th edn, (London, Harrap, 1974), p.496.

appointed as Natal's Diplomatic Agent assigned to maintain good relations with the African population in Natal. In this capacity and later as Secretary for Native Affairs, Shepstone functioned as the 'uncrowned king' of Africans in Natal for about 30 years, 1846 -77.¹⁵ Inter alia, he was assigned to look after the locations and mission reserves created to contain Africans in Natal. His attempts ~~at~~ encouraging Africans to become freehold owners of reserve lands by modifying the traditional marriage laws were not wholly^{as} successful as that of providing African labour to white settlers.¹⁶ To secure certain areas for African occupation in 1864, the Natal Colonial government established the Natal Native Trust with the Governor and his executive as trustees. This trust had powers to buy, sell and dispose of African land provided that they acted in the interest of Africans.¹⁷

Aware of their landlessness or rather their need for more land, African peasants in Natal started to make some advances towards land purchasing on the same terms as their white counterparts. This idea of owning land among Africans of Natal started among three groups, viz. African Christians who were mostly educated, broken tribes like the Mfengu who came into contact with

15. E. Etherington, Preachers, Peasants and Politics in South-East Africa, 1835-1880, (London, Royal Historical Society, 1978), p.11.

16. Ibid., p.12.

17. Davenport and Hunt, Right to the Land, p.31.

Europeans and adopted their land system, and individuals who by accident had become separated from their chief and tribe.¹⁸ But the influence of the missionaries tends to be a factor which surpassed the other two, because after the arrival of the first missionary societies in 1835, Natal became 'thickly invested with Christian evangelists.'¹⁹ In certain cases, such as that of the Steincoalspruit original owners, two factors played a role, viz. individuals first separated from their tribes then joining Christian missions in Natal.

Missionary activities in Natal were carried out by societies such as those of the Anglicans, American Congregationalists, Scottish Presbyterians, German and Scandinavian Lutherans, English Methodists and the French Roman Catholics. Despite these numerous attempts to evangelize the Nguni^{-speaking} people, by the year 1880 the African Christian population of Natal did not exceed 10 000, i.e. far less than 10% of the African population in this colony.²⁰ One political factor behind these few recruits could have been Shepstone's inconsistent and unjust diplomatic dealings with dependent and independent chiefs, which turned their attitudes against Christianity.²¹ The

18. Ibid., p.38.

19. Etherington, Preachers, Peasants and Politics, p.4.

20. Ibid., p.24.

21. Ibid., p.23.

subjects of these chiefs experienced bureaucratic obstacles when trying to expand their opportunities as Christians, referred to as the 'kholwa' by the Northern Nguni from the 1850's.²²

In spite of the bottlenecks and the reluctance of the Natal Government to force the pace of Africans in adopting the white man's tenure, during the second half of the nineteenth century African peasant communities were on the rise. During the 1870s there was a general tendency among white farmers of Natal of leaving their land and heading to the diamond fields to try their luck on the mines or in transport and commercial operations associated with the new mining activities.²³ Africans, particularly Christian ones, made use of the opportunity to purchase land which became available for sale, thus increasing the African farming activities of the period. Missionary influence in this case was evident, because land tended to be a greater incentive for Africans to draw near to the church.

The result of the possibility of owning land as Christians was that more African converts were attracted to the missionary stations. Those stations with the best land got more converts,

22. Etherington, 'African Economic Experiments', p.2.

23. H. Slater, 'Land, Labour and Capital in Natal - The Natal Land and Colonisation Company', in Journal of African History, vol. XVI, 2, (1975), p.271.

for example, Henry Callaway's and Wilhelm Illing's Anglican stations.²⁴ Many African land purchasers of this period were from these stations, including some of the original purchasers of Steincoalspruit. With their fertile lands, the Anglicans were at an advantage, for in the Klip River district Africans could shop around for better material conditions among the numerous stations of different denominations.²⁵

Rev. W. Illing's converts were not only of the Nguni origin or only from Natal, but they were of multi-tribal origins. His mission was a typical example of the alien character of the early Christian communities in Natal. By December 1872 he had 458 converts distributed as follows: 200 Nguni, 190 Sotho, 20 Griqwa, 31 Khoikhoi, 10 Tswana and 7 Coloureds. When the Anglo-Zulu war broke out in 1879 the statistics changed in that he had 444 Nguni as against 424 non-Nguni converts, thus creating a 'monster station.'²⁶ This sudden increase of the Nguni converts was apparently caused by the influx of refugees displaced by the war. The Natal missions, therefore provided an escape hatch for strangers and refugees who were displaced from their areas.

24. Etherington, Preachers, Peasants and Politics, p.91.

25. Ibid., p.100.

26. Ibid., pp.107-108.

Some of these strangers were coming from the highveld (OFS and TVL) running away from their Boer masters. The Boer settlers were accustomed to have 'unfree servants' working in their households. In most cases these 'servants' were young women apprenticed (*ingeboek*) to Boer settlers and known to them as the '*Inboekselings*'.²⁷ This 'new dependent servile class' came into being between 1840 and 1870 and was acquired in many ways. They were either 'taken captive by Boer commandos, or handed over by African societies as tokens of political and diplomatic assurance, or sold by settlers as well as by some African societies'.²⁸ Although they were essentially used as slaves, Boers did not use the label to avoid possible interference by Britain, which had an anti-slavery policy. The mid-nineteenth century Boer institutions in the Zuid Afrikansche Republic (TVL) indicated 'a repetitious chronicle of much legislation making slavery illegal'. It was argued that 'if slavery was illegal then there could be no slavery'.²⁹

The childhood indenture led to the so called 'Oorlam status' in relation to the other African people. These *oorlams*, i.e.

27. P. Delius and S. Trapido, '*Inboekselings and Oorlams : The Creation and Transformation of a Servile Class*', in B. Bozzoli (ed), Town and Countryside in the Transvaal: Capitalist Penetration and Popular Response, (Johannesburg, Ravan Press, 1983), p. 53.

28. Ibid.

29. Ibid., p. 60.

'clever' or 'trained',³⁰ had been exposed to the Dutch culture and practices. They were baptised into the Gereformeerde Kerk and adopted the family names of their masters.³¹ But they did not merely absorb Boer culture, for they 'resisted and resented their position and sought to escape it'.³² Aware of the fact that slavery was not permitted in the Natal Colony, some of the *oorlams* people, as heirs of the *inboekselings*, crossed the Drakensberg mountains, into their 'heaven', an anti-slavery colony. After settling in the neighbouring territories, which 'offered easier access to land', the *oorlams* profitably made use of the methods of agriculture they acquired from the Boer society.³³ Their prosperity and standard of living were far above those of the majority of the native Natal Africans. Despite their mark of distinction as *oorlams*, these people made efforts to seek an identity in the mainstream of the African population.³⁴ In line with this effort, some of the *oorlams* people in Natal later adopted Zulu surnames or if not forgotten, reverted to their original surnames.

30. M.S.B. Kritzinger, et al., Skool Woordeboek: Afrikaans - Engels, thirteenth edition, (PTA, J.L. Van Schaik, 1983), p. 186.

31. P. Delius and S. Trapido, 'Inboekselings and Oorlams', p. 80.

32. Ibid., p. 70.

33. Ibid., p. 77.

34. Ibid., p. 81.

Together with most christian Africans, the *oorlams* (hereafter included in the general *kholwa* group) were exempted from the Native law and were substantial property owners. For example, William Africa, an exempted African, owned 1,600 acres and other shares in several farms during the second half of the nineteenth century.³⁵ Unlike their traditional counterparts who still pursued subsistence economies, the *kholwa* entered into a totally new set of economic relationships. They moved away from the conception of land or cattle as man's wealth and regarded them as a means whereby one could become wealthy.³⁶ Production for profit needed more land than subsistence agriculture. This new type of African farmers had to look for other land on the open market, i.e. beyond the borders of the mission reserves. Etherington noted that these experiments in agrarian capitalism were clearly well underway by the 1860s. The 13 men from Indaleni became the pioneers when they purchased land in the upper Mzimkhulu river with the help of Pearce, the Methodist District chairman.³⁷

It is important to note that no special concessions were made for African land buyers. When describing the exchange of land in Natal, Shepstone argued that he was only prepared to allow

35. Etherington, Preachers, Peasants and Politics, pp. 117 - 118.

36. Etherington, 'African economic experiments', p.2.

37. Ibid., p.122.

Africans to adopt the white man's tenure 'provided that they did so on the same terms as the white man'³⁸ Despite the inherent risk of failure, some Africans made good use of the opportunity. One way of amassing enough money to purchase land was by clubbing together into syndicates. Some African syndicates had racially exclusive covenants suggesting the awareness of their historical land dispossession and also as 'an acknowledgement by African Christians that they had entered the race for land under a severe hardship.'³⁹ The racial restriction of these arrangements ^{as} were explicitly stated in the covenants of the syndicates. The black Anglican syndicates had an arrangement which stated that 'No white man shall be allowed to partake of the said farm, and none of the 10 Natives shall have the right to sell it to a white man.'⁴⁰

As a result of a system of an extended credit on ten years which was introduced after 1880, Africans in Natal were allowed and encouraged to tender for land sales as syndicates.⁴¹ It was therefore easier for them to raise the amount for the

38. Davenport and Hunt, Right to the Land, p.38.

39. Etherington, Preachers, Peasants and Politics, p.124.

40. Illing 1877 Quarterly Report, (Quoted in Etherington, Preachers, Peasants and Politics, p. 123.)

41. J. Lambert, 'From Independence to Rebellion: African Society in Crisis, c. 1880 - 1910', in A. Duminy and B. Guest (eds.), Natal and Zululand from Earliest Times to 1910, A New History, (PMB, University of Natal Press and Shuter and Shooter, 1989), p. 378.

initial instalments. The success of those deals led to an increase of freehold land owned by Africans in Natal. The 33 631 hectares owned in 1877 were increased to 83 656 hectares by 1890.⁴² During the last decade of the nineteenth century and the first decade of the twentieth century, this African success of acquisition of land on a freehold basis was thwarted. This process was first begun by ~~the~~ Natal's responsible government and later carried further by the Union government. After the implementation of a responsible government in 1893, the condition of African peasantry deteriorated, to the benefit of white agriculture and industry. An increase in the farming activities of white farmers unleashed a hostility towards the independent black producers.⁴³

Prior to 1893 African peasants were not vulnerable to white farmers because of the British control and the influence which the mercantile interests exercised over the administration of Natal. The first Prime Ministers of Natal, Sir John Robinson (1893 - 97) and Harry Escombe (1897), were cautious about race relations and sympathised with African aspirations. But they were also 'not unsympathetic to farming demands for labour'⁴⁴

42. Ibid.

43. Ibid., p. 383.

44. J. Lambert, 'The impoverishment of the Natal Peasantry, 1893 - 1910', in B. Guest and J.M. Sellers (eds.), Enterprise and Exploitation in a Victorian Colony: Aspects of the Economic and Social History of Colonial

by white farmers. An increase of white farmers in all Natal cabinets reached a majority in 1897. This political influence enabled them to push for the legislation depriving African access to land and destroying their independence. The Natal Agricultural Union (NAU) as Lambert argues, virtually became a second parliament.⁴⁵ As the needs of African peasantry were overlooked, the new legislation made provision for development aid and loans to the white farmers. Even under these circumstances certain *kholwa*-owned land, particularly in the Klip River country remained relatively prosperous.⁴⁶

After the Anglo-Boer War (1899 - 1902) there was a movement towards a union of states and colonies in Southern Africa. This move tended to be advantageous for white settlers, because they were to have a uniform policy towards the non-whites, particularly regarding land ownership and franchise. In the case of the former, Natal had set the pace. It had passed the Mission Reserves Act of 1903 which abolished all further African freehold tenure.⁴⁷ This period was important and crucial to the non-whites, for as Tatz puts it, 'Native

Natal, (PMB, University of Natal Press, 1985), p. 295.

45. Ibid.

46. Lambert, 'From Independence to Rebellion'. p. 397.

47. M. Etherington, 'Christianity and African Society in Nineteenth Century Natal', in Duminy and Guest (eds.), Natal and Zululand, p. 298.

policies' of the successive South African governments since the union remained essentially the same and that the guiding principles of the Union's 'Native Policy' was 'formulated specifically and in precise- terms- immediately prior to union'.⁴⁸

The Lagden Commission (South African Native Affairs Commission), which was appointed in 1903 at the customs union conference, produced its report in 1905. This report provided the basis for aspects such as 'the setting apart of land for Africans, [and] the racially exclusive occupation of land areas

⁴⁹ The first outcome of the report after the establishment of the Union in 1910, was the 1913 Natives Land Act. Although it restricted land ownership by blacks through demarcating areas where they could own land and where they could not, the Act did not authorize the actual eviction of blacks from the land demarcated for whites, 'except in so far as this was already required by law ...'⁵⁰ But this Act was a great blow to the trend of African land-ownership which had been set during the nineteenth century, because it was 'to deprive the Natives of their unrestricted right to lease or purchase land

48. Tatz, Shadow and Substance, p. 6.

49. Ibid.

50. Davelport and Hunt, Right to the Land, p. 42.

pending the demarcation of special areas to be made available for the purpose ...'⁵¹

The South African Native National Congress (renamed African National Congress, (ANC) in 1923) reacted with shock to the Act and made representations to the British parliament, but to no avail. This Act has generally been regarded 'as marking a fundamental turning point between blacks and whites on the land'.⁵² The two races were then to be forcibly separated territorially by law. The African plight in this endeavour was publicized by Solomen T. Plaatje, the then secretary general of the ANC and a prolific writer. The right of expropriation provided for in the 1913 Land Act was to be used as a last resort and that care was to be exercised 'to prevent unnecessary hardships to those Europeans and Natives whose property might be on the wrong side of the colour line'.⁵³ The land owned by Africans that fell outside the limited area scheduled for their occupation, i.e. African owned land in areas demarcated for white occupation, came to be referred to as "black spots". This Act placed the Sword of Damocles over "black spots".

51. Lekhela, 'Native Land Settlement', p. 110.

52. Ibid.

53. P. Rich, 'African Farming and the 1913 Natives' Land Act: Towards a Reassessment', (SALDRU Farm Labour Conference, School of Economics, University of Cape Town, Sept. 1976), p. 1.

A commission was appointed in 1916 under Sir William Beaumont 'to assess the extent of African needs and find land for release'.⁵⁴ As a result of the recommendations of this Commission, the 1917 Native Affairs Administration Bill was tabled as the 'definite, comprehensive and final measure' for territorial and political segregation.⁵⁵ It could not be enacted, for it was successfully opposed by white farmers whose farms were like 'white spots' in the projected African areas recommended by the Commission. The premiership of General J.B.M. Hertzog which began in 1924 had to address this problem. By linking the release of more land for Africans in return for their loss of common-roll franchise, which was still applicable in the Cape,⁵⁶ Hertzog managed to pave the way for the passing of the 1936 Native Trust and Land Act. As Tatz puts it, the government wanted 'to grant Africans the "substance" of the Land in place of the "shadow" of the vote'.⁵⁷ It succeeded.

The South African Native Trust was then established to identify and acquire additional land in the 'released' areas for African occupation. Letsoalo argues that it is erroneous to say that blacks occupy 13% of the land in South Africa, for the process

54. Davenport and Hunt, Right to the Land, p. 32.

55. Tatz, Shadow and Substance, p. 29.

56. T.R.H. Davenport, South Africa A Modern History, Third edn. (Johannesburg, Macmillan, 1987), p. 309.

57. Tatz, Shadow and Substance, p. 83.

of buying land by the Trust was not yet complete by 1987. This percentage only refers to the official land reserved for blacks in terms of the 1936 Act.⁵⁸ The ejection of African landowners from the "black spots" was also not implemented immediately. The timing of the removal of each area depended on the circumstances and forces necessitating it. Apart from the varying timing of when to pounce on first, the government's eagerness to remove the "black spots" was unqualified, in line with then Minister of Bantu Administration and Development, Mr. M.D.C. de Wet Nel's, reference to them as 'septic evils in our white communities'.⁵⁹

The plight of many "black spots" in Natal, except a few, did not receive enough publicity until late in their struggle against removal. Steincoalspruit and Roosboom fall within this category. Their story forms part of the greater story of forced removals in South Africa. Their struggle was not only fought by individuals but there were organizations and foreign missions involved, although at different stages. Those which played a significant direct or indirect role include the then banned ANC , Inkatha (IFP), white liberals including their organizations, AFRA, black Sash, church organizations and foreign diplomatic missions in South Africa like the British

58. Letsoalo, Land Reform, p. 41.

59. G.G. Maasdorp, 'Economic Aspects of Black Spots Removals in Natal', (A Fact Paper Prepared for the General Meeting of the Natal Citizens Association, 19 Feb. 1970).

one. But each of these forces got involved for different motives and in different ways.

Steincoalspruit and Roosboom, as two of the many areas which were under threat of removal and its ultimate implementation, were greatly affected in so far as community coherence, social stability and economic development are concerned. The government's notorious policy of forced removals was implemented in the two areas, in spite of the freehold rights of ownership and the people's attachment to their land. With their unique and interesting histories, these areas are classic examples of African freehold areas affected by the segregationist practices and African responses to them. Both areas, Steincoalspruit and Roosboom, take pride in their origins, dating from the second half of the nineteenth century and the first decade of the twentieth century respectively.

Apart from the basic similarities between the two areas, there are distinct differences regarding aspects such as reasons for each removal and the factors that made it a matter of urgency for Roosboom than Steincoalspruit. The story of the struggle and ultimate success against forced removal in these areas is a reminder of what African freehold landowners experienced in South Africa during the twentieth century.

CHAPTER II : STEINCOALSPRUIT (1874 - 1992)

The purchase of the Steincoalspruit farms, situated on both sides of the road between Ladysmith and Dundee, occurred in 1874 and 1877, when there were no legal bars yet to African purchase of an immovable property even though there were some recognizable financial and social bars.¹ To overcome the difficulty of putting together enough capital, a number of Africans managed to buy farms which constituted the main undivided part of Stein-coalspruit (No. 1 171) from the widow of a white owner, Dirk van Rooyen who had owned it since 1852, by forming a syndicate, one of the common ways of buying land in Natal.²

This syndicate was originally composed of 42 aspirant African farmers who joined hands to buy land wherein they had undivided shares. The syndicate farm (i.e. section A or sub-division 1) amounted to 2 037 acres³ out of 8 151 acres and the remainder of the farm (6 114 acres) was owned individually.⁴ The

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1. Association for Rural Advancement (henceforth AFRA), Report No. 15, Black Spots 1, Apr. 1982.
 2. D.R. Edgecombe, 'Preliminary Report on a History of and Removals from Stein Coal Spruit (c. early 1980)', unpublished typescript, p.2.
 3. AFRA File 11.3.iV : Steincoalspruit, 20 May 1936
 4. Naturellesake, Central Archives Depot, PTA (henceforth NTS), File no. 2806/307 District Ladysmith, 1959 - 63: Secretary of Native Affairs (henceforth SNA) J.P. Louw to Chief Native Commissioner (henceforth CNC), 20 Sept. 1960.

syndicate farm was purchased at a cost of £150. 00 on the 7th April 1874 and the other farms (6 114 acres) on the 31st October 1877 by nine Christian Africans.⁵ The acquisition of Steincoalspruit is notable because it was purchased in 1874 and 1877 by a group of affluent 'oorlam'-cum-Christian Africans of whom the majority were detribalised and non-Zulu speaking in Natal which is predominantly Zulu-speaking. Steincoalspruit can therefore be classified as a 'kholwa farm' for its Christian flavour^{and} thus 'self - consciously separate from what they regarded as the "uncivilised" non - Christians.'⁶ Most of the original purchasers were the former 'slaves' (*inboekselings*) of the Dutch farmers in the Orange Free State and the Cape colony, who joined Rev. Wilhelm Illing's mission station in Ladysmith.⁷ The missionaries of this period encouraged their African *kholwa* followers to purchase land on the open market, hence the purchase of Steincoalspruit.

The syndicate farm was held in trust by Abraham 'Kazi' Limberg, William Africa and Lucas Jacob for the other 39 African

5. D.R. Edgecombe, 'History of and Removal from Steincoalspruit', p.1.

6. V.S. Harris, 'Land, Land and Ideology,: Government Land Policy and the Relations between Africans and Whites on the Land in Northern Natal, 1910 - 1936', Unpublished M.A. thesis, University of Natal, PMB, 1984, p.1

7. D.R. Edgecombe, 'History of and Removal from Stein Coal Spruit', p.1.

shareholders.⁸ These three trustees were representative of the 'non - Zuluness' (oorlam character) of the shareholders. Abraham Limberg came from Kgabalatsane, a Tswana village next to Jericho in the vicinity of Pretoria.⁹ He was, together with his sister captured by Dutch farmers and taken to the Orange Free State (OFS) where he subsequently managed to escape through Harrismith to Ladysmith. His descendants later decided to adopt their original indigenous surname, Kazi (Kgasi - a proper Tswana spelling).¹⁰ An attempt to identify with the traditional African roots also took place among the Jacob family who adopted the Xulu surname, whereas the Adam Jacob family became known as Nkow (Nkau).¹¹ Other surnames, apparently, adopted from the former masters include the likes of Potgieter, Hoffman, Botha, Schoeman, Bester, and de Waal.¹² Most of the shareholders could be regarded as foreigners in Northern Natal, in the sense that they originally came from the Transvaal, OFS and the Cape where they were boer 'slaves' or

8. AFRA File 11. 3. iv, Steincoalspruit.

9. Personal Interview with F.B. Kazi at Steincoalspruit, 5 Oct. 1991.

10. Ibid.

11. Surplus People's Project Report (henceforth SPP), Forced Removals in South Africa, vol. iv, Natal, (PMB, SPP 1985), p.49.

12. Ibid., pp.497 - 499.

apprentices known as 'agter - ryers' (*inboekselings*).¹³ These individuals came to be known as 'oorlams', which distinguished them from tribal Africans. The other element which can illustrate the elitism of this group is the fact that most of them were 'exempted natives', therefore allowed to own guns and buy liquor which were by then exclusively reserved for Europeans.¹⁴

Apart from the syndicate farm, the other portion of Steincoalspruit was purchased in 1877 by individual African Christians. These non-syndicate farms comprise of sections B - J of Steincoalspruit. They were bought separately by Adam Jacob (Nkaw family or Nkau in a proper Tswana spelling), Stoffel Botha (Ndlovu family), Isaac Wildschut, Johannes Zwartbooi de Waal (Mbatha family), Philip Hoffman, Abraham Limberg (Kazi family), Timotheus Slagveldt, Theophilus Dapper and Lucas Jacob (Zulu family), respectively.¹⁵ After acquisition, these properties were passed from one generation to another with some portions sold, leased or mortgaged, but a sense of a community was retained until it was weakened by the expropriation threat during the second half of the twentieth century.

13. AFRA File 11. 3. iv, Steincoalspruit history.

14. Personal Interview with Mr A.M. Mbatha at Steincoalspruit, 5 Oct. 1991; Mr F.B. Kazi is still in possession of a rifle inherited from his great-grand father.

15. AFRA File 11. 3. iv. Steincoalspruit history.

Adam Jacob (Nkau) owned Section B (sub-division 2) which amounted to 'in extent 560 acres, 1 rod and 28.2 perches'.¹⁶ He mortgaged this property to Mr Robert Campbell of the Ramsay Colliery. This transaction was approved by the Governor-General on the 12th November 1913. The land was mortgaged to get a £300 loan at 7½ interest from Mr Campbell payable over five years.¹⁷ In 1914 Nkau also sold two acres to an Indian storekeeper, Ebrahim Cassim Amla. The purchase was approved on the grounds that 'though this (area) is a large Native farm'¹⁸ 'Steenkool Spruit is not likely to fall within a Native Area, and having regard to the fact that a number of Indians own land in this neighbourhood'.¹⁹ After the passing of the 1913 Natives/Land Act, the rule underlying land transactions was that any exchange involving Africans had to be referred to the Natives Affairs Department in Pretoria.²⁰ This highly centralised system was used to ensure that all land purchases were in compliance with the racially scheduled areas, demarcated by the Act. Unfortunately Steincoalspruit was not scheduled for occupation by Africans.

16. NTS File no. 246/307 Klipriver Sub B, Steincoalspruit, 1913 - 46: H.B. Cawood (Solicitor for Adam Nkau) to V. Gladstone (Governor-General) 18 Sept. 1913.

17. Ibid.: SNA (PTA) to H.B. Cawood, 12 Nov. 1924.

18. Ibid.: H.B. Cawood to CNC, (PMB) 6 Jan. 1914.

19. Ibid.: CNC (PMB) to SNA (PTA), 12 Feb. 1914.

20. Ibid.: Messrs Carter and Robinson to the Klipriver Magistrate, 24 Sept. 1914.

As could be expected, the common ownership of the syndicate farm brought about problems and there was a need to set rules governing the property. The ownership of shares in this farm was hereditary and 'it became difficult to administer the property and reconcile the different interests involved.'²¹ In 1897, more than two decades after the property was purchased, a constitution was drawn up wherein there was a provision for a general meeting of the registered shareholders to deal with the day to day administration of the property.²² This happened after the death of Lucas Jacob, one of the three trustees. The Walton and Tatham legal firm of Ladysmith was chosen as the secretary to the Trust and was responsible for convening meetings.²³

In 1914 a committee of management was provided for and was to comprise of six persons, the three trustees and the other three elected annually from any of the proprietors. This committee was to act as the governing body of the farm.²⁴ All the shareholders had the right to place one hut on their farms for labour purposes and the shares were arranged in such a way that each one could have 'land to cultivate and access to common

21. D.R. Edgecombe, 'History of and Removal from Stein Coal Spruit', pp. 2 - 3.

22. V.S. Harris, 'Land, Labour and Ideology', p.159.

23. D.R. Edgecombe, 'History of and Removal from Stein Coal Spruit', p.3.

24. V.S. Harris, 'Land, Labour and Ideology', p.159.

pasture.²⁵ The Kazi and the Xulu families were the key figures in the syndicate farm and its management because of their ownership of the greater number of shares.²⁶

As a result of additional rules added to the syndicate constitution in 1914 , it was decided that no shareholder had the right to sell any of his shares 'to a person of European descent'.²⁷ This decision illustrates the protectiveness of the syndicate farm owners over their land which was probably triggered by the implications of the 1913 Native Land Act. This attempt to keep Steincoalspruit black-owned could not prevent the individual owners of the non-syndicate farms from entering into private agreements regarding their land. Furthermore, the transfers which involved people of European descent were gladly accepted by the Department of Native Affairs, because it argued that Steincoalspruit was not regarded as a 'Native area' either by the Beaumont Commission (1913 - 1918) or by the local committee.²⁸ This situation led to a number of transactions which could never have been approved under the Steincoalspruit syndicate farm constitution.

25. D.R. Edgecombe, 'History of and Removal from Stein Coal Spruit', p.3.

26. AFRA File 11. 3. iv, Steincoalspruit.

27. D.R. Edgecombe, 'History of and Removal from Stein Coal Spruit', p.3.

28. NTS File no. 246/307 Klipriver Sub B, Steincoalspruit 1913 - 46: CNC (PMB) to SNA (PTA), 26 Mar. 1920.

The descendents of Adam Jacob sold section B (sub-division 2, i.e. 560 acres, 1 road and 28.2 perches) to a white person, Hendrick Johannes de Vos in 1925 for the sum of £550 sterling.²⁹ De Vos later sold it to the Natal Steam Coal Company in 1946. When the company was closed in 1970 it was purchased by another white person, James Anderson, whose family still owns the farm.³⁰ Section D (sub-division 4), originally owned by Isaac Wildschut consisted of about 575 acres. This section was partitioned in 1889 when 200 acres were sold to Walter Dymock and later passed to the present white owners, the Labuschagne family.³¹ The remainder was sub-divided, one portion acquired by I.C. Asmal and the other was purchased by the Natal Steam Coal Company in 1942 and subsequently bought by a white, Willem Jacobus Erasmus.³² Section J (sub-division 10) consisted of 716 acres and was originally owned by Lucas Jacob (Xulu). In 1944 about 516 acres of this section were bought by Sagaiya Pillay and it is still Indian-owned even today. The remainder of this section was held by various members of the Xulu family until it was expropriated

29. Ibid., Steincoalspruit 1923 - 55: Certificate of Purchase From SNA (PTA) to CNC (PMB), 13 Jun. 1925.

30. D.R. Edgecombe, 'History of and Removal from Stein Coal Spruit', p.4.

31. Ibid., p.5.

32. Ibid.

by the government in October 1978 and January 1979.³³ Section F (sub-division 6) consisted of 385 acres and the original owner was Phillip Hoffman. A portion of this property was bought by a coloured man Stephen Vere, a shareholder in the syndicate farm. It was later transferred to his descendant and present owner Ansley Vere.³⁴ The other portion of section F (about 154 acres) was inherited by Elizabeth van Wyk (born Skeef) from her father in 1926.³⁵ The latter portion was included in the 1979 expropriation of some of the Steincoalspruit farms. Only African owners were expropriated and their land jointly amounted to over 7 000 acres.³⁶

When the Steincoalspruit farms, both syndicate and non-syndicate were bought coal was not yet being mined in the valley. The area could just be described as 'a lovely valley about halfway between Ladysmith and Dundee'.³⁷ When its coal was ascertained to be of economic value during the last decades of the 19th century, the Black population of Steincoalspruit

33. Ibid.

34. Ibid.

35. NTS File no. 381/307 Ladysmith, Sub A Steincoalspruit 1925 - 40: CNC (PMB) to SNA (PTA), 1 Jan. 1926.

36. AFRA File 11.3.iv: Steincoalspruit history.

37. D.R. Edgecombe and W.R. Guest, 'Wessel's Nek: A Natal Mining Community in Depression and War', A paper presented to a workshop on Natal history, University of Natal, PMB, 27 -28 Oct. 1982, p.1.

interacted closely with the mines resulting in a mining community.³⁸ The area is commonly referred to as 'Nkunzi'³⁹, a name apparently adopted from the river which runs through the farms. The coal seams which are visible in the banks of this river prompted the Voortrekkers to call the area Steincoalspruit. The establishment of the Natal Steam Coal Company in 1896 resulted in the formation of a farming-cum-mining community on the southern side of the Biggersberg mountains. This company was to exploit the coal seams underlying the Steincoalspruit farm.⁴⁰ There were other collieries involved in Steincoalspruit from the last decade of the 19th century, but the Natal Steam Coal Company was the only one in Natal which endured⁴¹, and was the oldest coal-producer in Natal at the time of its closure.⁴² Almost all the coal farms of Steincoalspruit were mined by these companies on a leasehold basis, except in the case of section E where the mineral rights were sold outright on the 23rd April 1896 to the

38. Ibid., p.13.

39. Personal Interview with Mr P.D. Xulu at Steincoalspruit, 5 Oct. 1991.

40. D.R. Edgecombe and W.R. Guest, 'Wessel,s Nek: A Natal Mining Community', p.1.

41. Ibid.

42. NTS File no. 2806/307 Steincoalspruit: J.P. Louw (SNA) to CNC (PMB), 20 Sept. 1960.

James Ramsay Company for £300⁴³ It was common practice that coal mining companies held leases of mineral rights over African-owned freehold land and annual royalties were paid to the owners.⁴⁴ Under such circumstances the owners of section E did not qualify for royalties, because their mineral rights were sold outright to James Ramsay. One of the farms which was leased to the Natal Steam Coal Company in 1926 was section C of the Ndlovu family.⁴⁵ The appearance of these companies had both advantages and disadvantages for Steincoalspruit.

In addition to the Steincoalspruit community effort to farm productively and to build schools and churches, the involvement of mining companies necessitated and increased the social services needed in this area. As a result of mining , there was a need for more shops to serve the mine workers. In 1914 Mr Ebrahim Cassim was allowed to buy two acres from Mr Nkau for that purpose. Later other stores were opened and at the time of expropriation the following were notable; Hlongwane Store, Duchon and Company, Gajoo and Sons Fruiterer, Ismail and Company General Dealer and Bengu General Dealer.⁴⁶ Schools, churches and a clinic were also established, thus contributing

43. Ibid.

44. AFRA File 9.2.22. Black Sports General.

45. Edgecombe and Guest, 'Wessel,s Nek A Natal Mining Community', p.19.

46. Personal Interview with Mr P.D. Xulu at Steincoalspruit, 5 Oct. 1991.

to the community element in the area. The community also had access to the mine's improved infrastructure. There was also a mine hospital with weekly visits of a doctor from Ladysmith, but this service came to an end in 1970 when the Natal Steam Coal Company ceased to operate. The closure of this company meant an end to local employment opportunities for the Steincoalspruit people.⁴⁷

The brick and thatch Presbyterian church, the stone Anglican church with some school classrooms and a primary school provided an important and highly needed service to community.⁴⁸ At the time of expropriation the following schools were in full operation; Kwacwebelele Intermediate, Steincoalspruit Primary, Inkunzi Primary, Ingululu Secondary and St. Joseph's Primary.⁴⁹ Bus transport services were available to and from Ladysmith and Waschbank. These services also contributed to the existence of the community with a particular pattern of economic and social relationship.⁵⁰ There was also plenty of wood and water to cater for the people of Steincoalspruit. The Institute of Natural Resources identified

47. SPP, Forced Removals in South Africa vol. iv, Natal, pp.504 - 505.

48. Edgecombe and Guest, 'Wessel's Nek A Natal Mining Community', p.19.

49. Personal Interview with Mr P.D. Xulu at Steincoalspruit, 5 Oct. 1991.

50. Edgecombe and Guest, 'Wessel's Nek', p. 6.

the Nkuzi river and the streams flowing from the Biggarsberg ridge as the main/sources of water.⁵¹

The advantages of mining were matched by disadvantages. People were attracted from afar by the mines, leading to a problem of tenant dwellings which provided labour for the mine. There was also a threat to African morality in the area. As far as the latter problem is concerned the 1938 statement about beer halls on the northern Natal coal mines by Peter S. Africa, president of the Catholic African Union, Chief Induna of the Steincoalspruit farm, and Chairman of the Steinkool Spruit Farmers' Association, says it all,

'Our native women are allowed to use these beer halls as their drinking places; these women are married and the majority of them have got their husbands working in the coal mines. As soon as the husbands leave the huts for work, the women make their way to the beer hall staying there the whole day; ... when the husbands come home from work they find their womenfolk in the beer halls, drunk and helpless unable to do anything. That is the cause of destruction of home life because there can be no peace in such homes; there is always trouble.

Further more these women are treated to drinks by strangers; therefrom comes the very loose morality which obtains on these mines. Misconduct of shocking nature occurs in broad day light; ... this state of affairs is shaking the whole Bantu nation to its very roots.

51. P.M. Colvin, 'A Reconnaissance Survey of the Stein Coal Spruit Farms', Klip River District, Natal (INR Working Paper No.21, Jul. 1987 : Prepared for AFRA by INR, PMB), p.10.

We beg the Minister of Native Affairs to keep a vigilant eye on these matters because this is a new thing to us and it disgraces the Bantu nation.'⁽⁵²⁾

This statement shows that, in spite of some of its positive contributions, mining brought hitherto unknown practices in African areas, Steincoalspruit being no exception.

The tenancy problem at Steincoalspruit can be traced from two sources, viz. the eviction of farm labourers from the white farms during the early 20th century and the expansion of coal mining, particularly in northern Natal. The former was a result of the abolition of tenant farming system as a response to the increasing mechanization of agriculture.⁵³ Due to this factor, a chain reaction took place whereby labour which was no longer needed on white farms, moved to African-owned land (especially freehold areas) as rent-paying tenants. This inflow of tenants from the white-owned farms 'deprived' the African landowners of their land.⁵⁴ In Steincoalspruit they were also attracted by the possibilities of employment in the coal mines. There is no indication that the mine-owners objected to this inflow, because it created a reliable labour pool for their

52. Ladysmith Joint Council of Europeans and Natives 1930 - 1940, University of Witwatersrand William Cullem Library: (Accession No. 1433): Peter S. Africa before the Natives Affairs Commission, Dundee, 28 Jan. 1938.

53. NTS File no. 1256/307, Native Affairs Commission Inspections, Natal: Commission Report, 15 Sept. 1939.

54. R. Hallet, 'Desolation on the Veld, Forced Removals in South Africa', in African Affairs Journal, vol. v, no. 183, Jul. 1984, p.312.

industry. Landowners also derived some benefits from the rents paid by tenants who were receiving a regular income from the mine. But it is important to note that not all owners allowed tenants. The Kazis of section G preferred to house their labour tenants on their share of the syndicate farm, whereas section C of the Ndlovus was densely populated.⁵⁵ Although these tenants seemed to have been assimilated by the Steicoalspruit community, the syndicate committee of management had forbidden rent tenancy. The syndicate constitution was explicitly opposed to the rent-paying tenants. But the Ndlovus and the Mbathas allowed tenant settlements on their land, thus providing the adjacent Natal Steam Coal Company with their 'most reliable source of native labour.'⁵⁶ The problem of overcrowding also became inevitable in this district because there were no 'released' or 'accepted' native areas.⁵⁷

Despite the tenancy problem, the Steincoalspruit people achieved progress through farming and royalties from the mining companies. The Kazis were known to be successful fruit growers.⁵⁸ The surplus of fruit and vegetables produced in the

55. D.R. Edgecombe, 'History of and Removal from Stein Coal Spruit', p.6.

56. Edgecombe and Guest, 'Wessel,s Nek', p.16.

57. Edgecombe, 'History of and Removal from Stein Coal Spruit', p.6.

58. Edgecombe and Guest, 'Wessel's Nek', p.14.

Steincoalspruit farms was sold to local and far away retailers,⁵⁹ but their farming was adapted to satisfy the local market provided by the mine. The mine was their primary targeted market with surplus sent outside. While the mining companies leased or bought the mineral rights, the landowners continued to cultivate and keep their livestock on their land. They shared facilities like dips and pastures. On the other hand mining could have been a serious concern for the landowners during the first half of 20th century. This can be deduced from the fact that the Klipriver coalfields between Ladysmith and Newcastle supplied half to three quarters of Natal's coal production up to the year 1932.⁶⁰ Therefore, some landowners could have developed dependence on the income derived from the rent-paying tenants or rather on the royalties from mining companies, farming being of secondary importance.

After the passing of the 1913 Natives Land Act and later the 1936 Native Trust and Land Act (particularly section 13 of Act no. 18 as amended by Act no. 17 of 1939), African freehold areas like Steincoalspruit were classified as "black spots" and thus liable to expropriation. In such cases alternative land was to be sought and provided by a government body known as the South African Native Trust - S.A.N.T. (later South African

59. A.M. Xulu, 'Steincoalspruit : A Black Freeholding Community in the Klip River District, 1874 - 1992', (Unpublished Honours Essay, University of Natal, PMB, 1992), p. 15.

60. Ibid. p.1.

Bantu Trust and today known as the South African Development Trust) in which African reserves were vested.⁶¹ The first main task of the Trust was to seek additional land for African ownership, separate from the demarcated white areas and white-owned land, to augment the limited land designated by the 1913 Native Land Act. The response of white landowners to the 1936 Native Trust and Land Act and the establishment of the S.A. N.T. is notable. White farmers in Natal started to make land offers for a price either to the government or directly to the Trust. Some of the land which was for sale included Doornkraal (in extent of 400 acres), Georgia (2 000 acres) and Mintams (4 000 acres), all situated in the Klipriver district. T.A. Theron acted as their agent.⁶² Unfortunately during the first decade of the existence of the Trust, many of the white-owned farms offered could not be bought for various reasons, ranging from the non-inclusion of the offered land in the released areas to the fact that the purchase of the offered land was not contemplated by the Trust.⁶³

From the 1930s the white local farmers' associations exerted pressure on the government for the expropriation of 'native'

61. SPP. vol. iv, Natal, p.31.

62. NTS File no. 1257/307 Klipriver, Offers of land for Native Settlement: Secretary of Native Affairs to the Native Affairs Commission, 5 Sept. 1939.

63. Ibid.: SNA to the Land and Agricultural Bank of South Africa (PTA), 11 Apr. 1940.

owned farms in areas demarcated for European ownership.⁶⁴ These African-owned areas comprised of 'some of the best land in the (Klipriver) District.'⁶⁵ This valuable land could not be utilised to its full extent due to mining activities. Evidence by Africans collected in 1939 revealed that 'the soil of the syndicate land is eroded and denuded because of overcrowding and overstocking.'⁶⁶ It was noted that Steincoalspruit had ceased to be a prosperous farming community as a result of rent-tenants who used most farms for residential purposes rather than for farming. This situation provided the Elandsplaagte Farmers' Association (formed in 1919 by white farmers in the Steincoalspruit neighbourhood) with grounds to regard Steincoalspruit as 'a menace to European farmers'⁶⁷ in the district. This stand was pre-empted by the Natal Agricultural Union in 1938, when it urged the government 'to take definite power to expropriate native-owned farms in European areas when (white) farmers in such areas desire this, in the same way as European owned farms in Native areas are expropriated.'⁶⁸ Instead, in 1939 the Native Affairs

64. NTS File no. 1256/307 Native Affairs Commission Inspections, Natal: Commission Report, 15 Sept. to 9 Oct. 1939.

65. Ibid.

66. Ibid.

67. AFRA File 11.3.iv, Steincoalspruit, South, n.d.

68. NTS File no. 1423/307, Expropriation of Farms in Natal: Natal Agricultural Union to SNA, 17 May 1938.

Commission assured the Steincoalspruit people that 'they would not be expropriated nor their rights interfered with in view of the special circumstances attached to their farm.'⁶⁹

The Walton and Tatham legal firm continued to play a major role in the land affairs of Steincoalspruit even after the passing of the 1936 Native Trust and Land Act. In 1946 they were one of the forces which exerted pressure for the approval of the sale of land adjacent to the Steincoalspruit area in the Klipriver district to the Catholic African Savings Union by Rev. de Vos. The reasons advanced were that this land was situated in an area in which a considerable amount of land was owned by Africans, it was bounded by African-owned land on two sides, and had been previously owned by an African.⁷⁰ On these grounds they could not accept any reason advanced by government against the re-acquisition.

Apart from the coal seams underneath the Steincoalspruit land, there were other efforts to counteract the centrifugal forces, which ^{had} ~~wanted~~ to tear the community apart. African landowners established the African Landowners Association and Steincoalspruit as part of the Northern Natal Landowners Association, fell under a branch of the larger organisation.

69. NTS File 1256/307, Native Affairs Commission Inspections Report, Natal, 15 Sept. to 9 Oct. 1939.

70. NTS File no. 246/307 Klipriver Sub B, Steincoalspruit 1931 - 46: Walton and Tatham to The Ladysmith Magistrate, 22 Mar. 1946.

This branch was formed in 1955/6 when the inhabitants of Besters farm were to be removed and Elliot Mngadi of Roosboom was the organiser.⁷¹ The establishment of this organisation was one of the fights against resettlements. It was sponsored jointly by the Liberal Party and the African National Congress (ANC).⁷² After the banning of the latter organisation in 1961, and the systematic silencing of its most active members, the African Landowners Association became defunct.⁷³ So an early regional resistance against the removal of African landowners from the so-called "black spots" was defused. Apart from the involvement of political organisations, churches also showed concern in the 1960s. The Inter-Church Relief Fund was set up to help African families removed from blackspots in Natal. The Joint Relief Committees were established in Ladysmith and Durban. In 1968 the Catholic Bishops of South Africa donated R1 000 to this relief fund.⁷⁴

Already by 1960, the expropriation of Steincoalspruit was on the cards, because a 'Kompilasieplan' was requested by the

71. E. Mngadi, 'The removal of Roosboom', in Reality, vol. xiv no. 1, Jan. 1982, p.17.

72. AFRA File 9.1.1. Blackspots General, Historical Material, Aug. 1991.

73. Ibid.

74. Rand Daily Mail, 10 Feb. 1968.

Department of Native Administration and Development.⁷⁵ This plan involved the collection of statistics about an area earmarked for expropriation. These preparations were contrary to the assurance given in 1939 that Steincoalspruit would not be expropriated. The expropriation of Steincoalspruit which had been looming large since 1913 only became a reality during the 1970s as a result of a number of pressures on the government. These pressures range from economic to political aspects, but the former had a direct bearing on the later expropriation of Steincoalspruit.

The Natal Steam Coal Company (NSCC) had established itself as part and parcel of the Steincoalspruit community since its formation in 1896.⁷⁶ Although its primary preoccupation was to mine the coal seams underlying the Steincoalspruit farms, it led to the evolution of a mining community which emanated from the reciprocal interaction of the landowners and the mining industry.

In 1969 the NSCC was taken over by the Johannesburg Brick and Clay Company. To achieve maximum output from the Steincoalspruit coal seams, the new company had to adopt an open-cast mining to replace underground mining which was no longer viable. In view of the costs linked to the updating

75. NTS File 2807/307 District Ladysmith, Steincoalspruit 1959 -60: Secretary for Native Administration and Development to the Surveyer-General (PMB), 29 Feb. 1969.

76. Edgecombe and Guest, 'Wessel's Nek', p. 1.

equipments, retraining of miners and the government's stringent anti-pollution requirements for open-cast mining, the company decided to close Wessel's Nek operations.⁷⁷ The remaining coal did not justify the employment of the initially more expensive techniques because of insufficient demand. A major source of employment in the Steincoalspruit valley was thus removed.

Coal which had been declining in importance as a fossil fuel in the face of cheaper oil, suddenly assumed renewed significance when the OPEC (Organisation of Petroleum Exporting Countries) dramatically increased the price of oil in 1973, an event known as the "oil shock". Countries throughout the world, including South Africa, took a fresh look at their coal resources. It became worthwhile to consider seriously opencast mining at Steincoalspruit. As this technique was capital, rather than labour intensive, it would ~~not~~st solve the problem of unemployed tenants. Moreover, opencast mining and farming were not exactly compatible.⁷⁸ If the coal resources of Steincoalspruit were to be exploited, the people there had to be moved. The Steincoalspruit community which was earlier hit by the closure of the NSCC was then faced with another bombshell in 1977 when it was informed of the removal and the expropriation of its land. Together, the two events became the last straw in the collapse of the community.

77. Ibid., p. 20.

78. When going through the farms of Steincoalspruit in 1991, certain patches of land were still barren, indicating the effects of open-cast coal mining.

The consolidation proposals for the homelands had also hastened and strengthened the government's intention to resettle African freehold farmers, causing a deeper frustration and bitter resentment among the targeted people.⁷⁹ Steincoalspruit people were earmarked to be resettled in an attempt to consolidate the Kwazulu bantustan into 'a more cohesive geographical entity from about 40 scattered areas.'⁸⁰ But opposition to the consolidation proposals of Kwazulu came from all sectors of society in Natal, the Chief Minister, Gatsha Buthelezi, landowners in the "black spots", the Natal Agricultural Union and the National Council of Women - obviously for different reasons. The question of consolidation in Natal and Kwazulu was particularly complicated. In 1916 the chairman of the Native Lands Commission, W.H. Beaumont, captured the complexity of African land ownership in Natal, when he stated that 'these lands are, in certain areas, so intermixed with land owned by Europeans that any line of demarcation can only be arbitrarily made, and may result in serious hardship or injustice to both European and Native owners.'⁸¹

The Nationalist government decided to act on Steincoalspruit in the 1970s mainly because of economic considerations. In 1976 Health Commission officers were sent from Ladysmith with the

79. Sunday Tribune, 9 Mar. 1986.

80. AFRA Report no. 11, Consolidation 1971 -81, Ten Years of Confusion and Delay, Aug. 1981.

81. SPP Report vol. iv, Natal, p.33.

intention of preparing the way for expropriation.⁸² In the process this commission also helped to maintain the health conditions of the settlement, for the mine health services were no longer available. The residents were given instruction not to make any improvements or construct any building without consulting this commission. These restrictions were placed on the people, for it was stated that the Steincoalspruit properties had already been evaluated by the government, therefore any additions would not be compensated ~~for~~.⁸³ The landowners could also not farm on a large scale, because no specific date was set for their removal. In accordance with section 13 (2) of the Bantu Trust and Land Act of 1936, (Act 18 of 1936) applied in conjunction with the Expropriation Act of 1975 (Act 63 of 1975) in 1977 the Steincoalspruit landowners were informed that their land was to be expropriated. Some of the residents were to be resettled at Ekuvukeni Bantu Township, about 55km from Ladysmith and 70km from Steincoalspruit.

The government stated that the resettlement was to be voluntary and no coercion was to be used. But Roux has argued that 'all removals in South Africa involve a measure of coercion. In some instances the use of force is blatant.'⁸⁴ Therefore, the

82. Personal Interview with Mr P.D. Xulu at Steincoalspruit, 5 Oct. 1991.

83. Personal Interview with Mr A.M. Mbatha at Steincoalspruit, 5 Oct. 1991.

84. A. Roux, 'Relocation in South Africa - The SPP', in Reality, 15 (1983), p.11.

government's attempt to get the cooperation of the people to be moved was in most cases coercive. The government had already prescribed that owners with more than 42 acres of land were to receive land compensation in an area which was to be purchased from white farmers.⁸⁵ The tenants and landowners with less than 42 acres were to be resettled at Ekuvukeni. This categorisation tended to split the resistance of the Steincoalspruit community. The response of the tenants to the idea of being moved differed from that of the landowners. Their relations with their landlords played a role. The less cordial the relations were, the more eager to leave, which was coupled with 'a government promise of land-ownership - something of a novelty'.⁸⁶ As Elliot Mngadi pointed out, the antagonism between landowners and tenants was successfully used by the government to justify and promote the removals.⁸⁷

The expropriation of the Steincoalspruit land did not only bring relief to the tenants who were not on good terms with their landlords, but also to certain landowners. Most landowners were prepared to resist their removal. But the

85. AFRA File 11. 3. iv, Steincoalspruit: Deputy Minister of Bantu Development to F.B. Kazi, 12 Oct. 1977.

86. Xulu, 'Steincoalspruit : A Black Freehold Community', p. 33.

87. SPP, et al, 'The Landlord-Tenant Question on Black Freehold Land', Gross, C.R. and R.J. Haines, Towards Freehold Options for Land and Development in South Africa's Black Rural Areas, (Cape Town, Juta and Company, 1988), p.202.

'absentee landowners', i.e. those who resided in urban areas, leaving their farms under the care of others, were prepared to accept the government's financial compensation for their farms, which were becoming burdensome and unprofitable to them.⁸⁸ The two grandchildren of William Africa, one of the substantial landowners in the syndicate farm, are a vivid example in this case. Each of them received an amount of R1 493 as compensation for their land. Compensations in some cases were treated as confidential, because landowners who were to resist the removal labelled those who accepted financial compensation as "sellouts".⁸⁹ Even up to now the exact number of those who received compensation is unknown. Landowners who remained despite the looming threat experienced haunting torments. A.M. Xulu, a descendant of one of the landowners expressed her personal experiences of the threat as follows :

'The mere painting of relocation numbers on the wall is a constant reminder of the unknown world about to be entered. It brings closer every day the moment when one would have to bid good-bye to all that one has known in one's childhood'⁹⁰

In 1977, the year of expropriation, the Steincoalspruit landowners elected five of their number to become their representatives, viz. Messrs Bengu, Hlongwane, Kunene and Kazi. Mr Kazi, as the spokesman, informed the government in writing about their unhappiness regarding the expropriation of the

88. Xulu, 'Steincoalspruit : A Black Freehold Community', p.34.

89. Ibid.

90. Ibid., p.35.

'land their grandfathers had bought 100 years ago.'⁹¹ Initially the landowners were not aware that they could oppose the government's decision to expropriate their land. This unawareness was the result of the impression created by the government that what was constitutionally approved was legally correct. Therefore, the unhappiness expressed by Kazi did not necessarily imply that the landowners were rejecting expropriation, moreso that they even set some conditions on which they were to be moved. These conditions were set under the impression that the government's decision was final.

Some of the initial conditions set were that 'they should not be moved to an area with faction fighting' and that the new land must have an adequate supply of water.⁹² As a result of these reasonable conditions for the government, the expropriation orders were issued on the 16th June 1978, because Ekuvukeni was described by the Deputy Minister of Bantu Development, Dr F. Hartzenberg as;

'a quite, peaceful community and (that) the owners of the compensatory land will, as is the case with their present properties, be able to exercise the necessary control and prevent unrest and faction fights.'⁽⁹³⁾

91. AFRA File, 11.3.iv., Steincoalspruit. Mr Kazi to Minister of Bantu Development, n.d.

92. Edgecombe, 'History of and Removal from Stein Coal Spruit', p.8.

93. SPP Report, vol. iv, Natal: Deputy Minister of Bantu Development to F.B. Kazi, Oct. 1977, Appendix 1, p.506.

This inaccurate description was used to nullify the main element of the two conditions set by the landowners , viz. peacefulness and the continuation of their life as it used to be at Steincoalspruit. In reality Ekuvukeni was a direct opposite of the picture painted by Dr Hartzenberg.

Later, after a general meeting of landowners, a new set of conditions was added to the initial ones. They demanded that they should first be satisfied that the promised compensatory land was a fair exchange and that the amount of compensation for their land and value of coal deposits should be paid in cash.⁹⁴ The government response was that the Steincoalspruit coal deposits were of such a poor quality and of little economic value, thus the compensation for them was included in that of the land.⁹⁵ The 60 days notice provided by the Act for the rejection of the expropriation and compensation lapsed, thus giving the government victory in legal terms. As one author put it 'the struggle to remain on the land is essentially political'⁹⁶ because the government had complied with all legal requirements for expropriation. Therefore, the attempts to reclaim the land were bound to be turned into a political battle.

94. Ibid.: F.B. Kazi to The Commissioner (Ladysmith), 28 Dec. 1979, Appendix 3, p.508.

95. SPP Report, vol. iv, Natal: Secretary for Agricultural Credit and Land Tenure to Secretary for Plural Relations (PTA), 22 Jan. 1979, Appendix 2, p.507.

96. AFRA File 11.3.iv, Steincoalspruit history.

The tenants were the first victims of the resettlement of Steincoalspruit. They were made to believe by the government that their rights (if there were any) to the land were limited and hoped to be masters of their own at the 'peaceful' Ekuvukeni. To their surprise the area was not as colourful as it was portrayed. It was rather 'a very inferior area on squatting standards'⁹⁷ Apart from being under the Kwazulu government, Ekuvukeni township had water problems and it was not as homely as Steincoalspruit used to be. A fitting description of this area is provided by the SPP report:

'The true picture of Ekuvukeni is one of arid closer settlement, with little water and firewood, located in an area suffering from endemic faction fighting. It is one of the largest closer settlements in Natal, with a population currently estimated at about 20 000 people. Unemployment is high and the general state of facilities very poor.'⁹⁸

It is estimated that a total number of 11 188 tenants were resettled at Ekuvukeni.⁹⁹

Most of the landowners of Steincoalspruit were determined not to move but others had made their individual arrangements with the government. As has already been shown 'absentee landowners' accepted compensation offered by the government and some of those who resided on their farms voluntarily sold their farms

97. Ibid.: Eric Masemola to AFRA, 8 Jan. 1989.

98. SPP Report, vol. iv, Natal, p.502.

99. Ibid.

to the government due to personal circumstances. Caleb Luvuno decided to sell his farm (about 6 000 acres) in the wake of the removal threat, because of financial problems.¹⁰⁰ After receiving his cash, he voluntarily trekked to Ekuvukeni along with tenants. In 1978 the Minister of Agriculture made a number of offers to the landowners. Messrs Isaac Daniel Limberg, Joshua Abraham Limberg, Abraham Immanuel Limberg and Paulus Theophilus Limberg were offered compensation amounting to R31 043. 97 for their land.¹⁰¹ Mr Stophel Ngwenya was offered R4 216. 67 for his land amounting to 824 345 hectares¹⁰² whereas for the same amount of land Mr Titus Sokhela was surprisingly offered R2 409. 53.¹⁰³ Unfortunately for the government, these compensation offers were not accepted by the landowners.

Those who accepted compensation included the following: nine shareholders (small shareholders) of the syndicate farm with shares amounting to 71 out of the total of 600, some heirs of section E (5) of the Mbathas and all the heirs of section C of the Ndlovus, except four.¹⁰⁴ Although the Indian and

100. AFRA File 11.3.iv, Steincoalspruit history.

101. Ibid.: Minister of Agriculture to the Limberg Brothers, 14 Jun. 1978.

102. Ibid.: Minister of Agriculture to Stophel Ngwenya, 16 Jun. 1978.

103. Ibid.: Minister of Agriculture to Titus Sokhela, 6 Sept. 1978.

104. Ibid.: J.B. Kazi to Cheryll Walker, 1 Mar. 1983.

'Coloured' landowners of Steincoalspruit were not threatened by removal, some of them preferred to move provided the compensation price was good. A certain Indian, Mr R.K. Gokul (owning about 20 acres) was willing to move, because he saw the expropriation as a chance to build a house in town, but unfortunately the amount offered was 'ridiculously low.'¹⁰⁵ The Vere family (section F) is an example of the coloured families which were not affected by the expropriation. The Steincoalspruit owners were to be compensated to the total amount of R755 066, 91 and the payments were to be made 'on removal.'¹⁰⁶ In 1986 there were 35 families of landowners who still hung onto their land.¹⁰⁷

The removal of over 11 000 tenants (i.e. the bulk of the Steincoalspruit community) to Ekuvukeni in 1978 had serious implications for the area. The whole social infrastructure of the Steincoal-spruit community was destroyed. The Wesselsnek Post Office, schools, shops and the St. Joseph's clinic had to be closed because they had no support or because they had to be moved to Ekuvukeni.¹⁰⁸ As a preparatory step for removal the government provided buses for children of the remaining

105. Ibid., Steincoalspruit Notes, 20 Jan. 1981.

106. Ibid., Parliament Question no. 450, 22 Apr. 1982

107. Sunday Tribune, 2 Mar. 1986.

108. Personal Interview with Mr P.D. Xulu at Steincoalspruit, 5 Oct. 1991.

landowners to attend schools at Ekuvukeni.¹⁰⁹ This service was apparently to be provided for an indefinite period. There was also a great economic drawback, because it was difficult for the landowners to cultivate their farms without some tenants who provided the labour force but were also a problem. Therefore, since 1976 there was no large scale farming or cultivation and the land was never used to its full potential. The removal of tenants and the undecided position of the landowners had heavy economic and social implications for Steincoalspruit with the community bond built over 100 years destroyed.

In their desperate attempt to recover their land, the Steincoalspruit landowners tended to involve anyone who promised help. The Kwazulu government got involved when the landowners started negotiations with its officials. The Inkatha Yenkululeko ye Sizwe (presently Inkatha Freedom Party, (IFP)) also got involved through the services of Mr Stephen Sithebe. This was a combination of the incompatible, because the landowners tended to reject incorporation into Kwazulu but needed help from its or Inkatha's officials. The two organisms, Kwazulu government and Inkatha, were like two sides of a coin, one inseparable from the other. As Mare and Hamilton put it Inkatha and the bantustan 'overlap to the extent that they have

109. SPP Report, vol. iv, Natal, p.505.

become inseparable¹¹⁰ and indistinguishable. It appears that the IFP enjoyed ^{more} support from numerous landowners in Steincoalspruit than the then banned ANC.¹¹¹

The source of IFP inclinations in Steincoalspruit can be traced from the 'oorlam' status acquired by the predecessors of the present landowners. On their arrival in Natal they strove to indentify themselves with the predominant Zulu tradition in the area. The formation of the IFP in the 1970's tended to provide a home for their aspirations, because this organisation, through its leader Chief Buthelezi, was appealing to the Zulu history and tradition for legitimation.¹¹²

In March 1979 a deputation of the Steincoalspruit community was sent to Ulundi to meet Mr F. Mdlalose, the Kwazulu Minister of Interior, with the clear purpose of requesting that they should not be moved from their land.¹¹³ At his request they submitted a memorandum to that effect. As a normal procedure, the

110. G. Mare and G. Hamilton, An Appetite for Power, Buthelezi's Inkatha and the Politics of Loyal Resistance, (Johannesburg, Ravan, 1987), p.95.

111. ANC link with the Steincoalspruit leaders was categorically denied by F. Kazi in a telephonic interview with him on 28 Nov. 1992.

112. P. Forsyth, 'Inventing the Past: Chief Buthelezi's use of history as a source of political legitimation', (Paper presented to the Critical Studies Group, University of Natal, PMB, 13 Jun. 1990), p. 2.

113. Edgecombe, History of and Removal from Stein Coal Spruit, p.10.

bantustan government with its limited powers had to send it to Pretoria. This request was refused in 1980 in line with government policy. Kazi and other landowners could not be allowed to remain at Steincoalspruit.¹¹⁴ Mr Sithebe, the then Mnambithi (Ladysmith) MP, played a prominent role in trying to forge relations with the Steincoalspruit people. He attended several meetings of the landowners for advisory purposes. He once stated that the Kwazulu government was sympathetic to the plight of the Steincoalspruit landowners, but expressed his concern about their initial agreement to move, though on certain conditions.¹¹⁵ The Kwazulu government's role in areas facing removal was given official acknowledgement when the Minister of Development Aid responded to a question in parliament by Mr G. McIntosh (M.P.) in parliament that in future 'resettlement (will) be conducted after consultation with communities concerned and Kwazulu "as far as practical" ,¹¹⁶

Apart from Inkatha-Kwazulu involvement, the other institution which got involved in the resistance against the removal of Steincoalspruit was the Association for Rural Advancement (AFRA) based in Pietermaritzburg. It was formed in 1979 and the

114. SPP Report, vol. 4 Natal: Secretary of Interior (Kwazulu) to Mr Kazi, 24 Jul. 1980, Appendix 4, p.509.

115. AFRA File 11.3.iv, Steincoalspruit.

116. Ibid., Response to a Parliament Question no. 450, 22 Apr. 1982.

Steincoalspruit issue became one of its test cases. Its formation as an affiliate of the National Land Committee was a response to 'the massive and continuing hardships imposed on Black people', particularly in the rural areas of Natal, by the government's policy of uprooting and relocating them.¹¹⁷ Just as there are reservations about the involvement of Inkatha, which was regarded as part of the central government's plan to derail the landowners' resistance against their removal, AFRA was looked at with suspicion as an essentially white organisation which was likely to serve white interests.¹¹⁸ To meet these fears Afra stated its objectives clearly in two broad statements, viz.:

- "to monitor, enquire into, record and publicise" the social and economic position of rural people of Natal, and
- to take action to alleviate hardships, discrimination, and oppression suffered by them, and to encourage their social and economic advancement.'⁽¹¹⁹⁾

In its attempt to advise and help the rural people, Afra sought legal and financial assistance for people faced with removal. Contact or relationship was established with the Steincoalspruit Committee of Management and close cooperation and trust emerged. In some instances Afra was authorised to speak on behalf of the remaining residents of Steincoalspruit such as in the case of the Commission for Cooperation and

117. AFRA Factsheet, What is Afra, Jul. 1980.

118. Personal Interview with Mr N. Khumalo at Steincoalspruit, 26 Sept. 1991.

119. AFRA Factsheet, What is Afra, Jul. 1980.

Development in 1985.¹²⁰ But this was not exclusively Afra's right because Mr Sithebe had already appeared before the same commission in Ladysmith, apparently on behalf of the areas facing forced removals in Natal, Steincoalspruit included. Afra also employed the services of the Legal Resources Centre in Durban, which contributed greatly, particularly in clarifying the legality of the expropriation of Steincoalspruit and its implications, viz. that the land from the time of expropriation belonged to the state. But the possibility of reprieve was never ruled out.

During the 1980s there was deadlock between the government and the landowners who tenaciously fought for the reversal of the expropriation of their land. According to Mr Tino Volker, the National Party was prepared to consider the possibility of dropping the practice of removing blackspots which were used for agricultural purposes only.¹²¹ The government was also showing signs of a change of policy towards the "black spots", for in some instances it abandoned its relocation projects. Afra reports highlighted that there were strong economic constraints exerting pressure on the government in the 1980s, viz. the costly Namibian war and the falling price of gold

120. AFRA File 11.3.iv, Steincoalspruit, 18 May 1985.

121. Ibid.: Graham McIntosh (M.P.) to Mr Frank Kazi (Waschbank), 27 Apr. 1982.

which restricted the government's financial support for removal schemes.¹²²

As the government was having financial problems in the 1980s as suggested by some observers, the Steincoalspruit landowners' determination to retain their land was enhanced by the confirmation of the coal potential of the area. The Department of Town and Regional Planning of the University of Witwatersrand stated in 1982 that the geological memorandum on the Klipriver coalfields 'proved that the area has coal, which appears to be workable'.¹²³ The determination of the Steincoalspruit landowners was illustrated by the fact that four and half years passed after the expropriation notice was served, but the bulk of them was still occupying their land. The owners were advised not to attempt or publicise an independent valuation of their coal areas for it could give an impression that they 'are willing to be moved on receipt of adequate compensation'.¹²⁴ The Institute of Natural Resources in 1986 indicated its willingness to help the Steincoalspruit farmers with the development of their farms. This offer was helpful because the government had to be made aware that the

122. AFRA Report no. 17, No Cause to Celebrate, Jun. 1982.

123. AFRA File 11.3.iv, Steincoalspruit: Mr F. Drake (Witz Department of Town and Regional Planning) to L. Weinberg and Company, 21 Oct. 1982.

124. Ibid.

owners were 'actively pursuing a policy of development of their farms and that such land is being used productively.'¹²⁵

The owners who remained on their land after the expropriation did not have a peaceful stay. The government decided to lease a portion of the area to the South African Defence Force (SADF) as a shooting range in 1977. This range adjacent to the landowners was a nuisance, not only because of the noise made by the artillery test or shooting practice, but also because of the behaviour of the SADF officials. Mr Mkwanazi, one of the complainants, stated that the officials were disrupting and harassing the residents.¹²⁶ The other person who used to have problems with the adjacent camp was Mrs Gloria Kubheka. She was disturbed by the noise of bomb-testing and the harassment of her family by the officials.¹²⁷ She repeatedly reported the matter to the Waschbank and Jononoskop police stations, but to no avail, apparently due to the fact that Steincoalspruit had been expropriated.

The transportation of pupils to and from Ekuvukeni, introduced in 1978 when schools in Steincoalspruit ceased to operate, became a bone of contention in 1986. The Native Commissioner in Ladysmith announced, after receiving instruction from an

125. Ibid.: P. Rutsch (LRC) to INR, 7 Jul. 1986.

126. Ibid., Field Trip Report, 20 Sept. 1990.

127. Personal Interview with Mrs G. Kubheka at Steincoalspruit, 5 Oct. 1991.

official in Pretoria, that the remaining landowners of Steincoalspruit had to consider moving, because the bus transport provided by the government was to be withdrawn within 30 days.¹²⁸ Seemingly this service was gradually becoming a financial burden for the Natal Provincial Administration (NPA) and an embarrassment for the central government, because it was implicitly acknowledging the settlement of owners at Steincoalspruit in spite of the expropriation.

As a result of the intention of the community to seek help from the Kwazulu government,¹²⁹ Mr Sithebe again got involved. In trying to illustrate the Inkatha support to the landowners, he employed the language of the then banned liberation movements when he stated that 'Inkatha can make this region ungovernable.'¹³⁰ He continued that they had the ability and means to do that and emphasised that 'forced removals are hidden behind the bus issue.'¹³¹ The threat of Sithebe was given credibility when the withdrawal of the bus service was never implemented. It appears that after this incident some of the landowners started to recognise the role of Inkatha along with that of Afra. This was one of the cases 'where Inkatha

128. AFRA File 11.3.iv, Steincoalspruit Meeting, 23 Feb. 1986.

129. Ibid.

130. Sunday Tribune, 2 Mar. 1986.

131. Ibid.

leaders at local level have played a positive role in representing the wishes of their communities.'¹³²

There were some problems within the Steincoalspruit Committee of Management as a result of lack of proper communication and the allegations of corruption of one of the members. In 1987 some landowners misinterpreted Mr Colvin's recommendation that 'no more tenants should be taken on unless they can help to develop the farms,' as suggesting that all tenants were to be evicted.¹³³ Fortunately the matter was clarified before it could cause serious divisions between owners and tenants. These tenants were those who settled in Steincoalspruit after its expropriation and after the original tenants were removed to Ekuvukeni. New office-bearers of the Committee, most of whom the same but with different portfolios, took over in 1990. In 1991 it came to the surface that one of the long-serving secretaries of the Committee, Mr F.B. Kazi, had allegedly been selling some land, which had been expropriated to people who had been evicted from white farms.¹³⁴ Some of the people who claimed to have bought land from Kazi showed their receipts to Mr Coster, an official of the Department of Development Aid, and also threatened to take him to court. One of these people claimed that an amount of R6 000 was paid to Kazi for a piece

132. Mare and Hamilton, An Appetite for Power, p.95.

133. AFRA File 11.3.iv, Steincoalspruit: P.M. Brown (Afra chairman) to Mr Khumalo, 14 Nov. 1987.

134. Ibid., Field Trip Report, 28 Jan. 1991.

of land.¹³⁵ These allegations were strengthened by Kazi's refusal to hand over the committee's minutes and papers to the new office-bearers.¹³⁶ This power struggle is likely to bring in new problems to the present committee because they will lack a sense of continuity in handling the affairs of Steincoalspruit.

After a struggle for over ten years for a reprieve, the landowners of Steincoalspruit and other areas facing removal, saw their dream coming true in July 1990. The Minister of Development Aid, Dr C.J. van der Merwe, announced the government's decision in response to a letter from the Legal Resources Centre requesting the withdrawal of the expropriation orders on behalf of the Steincoalspruit landowners. He stated that:

1. The previous owners of Steincoalspruit be allowed to remain on the land and that they will no longer be resettled;
2. The rights of the previous owners will be restored as they were prior to the expropriation of the land.
3. The landowners shall assist the Department of Development Aid with the negotiations to resettle the tenants (sic) residing on Steincoalspruit in an orderly manner elsewhere.'¹³⁷

135. Ibid.

136. Personal Interview with Mr N. Khumalo at Steincoalspruit, 5 Oct. 1991.

137. AFRA File 11.3.iv, Steincoalspruit: Dr C.J. van der Merwe (Minister of Development Aid) to J.P. Rutsch (LRC), 30 Jul. 1990.

This announcement meant that the political battle against the removal was now won. The moral aspect overweighed the legal one and after many years the Steincoalspruit landowners could now claim the right to settle and legally own the land. These landowners accepted the Minister's announcement, but they had reservations about the aspect of helping in the removal of tenants. This was regarded as the task of the government and not the landowners, moreso that these tenants occupied the land when it was in its possession.¹³⁸ After the achievement of reprieve, the next step was to give attention to the equally important issues like the restoration of title deeds, the tenancy problem, a need for development aid and the re-establishment of essential social services such as schools.

In spite of these pending issues, an occasion was organised to celebrate the reprieve of Steincoalspruit. Afra was very helpful in organising the celebration and in securing a person who could sponsor the occasion in the form of Archbishop Hurley.¹³⁹ The function was held on the 1st June 1991 at Steincoalspruit. The day was characterised by speeches, songs, Zulu dances, the giving of presents to the various dignitaries, feasting and drinking.¹⁴⁰ The function was also attended by

138. Personal Interview with Mr N. Khumalo at Steincoalspruit, 5 Oct. 1991.

139. AFRA File 9.2.22, Steincoalspruit: The Steincoalspruit Syndicate Committee to AFRA, 4 Sept. 1991.

140. AFRA Press Release, 3 Jun. 1991

people from other areas in the struggle against removal, Afra representatives, Mr Coster of the Department of Development Aid (DDA), Senator Henderson and other dignitaries, including Mr. Sithebe from the Kwazulu government.

When speeches were delivered the Afra-Inkatha contest for the honours of the reprieve came to the surface. The Afra representative stated that the celebration of Steincoalspruit was also a celebration for Afra, for it had been involved for a long time in the area.¹⁴¹ It was also indicated that the real battle lying ahead was that of development. In his speech, Chief Nxamalala of Ekuvukeni launched an explicit attack on Afra and the DDA officials. He stated that when the tenants were removed (1977 -78) Inkatha was not yet there.¹⁴² The implication was that Inkatha could have helped the tenants not to move from Steincoalspruit, but he overlooked the fact that Inkatha was already in existence for it was formed in 1975. Afra was further attacked by Chief Nxamalala on the basis that it never did anything, instead, Sithebe was singled out as the one who did everything for Steincoalspruit. The DDA officials were portrayed as the perpetrators of the removal of the people which, he argued, the government never intended.¹⁴³ The latter

141. AFRA File 9.2.22, Steincoalspruit, Field Trip Report, 1 Jun. 1991.

142. Ibid., Speech by Chief Nxamalala of Ekuvukeni, 1 Jun. 1991.

143. Ibid.

allegation was a total misinterpretation of the government "black spot" policy.

Chief Nxamalala made use of the opportunity to score points for Inkatha and to inflate its role in the struggle against the removal of Steincoalspruit. In his concluding remarks he explicitly urged the parents to send their children to 'eMandleni'¹⁴⁴ an Inkatha Youth Centre at Ulundi used to recruit the youth for the Inkatha movement. The bulk of his speech was aimed at trying to improve the image of Inkatha and thus inappropriate for the occasion, viz. to celebrate the achievement of reprieve. The tone and direction of the speeches were saved by Messrs Xulu and Khumalo who defended Afra and stated that, although the Kwazulu government tried to help, the real support came from Afra.¹⁴⁵ In illustrating the dangers posed by Inkatha, Marc Alcock (Afra researcher) succinctly stated, 'Inkatha will try to push Afra out unless we are instrumental (sic) in returning the title deeds and we are seen soon to be doing development.'¹⁴⁶ This threat opened new challenges for Afra in its involvement in Steincoalspruit. The development hurdle seems to be awaiting any future involvement in Steincoalspruit. It is a challenge to be faced by any organisations intending to redress the effects of the removal.

144. Ibid

145. Ibid., Steincoalspruit Report, 1 Jun. 1991.

146. Ibid.

The state of affairs in Steincoalspruit regarding agricultural activities is precarious. The area had been denied development for about fifteen years since it was expropriated. Since then the landowners who hung onto their land were disillusioned and reluctant to improve their farms and to do any large scale farming. After achieving reprieve and the restoration of title to the land, it became clear that the battle has not been won, for the landowners still had to face the challenge for a major face-lifting of their territory. In an attempt to show the government that the land was still used productively and that the Steincoalspruit owners are developing their farms, in 1986 the Legal Resources Centre on behalf of AFRA commissioned INR to formulate a development plan for the area. This request was agreed to by the landowners.¹⁴⁷ Although the survey was based on the socio-economic conditions of Steincoalspruit in 1986/87, the observations and proposals are still relevant today.

The INR noted that the dominant form of land use in the area was the "subsistence cropping and unimproved veld grazing", with the arable land not utilised to its fullest potential.¹⁴⁸ The government's attempt to force the landowners out of Steincoalspruit by denying them the essential services and facilities led to the present undesirable situation in the area, with all services transferred to Ekuvukeni resettlement location, particularly the schools. Furthermore, there is not

147. Personal Interview with Mr M. Khumalo, 4 Oct. 1991.

148. Colvin, "Reconnaissance Survey of Stein Coal Spruit", p.5.

any form of official support for agricultural activities, and the farmers did not qualify for any loans from financial or service institutes like the Kwazulu Finance Corporation. The district stock inspector has control over the livestock in the area!¹⁴⁹ Probably this control was aimed at preventing a possible outbreak of animal diseases which could affect the neighbouring white farmers. This inspector ensures that the cattle are dipped regularly and also takes annual census of the number of livestock on the farms in Steincoalspruit.

In its assessment, the INR argued that Steincoalspruit could be developed as a viable agricultural area only if certain pre-conditions were met. As the threat of removal has passed, the attention now has to be given to the position of tenants on the Steincoalspruit farms by the local management committee and the joint agricultural planning and development of the area by all the different sub-units constituting Steincoalspruit. An initiative to address these conditions could then be followed by an outside expertise agency "for directing agricultural and rural development aid".¹⁵⁰ The landowners tend to agree with the INR about the problem of tenants as a stumbling block to the implementation of development plans. Immediately after receiving the INR report, the Committee of Management of Steincoalspruit gave tenants three months notice to leave the

149. Ibid., pp. 87-8.

150. Ibid., pp. 17-18.

farms.¹⁵¹ But this action was not in line with the recommendations of the INR report or AFRA's wishes. The latter argued that steps could only be taken after the threat of removal had been cleared and after the assessment of 'how the existing tenants can help extend development in the area'.¹⁵²

The recommendation for joint agricultural planning and development of the different sections of Steincoalspruit seems to be problematic at the moment. There is a division between the Syndicate landowners committee and the Freehold landowners committee. Although the two groups had been working together under the Management Committee to fight against the removal threat, the rift surfaced after reprieve was achieved. It gained momentum when the development issue came into picture, thus splitting the landowners into two groups. The way in which the division could prevent development was illustrated by the serious differences over the location of the building of a school offered by the Department of Education and Training. The site of the previous high school, which was demolished when the removals started, was rejected by the Freehold Landowners who argued that it was not at the centre of all the Steincoalspruit farms, because it was on the syndicate farm.¹⁵³ Such conflicts

151. AFRA File 11.3.vi, 1983-1988 : Mr Khumalo (Acting Secretary, Steincoalspruit Farms) to Mr P.M. Brown (AFRA) 17 Oct. 1987.

152. Ibid. : Mr Brown to Mr Khumalo, 4 Nov. 1987.

153. Xulu, 'Steincoalspruit " A Black Freehold Community', p.49.

are still in place and they hold development hostage, and forced AFRA to suspend its services to the area¹⁵⁴ until there is a joint action round development.

Apart from the present state of affairs, outside financial help tends to be available for the development of areas like Steincoalspruit. The Independent Development Trust (IDT) was established in 1990 to make funding available to community based organisations for development projects.¹⁵⁵ Mr J.H. Steyn was chosen as the president of the Trust, which became known as the Steyn fund. Although the victims of forced removals qualify for benefits from this fund, there was concern about the lack of 'direct grassroot consultation with affected communities'.¹⁵⁶ Assuming that funding will not be a problem the revamping of agricultural activities is problematic, especially given the fact that some landowners have purchased homes in urban areas and are out of touch with farming. These people regard their farms in Steincoalspruit as their "traditional" or "holiday" homes.¹⁵⁷ In view of this situation there is a need to access the wishes of landowners, which should be taken into consideration for development. The origin

154. AFRA File 11.3.vi, 1989-91, Steincoalspruit : Mr M. Alcock to Mr Khumalo, 4 Dec. 1991.

155. AFRA Newsletter, No. 19, Nov/Dec 1992, p.2.

156. Xulu, 'Steincoalspruit : A Black Freehold Community', pp.46-47.

157. Ibid., p.6.

and development of the Steincoalspruit community, the expropriation of its land, struggle for restoration and the prospects and problems of the future are in numerous ways at variance with those in Roosboom.

CHAPTER III : ROOSBOOM (1900s - 1992)

Rural forced removals in South Africa have followed the same pattern particularly in the way they were carried out. Apart from the similarities, there are distinct differences regarding aspects such as reasons and timing for a particular removal. Roosboom, an African freehold area in Northern Natal, like Steincoalspruit was classified as a "black spot" after the passing of the 1913 and 1936 Land Acts. Roosboom is another example of how blacks purchased land on a freehold basis in South Africa and evolved a prosperous and a peaceful community. It was on the priority list of forced removals, because of the political pressures from its vicinity. The leasing and latter purchase of the Roosboom farm was pursued in spite of the fear that one day blacks might be deprived of their property rights.¹

Roosboom, known as Enhlonhlweni in Zulu, was acquired in 1907, i.e about three decades after the acquisition of Steincoalspruit which was purchased during the 1870s. While a portion of Rietkuil (a freehold farm neighbouring Roosboom) was purchased by the Zake Nawe Rietkuil Land Owners Association in 1907², Roosboom was leased from boer farmers in 1907 by a black

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1. AFRA File 11.2.iii, Roosboom, 'The Origins and the Decline of the Roosboom Village and the Struggle of its Community for Survival', 1 Dec. 1976, p.1.
 2. Ibid.: L. Dhladhla (Secretary Zake Nawe Riet Kuil Land Owners Association) to the National Party Provincial Secretary, D.J. Potgieter, 29 Jan. 1951.

individual, Christian Joseph Khumalo who was exempted from the Natal native law.³ The latter aspect correlates with Steincoalspruit whose purchasers were mostly 'exempted natives'. Roosboom is located on the old national road (old N3) from Durban to Johannesburg, about ten kilometres south of Ladysmith.⁴ Like Steincoalspruit it was acquired prior to the stringent circumstances of land acquisition and ownership by blacks in South Africa.

Whereas the Steincoalspruit purchasers were mainly non-Zulu speaking descendants of the *oorlams*, those of Roosboom were Zulu speaking Africans of Natal. The origin and acquisition of Roosboom was closely linked to the Zulu-British clash over land and political power during the second half of the nineteenth century. It is situated on the eastern slopes of the Drakensberg range, which used to belong to the Amahlubi tribe under Chief Langalibalele. By the 1870s this tribe was undergoing 'a minor economic revolution' which contributed to its prosperity.⁵ This African economic prosperity coupled with the ownership of rifles bought from the Kimberley diamond fields, led to tragic rebellion of 1873 with the Natal British

3. Ibid., 'The Origins and the Decline of Roosboom', p.1.

4. Ibid.: H. Liversage (AFRA) to P. Rutsch (LRC), 16 Nov. 1990.

5. N. Etherington, 'Natal's First Black Capitalists', in Theoria, vol. 45 (1975), p.35.

authorities.⁶ This rebellion resulted in a loss of not only political power but also the Amahlubi traditional land which ranged from Goegedacht to Roosboom, situated NNE (north north-east) of Goegedacht.⁷ Apparently all this land belonged to the white Natal authorities after the Amahlubi conquest. The adjoining areas like Rietkuil and Roosboom therefore had to be acquired on an open market as freehold areas, without any traditional bearing or claim, in spite of the fact that the purchasers were Zulu-speaking. As was the case with Steincoalspruit (no. 1171), Roosboom (no. 1102) had to be registered privately as freehold areas.⁸

Mr Joseph Khumalo, the original purchaser of the Roosboom farm, initially leased it, with the option of buying it. The farm amounted to 1 510 acres and was offered at £1/5s per acre.⁹ The initial option was to last until 1908, but it was later extended to 1913 with the price tag unaltered.¹⁰ Mr Khumalo had

6. Ibid.

7. Private Letter, A Reply to an Application for Land by Chief Makhosi Radebe of the Hlubi Tribe, Klipriver District: Department of Native Commissioner (Ladysmith) to CNC, 1989, (copy obtained from Mr. A.N. Maduna of the Roosboom Management Committee).

8. NTS File 2322/308(7), Control of Native Owned Land, Ladysmith District. 4 Jan. 1951.

9. AFRA File 11.2.iii, 'The Origins and the Decline of Roosboom', p.1.

10. Ibid.

problems in raising the purchase price. The only possible way of buying the area within the given time was by forming a syndicate similar to the original Steincoalspruit purchasers. During this period there was a general awareness among Africans of the need to purchase land. One of the examples of the forces which encouraged this move was the Native Farmers Association of Africa, Ltd, established among others by Pixley Xa Izaka Seme of the then South African Native National Congress (hereafter ANC). This association promoted the purchase of areas such as Daggakraal and Driefontein in Northern Natal.¹¹

Mr Khumalo's dream of buying the farm was realised after a surveyor, Clement H. Scott of Pietermaritzburg, assisted him in securing a loan. In an attempt to arrange for the repayment of the loan, he formed a syndicate of 48 African families.¹² Each of these families acquired a portion of the farm at 25 shillings per acre, but Mr Khumalo made a provision of 200 one and half acres plots to be put on sale for township stands, with the other 200 acres set aside as commonage.¹³ The township later came to be known as Goodhope. The township plots were carved out of sub-division 5 adjoining the remainder of Lot 6

11. Ibid., Field Trip Report, Jan. 1983.

12. Ibid., 'The Origins and the Decline of Roosboom', p.1.

13. Ibid.

of the Roosboom farm.¹⁴ A Board of Trustees was later established, and was vested with the authority of maintaining discipline and administering the affairs of the settlement.

As a result of the role played by missionaries, the Roosboom settlement managed to develop into a community with basic services like a clinic, educational institutions and churches. There was already a mission station in Roosboom even prior to its acquisition by Joseph Khumalo. In 1891 Rev. Henry Thomas Arthur Thompson established a school in Roosboom known as the Saint Philip Mission School, but he died four years later in 1895 at the age of 36.¹⁵ Sister Ellen Margaret Cooke also founded the Saint Hilda's College during the last decade of the nineteenth century. She became its first principal and headed it for 50 years until she died on 9 May 1949.¹⁶ Some of the vocations offered in this college included spinning, weaving and carpentry.

The Methodist and the Anglican missionary organisations were allowed to erect church buildings with an additional provision

14. NTS File 2301/307, Remainder of Roosboom: Walton and Tatham to Native Commissioner (henceforth NC), 31 Mar. 1949.

15. Personal Interview with Mr N. Maduna at Roosboom, 6 Oct. 1991. This aspect is also qualified by the inscription on Rev. Thompson's tombstone at Roosboom.

16. Personal Interview with Mr N. Maduna at Roosboom, 6 Oct. 1991.

for an interdenominational school.¹⁷ These important services became part and parcel of the Roosboom community life. This constructive role played by mission stations was not as extensive in Steincoalspruit as it was in Roosboom. In Steincoalspruit the coal mining industry had not only become a unifying factor, but it was identical to the community, whereas in the Roosboom, this role was played by the mission stations. This difference to a certain extent qualifies the labelling of the Steincoalspruit settlement as a mining community and the Roosboom village as truly 'Kholwa' community.

Apart from the mission stations and the neighbouring towns, the residents of Roosboom also contributed to their community coherence. They derived their water from a large spring and a small earth dam. To supplement these sources, there were two large boreholes and storage tanks.¹⁸ This water was used for domestic purposes and for livestock. At the time of its removal the Roosboom community amounted to about 11 000 people.¹⁹ Agriculture was an important activity with most families having access to arable fields for the cultivation of crops like maize, potatoes and beans. Fourteen families

17. AFRA File 11.2.iii, 'The Origins and the Decline of Roosboom', p.1.

18. AFRA File 9.2.22: Report on water assessment at Tembalihle, Roosboom, Steincoalspruit and Matiwane's Kop, 16 Sept. 1991, p. 2.

19. Sunday Times, 31 Mar. 1991.

produced for the local market.²⁰ Some families kept livestock like cattle and goats but almost all residents kept poultry. As it was the case in other African freehold areas, Roosboom attracted tenants who by the 1970s outnumbered the landowners. This extended community against the limited resources, had to content with the adverse environmental and economic conditions, because like all other "black spots" Roosboom received virtually no government aid or infrastructural development.²¹

During its early stages of existence, Roosboom was a well-established and reasonably united freehold community.²² Prior to the year 1936 its farmers were able to compete economically with their white counterparts, with the result that the latter urged the government to introduce land legislation.²³ The insecurity of African landowners in Roosboom due to the pending expropriation of their land in accordance with the 1936 Native Trust and Land Act, led to their lack of interest in improving or investing their money on their land. Instead, they preferred to buy consumer goods like

20. AFRA File 9.2.21(i), Roosboom Community Representation regarding the restoration of land and title to Roosboom for submission to the State President, 5 May 1991, p. 3.

21. Ibid, pp. 2 - 3.

22. AFRA Newsletter No. 7, Jun. 1990.

23. AFRA File 11.2.iii, 'The Origins and the Decline of Roosboom', p.2.

motor-cars.²⁴ This shift in their economic emphasis was a reverse of a process which had started during the nineteenth century, viz. an increase of agricultural production by African farmers for the market. Unlike in Steincoalspruit where coal-mining was the most dominant economic activity, in Roosboom a peri-urban community developed as a result of daily or weekly commuting to and from the Ladysmith and Colenso urban centres.²⁵ The more developed towns near Steincoalspruit were relatively far away than in the case of Roosboom which became a labour reserve for the nearby towns. Steincoalspruit accomodated labour for the coal mines.

The process of acquiring the Roosboom farm started in 1907, but before it could be finalised, the 1913 Natives Land Act was passed. The farm in question was not included in the scheduled area set aside by the Act for African ownership. In accordance with the provisions of the Act, Mr Khumalo obtained the consent of the Governor General.²⁶ The area continued to be classified as a "black spot", thus vulnerable to expropriation. Steincoalspruit had already existed for about three decades when it became vulnerable, because it was purchased in the 1870s, ie. before the advent of the Union government.

24. Ibid.

25. AFRA File 9.2.21 (i), Roosboom Community Representation to the State President, 5 May 1991, p. 2.

26. E. Mngadi, 'The Removal of Roosboom', in Reality, Vol. 14, 1 (Jan. 1982), p. 17.

The government, in accordance with the 1913 Land Act, started to monitor the white-to-black transactions of land in South Africa, Roosboom and the adjoining areas included. The same monitoring was followed in Steincoalspruit and its vicinity. In 1923 the Mission of the Christian Catholic Church in Zion under the Reverend E.H. Mahon who was stationed in Tiger River in the Orange Free State (hereafter OFS), was given a piece of land in Roosboom by Messrs C.R. and G.H. McDuling for church purposes. It amounted to two acres, viz. lot no. 1 of subdivision C of lot no. 3 of the farm Roosboom (1102). The church desired that one of its three trustees holding title to the ground should be an African.²⁷ Unfortunately this move had to get the approval of the Governor-General, in accordance with the 1913 Native Land Act. The trustees were to be Rev. H. Mahon, L.S. Mc Cordic (both white) and J.J. Dhladhla (African). In his motivation, Rev. Mahon highlighted that the fact the mission had conducted work among blacks for almost twenty years, i.e. in the OFS, Basotholand, plus a few stations in Zululand and the Transvaal. His motivations included the fact that schools of this mission were government-aided and its ministers held government railway concessions.²⁸

27. NTS File 203/307, Klip River Plaas, Roosboom: Rev. E.H. Mahon to the Governor-General (PTA), 3 May 1923.

28. Ibid.

Initially the Secretary for Native Affairs had no objection to J.J. Dhladhla being one of the trustees, for 'he will not acquire personal interest in the land'.²⁹ The land was to be vested in trust for the use and benefit of the church. But after a thorough examination of the question by the Secretary for Native Affairs, it was realised that the mission was a voluntary association of persons which included more than six blacks.³⁰ The consent of the Governor-General was therefore required.

Although the land was offered in 1923, the transfer was delayed until a few decades later. In 1952 an application was made to acquire the consent of the Governor-General for the transfer of the estate of the late Mabel Mary Johannah McDuling to the Executive Council as trustees of the Mahon mission.³¹ The Ladysmith Native Commissioner spotted a loophole which could rule out the need for the consent of the Governor-General as set out under section 11 (2) of Act 18 of 1936. The constitution of the mission provided for an executive council and its membership was limited to five Europeans and two Africans of whom the latter had no controlling interest.³² But

29. Ibid.: SNA, PTA, to Rev. E.H. Mahon, 21 May 1923.

30. Ibid.: SNA to CNC (PMB), 22 Aug. 1952.

31. Ibid.: Mahon Mission Trustees to the NC, Ladysmith, 18 Jun. 1952.

32. Ibid.: NC, Ladysmith to the CNC, 20 Jun. 1952.

still the Secretary for Native Affairs could not approve it on the following grounds:

- * The matter was the subject of correspondence with the Land Tenure Board
- * The mission did not enjoy government recognition
- * The land to be transferred was outside the scheduled and released areas, as provided for in section 8 (2) Act 41 of 1950 and section 11 (2) Act 18 of 1936.³³

All these reasons were part of the centralised checks to make sure that the land did not ultimately fall into black hands as had happened in Steincoalspruit and other freehold areas classified as "black spots". As a solution to the deadlock, the Mahon mission concluded a provisional sale of the land to a white Mr L.J. Bester, who owned the land surrounding the two contested acres. The mission spelled out clearly its decision to sell to a white person: the property was found 'unsuitable for carrying on of missionary work, and natives presently in occupation thereof are a source of annoyance to Mr Bester'.³⁴ This transaction sale was approved by the Governor-General on 27 November 1952 on the condition that the transfer from Mahon to Bester was to go simultaneously with that of the estate of

33. Ibid.: SNA to CNC, 22 Aug. 1952.

34. Ibid.: Walton and Tatham to NC, 24 Sept. 1952.

the late M.M.J. McDuling to the Mahon mission.³⁵ In this way the government succeeded in blocking a further Africanisation of Roosboom and the vicinity.

Another case regarding the division and transfer of land in Roosboom, involved one of the 'exempted natives', Mr Hofmeyer Francis Linda. His property was registered as the remainder of lot 5 of the Roosboom farm. He purchased this land from Amos Bhengu and other Africans for £375.³⁶ But during his lifetime he disposed of certain lots to various Africans and was ultimately left with 253 acres, 18,256 square feet.³⁷ From 3 August 1934 this remaining property became subject to mortgage for the sum of £237 plus £75 as security for 'contingent payment' at an interest rate of 6% in favour of Mr S.S. Lombard.³⁸ The issue came to the fore after the death of Mr Linda on 28 July 1937.

The father of the deceased, Mr Francis Linda, also an 'exempted native' was appointed the executor of his son's estate. In this capacity he sold the property to an unexempted native, Mr Isaiah Ndhlovu, for the sum of £278. The condition of sale was

35. Ibid.: Walton and Tatham to NC, 14 Jan. 1953.

36. NTS File 11/53/307, Ladysmith, Remainder 181 of Roosboom: CNC to SNA, 6 Nov. 1934.

37. Ibid.: CNC to SNA, 23 Dec. 1938.

38. Ibid.: SNA to CNC, Certificate of Mortgage, 30 Nov. 1934.

that the latter was to assume liability for the full amount of the principal debt under the bond, viz. the sum of £237.³⁹ The reasons advanced by the Chief Native Commissioner in support of the sale were that Roosboom was already 'native-owned' despite the fact that it was neither in a scheduled nor a released area. He did not foresee any difficulty for Mr Isaiah Ndhlovu in meeting his commitments when they fell due.⁴⁰ The transfer of H.F. Linda's debt to Mr. Ndhlovu was subsequently approved by the Governor-General on 19 January 1939.⁴¹ The mortgage bond was in favour of Mr Lombard, a white person.

As it was the case in Steincoalspruit, the African owned land in Roosboom and the neighbouring areas like Rietkuil were labelled as "black spots" not because they were bounded by white farms, but because they were black owned territories in areas demarcated for white ownership. Any possibility of the already white-owned land falling into black hands was avoided by all means possible. The case of the tribe of Chief Bhevu is a classic example. In 1935 the indunas and the two brothers of Chief Bhevu applied for the purchase of a small piece of land adjoining Roosboom on part of the Rietkuil farm owned by Mr Illing, for the purpose of burying their chief who was already

39. Ibid.: R. Tomlinson (solicitor) to CNC, 21 Dec. 1938.

40. Ibid.: CNC to SNA, 23 Dec. 1938.

41. Ibid.: SNA to CNC, Certificate of Substitution, 19 Jan. 1939.

seriously ill.⁴² This traditional practice of burying a chief on the ground owned by the tribe was common among most African tribes, including the Zulu. Previous attempts by Africans to buy land on this farm were refused and those who had acquired their properties in this area prior to the 1913 Land Act were allowed to sell to Mr Illing as a white.⁴³ Not surprisingly, the application by the tribe of Chief Bhevu, was not recommended by the Chief Native Commissioner, for the required piece of land did not fall within or near a released area.⁴⁴ In spite of previous unsuccessful applications to buy land in Rietkuil, this application had a chance of succeeding because the properties adjoining the land sought were all native-owned, except one small portion owned by Mr Illing.⁴⁵

The property applied for by the tribe measured 150 to 180 acres and its owner, Mr Illing, was prepared to sell it at £4 an acre. The Ladysmith and District Farmers and Industrial Association had no objection to the sale.⁴⁶ But the Chief Native Commissioner could only recommend the application once there was a written approval from this association and of the

42. Natal Archives (Office of the CNC 22/462): NC to CNC (H.C. Lugg), 24 Sept. 1935.

43. Ibid.

44. Ibid.: CNC to NC, 5 Oct. 1935.

45. Ibid.: NC to CNC, 10 Oct. 1935.

46. Ibid.

adjoining white land-owners. A further condition was that Mr Illing was to reduce the purchase price because 'The land in question is in an arid area....'⁴⁷ The approval of the two parties was obtained, but Mr Illing insisted on the £4 per acre selling price because he did not believe that the ground was arid.⁴⁸ The applicants were still keen to obtain the land at the required price, even after the death of their chief, but they did not pursue the matter further because new hurdles were placed in the way of acquiring this property. The Chief Native Commissioner insisted that the owner, who was not prepared to compromise, should reduce the selling price to at least £3.10 per acre and that the purchasers were to put forward at least 50% of the entire purchase price.⁴⁹ The latter point proved to be the last straw for the prospective purchaser because the tribe had only £170 in a Dundee bank in 1935.⁵⁰ By 1936 this amount could not have generated enough interest to cover half of the entire price which could amount to about £232 if calculated at the suggested selling price of £3.10 per acre for 150 acres.

Controlled transfers also affected another 'exempted native' owner at Roosboom, Mr Comfort Israel Celani Masuku. He applied,

47. Ibid.: CNC to NC, 17 Dec. 1935.

48. Ibid.: NC to CNC, 9 Jan. 1936.

49. Ibid.: CNC to NC, 24 Jan. 1936.

50. Ibid.: NC to CNC, 24 Sept. 1935.

under the provisions of section 11 (2) of the Native Trust and Land Act of 1936, for the transfer of the remainder of lot 6 of the farm Roosboom to Wobeyi Mtshali, Dick Mabaso, Albert Gambu and fourteen other Africans. This property, 74 acres and 24 perches in extent, was sold on 14 July 1939 with the Governor-General's consent.⁵¹ This land was used for grazing purposes only, for it was rough and stony.⁵² Most of the neighbouring areas were African or Indian-owned, and all the seventeen purchasers were owners of land on the Goodhope township of Roosboom, according to Wabayi Mtshali who acted as a spokesman for the group. After recommendations by the Native Commissioner and the Chief Native Commissioner, the Secretary for Native Affairs declined to approve the transfer on the grounds that 'the Farmers Association is not in favour of the black island being allowed to remain.'⁵³ His department further felt that the transaction would complicate matters, if African owners were to be removed in terms of the 1913 Land Act and the Native Trust and Land Act. A similar situation occurred in Steincoalspruit, where the local farmers' organisations played an important role in land transfers involving blacks, in spite of a centralised control of and affairs involving blacks by Native Affairs Department in Pretoria.

51. NTS File 2301/307, Roosboom Farm (1102), Ladysmith: Walton and Tatham to NC, 15 Feb. 1949.

52. Ibid.

53. Ibid.: SNA to CNC, 7 May 1949.

The Zake Nawe Riet Kuil Land Owners Association, which purchased a portion of the Rietkuil farm in 1907, was one of the black organisations that were frustrated in their attempt to acquire land in the vicinity of Roosboom after the passing of the 1936 Land Act. In 1951 it made representations for the purchase of the remaining portion of the Rietkuil farm.⁵⁴ From the outset the request did not have a chance of being approved because it was not even approved by the local Native Commissioner in Ladysmith. The piece of land in question was not situated in either a scheduled or released area, and furthermore 'Rietkuil and Roosboom, which are adjoining, together constitute one of the worst "black spot" in this district....'⁵⁵ The matter was then referred to the Land Tenure Advisory Board where it was likely not to be disapproved. Such actions were a clear indication that already by the 1950s the removal of Roosboom and its neighbouring areas was envisaged. It seems that at this stage the Steincoalspruit "black spot" was not regarded as being crucial as the Roosboom one.

This series of refusals of land transfers to blacks in the areas classified as 'black spots' did not necessarily imply that all transfers involving blacks were refused *en masse*. Other transfers which were regarded as being uncomplicated were allowed, such as the transfer of land from one black person to

54. CNC 22/462: L. Dhladhla (Secretary, Zake Nawe Riet Kuil Land Owners Association) to D.J. Potgieter (National Party Provincial Secretary), 29 Jan. 1951.

55. Ibid.: NC to CNC, 29 May 1951.

another. For example, Mrs Paulinah Mbongwa (nee Mazibuko) was allowed to inherit her husband Josia's estate after his death on 2 May 1950. There were only two daughters out of this marriage, Adelaide and Tryphinah.⁵⁶ This inheritance by Mrs Mbongwa was approved by the Minister of Native Affairs on 24 February 1951. In spite of all the struggles over the acquisition of land in Roosboom and its vicinity, by 1960, when the fear of expropriation took shape, the Roosboom territory amounted to 5 833 acres owned individually by Zulu-speaking people under chiefs B. Zondi and Mvelase.⁵⁷

Whilst the Roosboom black landowners' and would-be owners' applications for the purchasing of land in the area was hitting against an obstinate wall in Pretoria, some of the adjacent white landowners, as happened in Steincoalspruit, were offering their properties to the South African Native Trust (S.A.N.T.). This trust was established under the provisions of the 1936 Native Trust and Land Act for obtaining alternative land for blacks living in the "black spots". In Roosboom the most prominent case was that of the Twin's Hill farm. Although there were numerous factors which prompted farmers to make these offers. Mr L.C. Bester's offer to sell Twin's Hill was based on racial grounds. He was anxious to get out from amongst the

56. NTS File 2465/307, Roosboom (1102), NC to CNC, 2 Feb. 1950.

57. NTS File 2806/307, Roosboom: SNA (J.P. Louw) to CNC, 20 Sept. 1960.

blacks who 'surrounded' him.⁵⁸ Unfortunately the trust did not take this offer.

Although initially agriculture played an important role in Roosboom, by the 1950s wage-employment rather than farming was already a major source of income. Being about 10km from Ladysmith, most of the Roosboom people commuted daily or weekly as part of the work-force of the town. The SPP report gives a brief and vivid picture of Roosboom prior to the removal-

'The available evidence suggests that at the time of its removal Roosboom was developing into a kind of peri-urban suburb of Ladysmith. If allowed to remain, and if assisted with the development of a local infrastructure - water, a sewerage system etc. - it would probably, over time, have evolved into a fully fledged suburb but one with a strong rural flavour to it.'⁵⁹

The above extract indicates how the Roosboom farming community was transformed by the nearby towns, Ladysmith and Colenso, into a labour reserve. A preliminary survey of Roosboom in 1958 recorded that the majority of the people were working in Ladysmith.⁶⁰ The employment opportunities around Roosboom led to a high rate of cash or rent tenants, which was later used as one of the scapegoats by the government to speed up the

58. NTS File 1257/307 Klipriver: Mrs S.M. Van Niekerk (MP) to Minister of Native Affairs (Dr H.F. Verwoerd), 25 Jun. 1956.

59. SPP Report, Vol. iv, Natal, p.337.

60. NTS File 973/232/56(i), Residence of the Bantu, Roosboom No. 1, Ladysmith: Assistant Inspector of Squatters to NC, Ladysmith, 19 Feb. 1958.

expropriation of the area. In the case of Steincoalspruit the loss of employment opportunities as a result of the closure of the coal mine speeded up the expropriation.

The tenancy problem tends to be a common feature of both Steincoalspruit and Roosboom. Although the basic attractions were different, the source and the effects of these tenants were the same. Most of these tenants were the evicted labourers from the nearby white farms. The economic effect of this encroachment is that the land-owners abandoned farming, as their primary occupation. The SPP highlighted the reason used by the opponents of blackspots, that land-owners in these areas are 'deliberately choosing shack-farming in preference to agriculture because it is easier and more lucrative.'⁶¹ Elliot Mngadi argued that the 'site-rental tenancy' was not a matter of choice for the landowners, but rather of sympathy to the evicted farm workers from the white farms. By accommodating these people, the landowners were deprived of their land and consequently forced to seek employment in urban areas.⁶² After being employed these landowners tended to be more than prepared to offer their remaining land to any tenant willing to rent.⁶³ In this light, shack-farming returns cannot

61. SPP Report, Vol. iv, Natal, p.97.

62. SPP, et al, 'The Landlord - Tenant Quest on Black Freehold Land', in C.R. Cross and R.J. Haines, Towards Freehold? Options for Land and Development in South Africa's Black Rural Areas, (Cape Town, Juta and Co., 1988), p. 202.

63. SPP Report, Vol. 4, Natal, p. 97.

be regarded as the main motive for the widespread tenancy in the "black spots". These returns were also very meagre, eg. rentals ranged from R10 to R25 pa covering access to ploughing land, commonage and residential site.⁶⁴

As the economic activities of Roosboom were shifting towards labouring in towns rather than farming, the number of tenants increased. In 1958 the government had already started to take action against the high rate of tenancy in Roosboom. There were six squatters prosecuted during that year, viz. Albert Shabalala, Elliot Mugadi, Abel Msomi, Simon Ndala, Isaac Shabalala and Isaac Kunene.⁶⁵ This early prosecution of squatters prior to expropriation was confined to Roosboom. It did not occur in Steincoalspruit because coal mining was still in full operation. But these prosecutions did not deter other tenants from coming in. It is on record that by the 1970s the tenant population in Roosboom outnumbered the land-owners.⁶⁶ The ratio was the same in Steincoalspruit, for the mine owners encouraged tenancy.

64. Ibid.

65. NTS File 973/232/56 (i), Residence of Bantu, Roosboom No. 1, Ladysmith: Assistant Inspector of Private Locations to NC (Dundee), 10 Oct. 1958.

66. AFRA File 9.2.21 (i), Roosboom Representation Regarding the Restoration of Land and Title for Submission to the State President, p.2.

The Northern Natal Landowners Association (hereafter NNLA), which influenced the course of events in Steincoalspruit also had an impact on Roosboom. One of the landowners and later mayor of Roosboom, Mr Elliot Mngadi pioneered the formation of this association in 1955/56 in response to the government's removals of the "black spots".⁶⁷ Most of its members were black landowners from the different "black spots" areas in Northern Natal.⁶⁸ With Mngadi as secretary, Roosboom was likely to be one of the areas where this organisation ^{could} ~~was~~ likely to be active and effective. The primary aim of this association was to help people to resist forced removals.⁶⁹ In 1963 this association held a rally in Roosboom where about 1 000 people attended.⁷⁰ The removal of Roosboom over a decade later therefore was a more direct challenge to NNLA than it was the case of Steincoalspruit. The existence of this association in Roosboom was a factor in encouraging the local white farmers to lobby vigorously ^{their} associations for the early removal of Roosboom. The fact that the ANC encouraged and sponsored the formation of the NNLA apparently made white farmers of the area more concerned.

67. Mngadi, 'The Removal of Roosboom', p.17.

68. AFRA File 11.2.(iii), 'The Origins and the Decline of Roosboom', p.3.

69. Mngadi, 'The Removal of Roosboom', p.17.

70. AFRA File 11.2.(iii), The Origins and the Decline of Roosboom, p.3.

The ANC adherents and influence in Roosboom could have also had a bearing on the urgent demand for the expropriation of the area by the local white farmers. Similar political activities were not clearly evident in Steincoalspruit. Roosboom seemed to be more politically active than Steincoalspruit because organisations like the Industrial Commercial Union (ICU) led by Clemens Kadalie, had a number of adherents in Roosboom during the 1920s⁷¹. The ICU linked worker problems to politics. When the ANC became an unlawful organisation in the 1960s, the white Ladysmith and District Farmers' Association used it as a motivation for giving Roosboom first priority in the government resettlement programme. In 1974 it stated that Nelson Mandela, the then head of the ANC's military wing, Mkhonto We Sizwe, had addressed several meetings in Roosboom in 1963, about eleven months prior to his arrest.⁷² Already by the 1960s the removal of Roosboom was on the cards, but the need to expropriate it tended to be more pronounced in the 1970's.

Apart from the ANC, Mr Eliot Mngadi was also instrumental in organising black freehold communities to fight resettlement. His involvement led him to be one of the victims of the first state of emergency in the 1960s. In 1960 he had organised a prayer meeting at Roosboom which was attended by about 1000

71. AFRA File 11.2.iii, 'The Origins and the Decline of Roosboom', p. 1.

72. NAUNLU (Natal Agricultural Union - Natalse Landbou Unie) Article, 15 Feb. 1974.

people from various communities threatened by forced removals.⁷³ As a result of such activities he was regarded as a 'threat to the state' and in 1964 he was banned.⁷⁴ Opposition to forced removals notwithstanding, the government proceeded with its plans in that direction.

The purpose of the Health Commission was to administer urban areas, standards of health, etc, whereas Steincoalspruit was administered by the Local Health Commission from 1976. Roosboom was placed under such a commission from Pietermaritzburg in 1960.⁷⁵ Steincoalspruit could not be placed under this Commission prior to 1970 because the mine was still providing the essential services for the community, like maintaining the health standards of the area. The running of Roosboom by this Commission was supported by leaders like Mngadi for 'we thought it would help to entrench us in the area, because we knew that they would spend a lot of money sinking boreholes and so on.'⁷⁶ Although the people managed to obtained water from taps for a nominal fee of £1, the commission introduced a pattern it followed in Steincoalspruit. The residents were not allowed to build or to improve their houses without a plan or approval by the commission. This was a standard urban practice but was

73. Natal Witness, 14 Dec. 1988.

74. Ibid.

75. Mngadi, 'The Removal of Roosboom', p.17.

76. Ibid.

interpreted as a deterrent, for the people were already aware of the government's intention to expropriate their land.

In 1963/4 the Commission stopped payment of water rates.⁷⁷ In 1965, the houses were numbered and thereafter permission to build or repair such houses was invariably refused.⁷⁸ The Commission had to act in this way because the government had already evaluated the properties on the land. The residents who defied this insensitive administration were charged. Those who insisted on building new houses had to sign a form to acknowledge that on the day of removal they could not claim any compensation. This Local Health Commission was working in concert with the government.⁷⁹

As was the case later in Steincoalspruit, the administration of Roosboom by the Commission softened the resistance of the people and also led to a rift between the landowners and their tenants.⁸⁰ During the 1973/74 season Roosboom had good rains which were welcomed in the agricultural sense, but caused

77. Ibid.

78. AFRA Newsletter No. 7, Jun. 1990, p.4.

79. Mngadi, 'The Removal of Roosboom', p.17.

80. R. Hallet, 'Desolation on the Veld: Forced Removals in South Africa', in African Affairs Journal, vol. v, 183, (Jul. 1984), p. 312.

damage to houses which the people were not allowed to repair.⁸¹ There was general demoralisation in the community, but the tenants were especially hard-hit because they felt more insecure. They were more likely to accept resettlement than the landowners. As Hallet puts it, it later became astonishingly easy for the government 'to secure a docile acquiescence to the removal' which amounted to a 'daybreak robbery'.⁸²

Whereas the existence of coal deposits tended to explain the timing of removal of Steincoalspruit, Roosboom's removal tended to have been hurried mostly by politically-related factors. The Ladysmith and District Farmers' Association demanded that Roosboom be made a priority in the clearing of "black spots" in the Ladysmith area. This emphatic statement was made as a result of the support given by Mr Valentin Volker to the demands of the Association. He did this to increase support for his contest in the election of a member of parliament in the Klip River electoral district.⁸³ Inter alia, the reasons they highlighted go beyond the petty complaints about thefts or soil erosion and emphasised the deep political-cum-economic aspects, viz.

81. Mngadi, 'The Removal of Roosboom', p.18.

82. Hallet, 'Desolation on the Veld', p.312.

83. AFRA File 11.2. (iii), 'The Origins and the Decline of Roosboom', p.3.

- '(a) It is the only "Black Spot" through which the Durban-Johannesburg National Road passes, with a very heavy recurrence of road accidents, which is a constant source of possible racial friction;
- (b) it causes harmful injury to the image of Ladysmith-Colenso border industrial potential;
- (c) it causes harmful injury to the image of South Africa in the eyes of overseas tourists;
- (d) it provides a golden opportunity to hostile overseas journalists and photographers.'⁸⁴

Apart from these politically overt reasons, there were other non-political reasons such as Roosboom being hazardous to health in the Ladysmith area, the continual influx of squatters and soil erosion as a result of an 'uncontrolled intensive human occupation.'⁸⁵ When placing all these reasons in context, one could get a clearer picture of the predicament which faced Roosboom. While the government provided aid and infrastructural development through its 'betterment schemes' in the reserves, Roosboom like all other freehold communities classified as "black spots", did not receive support of this kind. As a result of this state of affairs, these areas were faced 'with adverse environmental and economic conditions, as well as government policies which deprived them of educational and employment skills.'⁸⁶ After being ignored for some decades,

84. NAUNLU Article, 15 Feb. 1974.

85. Ibid.

86. AFRA File 9.2.21 (i), Roosboom Community Representation, p.3.

Roosboom landowners were unjustifiably blamed for not being prepared to develop their land.

The Department of Plural Relations also indicated another motive for resettlement, in that 'the Government had been consolidating the areas of self-governing states by eliminating "black spots".⁸⁷ The consolidation of the KwaZulu homeland was advanced by the expropriation of freehold areas in white Natal in exchange for land destined for consolidation such as Ezakheni. While the expropriation was hastened in Steincoalspruit due to economic considerations, in Roosboom it was because of the political forces which outweighed the economic implications of the removal on the part of the government.

The removal of Roosboom was already a matter of time in the 1950s, because the Native Affairs Commission recommended in 1955 that "black spots" in Ladysmith should be expropriated.⁸⁸ Furthermore, in 1958 the inspector of squatters suggested that 'the place (Roosboom) be pegged, and no new comers allowed or other huts or houses being erected.'⁸⁹ These statements suggest

87. Daily News, 15 Mar. 1978.

88. NTS File 11/53/307, Ladysmith, Remainder 181, Roosboom: Van Niekerk, Land and Stoltz to Secretary of Bantu Education, 28 Feb. 1956.

89. NTS File 973/232/56 (i), Residence of Bantu, Roosboom No.1: Assistant Inspector of Squatters to NC, 19 Feb. 1958.

that Roosboom, together with other "black spots" was a nuisance to the government and thus to be removed. This suggestion was only put into practice in the 1970s, because prior to this period there was no plan yet as to where to resettle the landowners.⁹⁰

After a long delay, a tract of land was identified as an alternative land to provide closer settlement sites for the people from "black spots", including Roosboom. This area earmarked for settlement was situated along the Ladysmith-Helpmekaar road, about 25km from Ladysmith. It was originally acquired by the SADT in the early 1960s, despite opposition from local white farmers.⁹¹ It was carefully worked out in advance and it made a very good impression on paper. There was provision for recreational, business and hostel sites.⁹² The whole project was spoiled by the fact that people were settled at Ezakheni long before all plans had been carried out.⁹³ The long-awaited expropriation of Roosboom started in 1975, becoming one of the first Ladysmith blackspots to be removed.

90. Ibid.: Land Affairs (PTA) to Director of Native Areas, 7 Nov. 1958.

91. SPP Report, Vol. iv, Natal, p.333.

92. The Natal Mercury, 17 Feb. 1972.

93. AFRA File 11.2. (iii), 'The Origin and the Decline of Roosboom', p.3.

The landowners, except three families, were served with expropriation notices and they were, together with their tenants removed to Ezakheni. In 1976 almost the entire community was destroyed with little overt resistance.⁹⁴ As in the case of Steincoalspruit, the expropriation of the Roosboom areas only affected the African landowners. African tenants residing on the Indian-owned land in Roosboom were not removed.⁹⁵ This was an indication, as was the case in Steincoalspruit, that the main target was not African occupation but African ownership of land. Apart from these non-African landowners, other parties which remained in Roosboom after its removal included three extended families, viz. Zuma, Dhlamini and Khumalo. These families refused compensation and managed to stay on their land.⁹⁶ They, like some of the Steincoalspruit landowners, retained their land because the government failed to provide suitable compensatory land.

This situation differs from that of Steincoalspruit where after expropriation the bulk, about 30 families, of the landowners were still occupying their farms as opposed to three in Roosboom. The situation of the people who remained was not

94. SPP Report, Vol. iv, Natal, p.337.

95. AFRA File 11.2. (iii): H. Liversage (AFRA) to P. Rutsch (LRC), 16 Nov. 1990.

96. Ibid.

ideal in both areas, since all facilities were moved to the resettlement areas, i.e. Ekuvukeni and Ezakheni.

The government claimed that the Roosboom people consented to the removal, but no attempt had been made to distinguish between the landowners and tenants, who were in majority. The last mayor of Roosboom stated that the tenants were prepared to be resettled and told the landlords to keep their land.⁹⁷ They were looking forward to having their own plots at Ezakheni. Unlike the landowners of Steincoalspruit who initially regarded the expropriation of their land as a *fait accompli* until the expropriation notices had been effected, the Roosboom leaders tried their best but in vain. The level of intimidation among the Roosboom community can be attributed to the failure of most landowners to resist removal and challenge the compensation offered by the government, except Mngadi.⁹⁸

The thirteen member council of Roosboom made a plea on 19 August 1974 against their removal.⁹⁹ In addition to this plea, Mngadi made an eleventh hour attempt in 1975 to halt the removal by writing letters to the respective landowners who were employed away from their homes, inviting them to a

97. Mngadi, 'The Removal of Roosboom', p.18.

98. SPP Report, Vol. iv, Natal, p. 338.

99. The Natal Mercury, 20 Aug. 1974.

meeting.¹⁰⁰ This was another way of mobilising against the removal which Pretoria had already destined to be implemented. Despite all these efforts by a capable and experienced leader like Mngadi, 'up to hundred people' subsequently agreed to be resettled.¹⁰¹ The majority of these people could have been tenants for the government officials never distinguished them from landowners when pushing the removal idea. Many tenants were happy to move. An organised resistance was not possible in Roosboom, because there was a deterioration of living standards as a result of a fifteen-year administration by the Local Health Commission, coupled with a general fear of the power of the authorities.¹⁰² To Mngadi, a one-time member of the Liberal Party,¹⁰³ and the man who had been instrumental in fighting resettlements in other areas in Natal, the ultimate removal of Roosboom was a real anti-climax of his achievements.

The last legal battle of the Roosboom landowners, as was the case with Steincoalspruit, was to fight for fair compensation. The majority of landowners in Steincoalspruit were able to remain on their land through a demand for a fair compensation for their coal-seams. In Roosboom, only Mngadi challenged the compensation offered to him. Other people did not, because

100. Mngadi, 'The Removal of Roosboom', p.18.

101. Ibid.

102. Natal Witness, 14 Dec. 1988.

103. SPP Report, Vol. iv, Natal, p.338.

according to Mngadi there was intimidation among the Roosboom community which prevented them from challenging their compensation.¹⁰⁴ Furthermore, they did not have self-confidence and the financial muscle to tackle the state over the compensation issue.¹⁰⁵ Every cent was saved to cope with the costs of starting afresh at the Ezatheni resettlement area. The relatively affluent Steincoalspruit landowners, due royalties from the mining companies, tended to be more organised in fighting their removal. The campaign was led by Frank Kazi, who had resigned as a school teacher in view of the Bantu Education Act (1953) to join an insurance company.

According to the original expropriation notice, Mr Mngadi was offered R1 680 for his shop.¹⁰⁶ This amount was not in accordance with what Mr Mngadi finally received as compensation for his estate. The review of the discrepancy between compensation for Mngadi's land and shop by Mr Shabalala of the Roosboom Board of Overseers indicated that according to reference no. 61 Mr Mngadi only received R440 for lot no. 218 and R220 for lot no. 257.¹⁰⁷ This discrepancy implies that the

104. Ibid.

105. AFRA File 9.2.21. (i), Roosboom Community Representation, p.3.

106. AFRA File 11.2. (iii): E. Mngadi to Bantu Affairs Commissioner, 22 Jul. 1976.

107. Ibid.: Mr M. Shabalala (Roosboom Board of Overseers) to B. Murphy, 8 Feb. 1991.

compensation for Mngadi's land was not fairly paid, and therefore open to challenge. The only compensation which Mngadi successfully challenged was the amount offered for his shop. Initially he was offered R1 680 (R1 700 when including compensation for the latrine, trees and fence). He then acquired the services of an independent appraiser and attorney, Mr B. Christopher, and later claimed R3 600 plus 20% of the valuation for loss and inconvenience.¹⁰⁸

The government's response to Mr Christopher's re-evaluation came after almost a year later on 28 June 1977, giving the complainant an amount of R4 255, 50c for his shop.¹⁰⁹ This vast difference between the original offer and the second amount indicates that amounts offered as compensation were inaccurate and unfair. As in Steincoalspruit, those landowners in Roosboom who owned more than twenty morgen were promised compensatory land, while the others including the tenants were to be given houses at Ezakheni and cash payment for their old homes.¹¹⁰

After being moved to Ezakheni which was situated in the Kwazulu homeland, the former Roosboom residents, like those of Steincoalspruit, experienced all sorts of problems. Ezakheni was described as 'an isolated stretch among thorn-bush and

108. Ibid.: E. Mngadi to Bantu Affairs Commissioner (Ladysmith), 22 Jul. 1976.

109. Mngadi, 'The Removal of Roosboom', p.19.

110. Daily News, 19 Nov. 1975.

scrub-covered hills, where the soil is poor and outlook wild.¹¹¹ Although it had to accommodate thousands of people from numerous "black spots", in 1976 Ezakheni had only one clinic, one doctor, a shopping centre, a beerhall, and only one school.¹¹² In contrast to Roosboom which was an independent and well-established area within an easy distance from Ladysmith, Ezakheni was correctly portrayed by the Natal Witness as 'a settlement in the veld'.¹¹³ The general assessment of this area was vividly expressed as follows;

'It will combine the disadvantages of urban overcrowding with the disadvantages of much remoteness; and in fact it is clear that large numbers of men will eventually have to leave their families and become migrant labourers living in urban hostels.'¹¹⁴

These descriptions were confirmed by the experiences of the Roosboom people who were resettled at Ezakheni. The SPP survey of 1980 (i.e. five years after the removal) revealed a number of chronic problems which were encountered at Ezakheni, especially when compared to Roosboom. Inter alia, there were general complaints about the high cost of living - transport and rent, lack of agricultural land, housing problems, high rate of crime and violence, unemployment and inadequate water

111. Natal Witness, 16 Jun. 1976.

112. Ibid.

113. Ibid., 1 Dec. 1975.

114. Ibid.

and fuel supplies.¹¹⁵ There was crime and violence at Ezakheni, for it was located near the Msinga reserve, notorious for its factional violence which frequently spilled over to the nearby areas.¹¹⁶ This problem was in line with the initial fear expressed by the Steincoalspruit landowners in demanding area free of faction fights for their resettlement. There was also no provision for cultivation or stock farming in Ezakheni. The former Roosboom community had therefore to abandon the agricultural and rural lifestyle overnight and adopt an urban one.

The only advantage of Ezakheni, which was obviously overwhelmed by negative aspects, was the provision of a flush toilet and a water tap on each plot which were not available at Roosboom.¹¹⁷ Over and above this, Ezakheni was regarded as a better area when compared with the devastatingly disadvantaged areas, like Ekuvukeni which were further removed from the urban and industrialised centres. It is thus implied that the resettled Roosboom landowners were not as hard-hit by the conditions at Ezakheni, as the former Steincoalspruit tenants were at Ekuvukeni.

115. AFRA File 9.2.21 (i), Roosboom Community Representation, p.4.

116. SPP Report, Vol. iv, Natal, p.339.

117. Mngadi, 'The Removal of Roosboom', p.19.

The conditions at Ezakheni kept memories of life at Roosboom alive. Like Steincoalspruit, the Roosboom people started to organise themselves to lobby support for reclaiming their land. One of the earliest attempts was to lobby support from people in parliament. For instance, in 1976 P.C. Kerschoff of the South African Institute of Race Relations (SAIRR) wrote a letter on behalf of the Roosboom people to Mrs Helen Suzman (MP) giving her details about the situation in Roosboom.¹¹⁸ Other support was sought from church organisations, foreign missions in South Africa and other organisations such as Afra, which became active in the 1980s. As it was the case in Steincoalspruit, AFRA helped to publicise the ~~case~~ of Roosboom and in organising campaigns for its reprieve. In May 1990 the Roosboom Interim Committee was formed to mobilise the former Roosboom people for its re-occupation.¹¹⁹ This committee was constituted by the former landowners of Roosboom.

In June 1990 a reprieve campaign was held in Pietermaritzburg when six rural freehold communities compiled a joint memorandum. They demanded among other, the return of title deeds and land to the original landowners and that the government should embark on a programme of affirmative action to redress the suffering experienced under the inequalities of

118. AFRA File 11.2. (iii): P.C. Kerschoff (SAIRR) to Mrs H. Suzman, 8 Jun. 1976.

119. AFRA Press Release, Feb. 1991.

apartheid.¹²⁰ A month later only four of these communities were reprieved. Roosboom was excluded. In October the second joint memorandum was issued followed by another two in December 1990 and January 1991 which were sent to the DDA. They repeated the earlier requests for negotiations concerning re-occupation, but to no avail.¹²¹

Unlike the Steincoalspruit landowners who were still on their land after expropriation, the fight for a reprieve by the former Roosboom landowners was to be very difficult, because they had accepted compensation and were all resettled, except three. The Roosboom case was therefore more of a political issue than the Steincoalspruit one. As happened to the Steincoalspruit farms after expropriation, all the Roosboom farms vacated by their owners became a state owned property. In the case of Roosboom, the Department of Development Aid stated in 1991 that it no longer had any jurisdiction over the area as it was under the control of the Department of Public Works and Land Affairs.¹²²

The white farmers were granted the right to use the vacated Roosboom farms for grazing their cattle. Like some parts of

120. Afra Report, Roosboom. 5 Dec. 1990.

121. AFRA File 9.2.21 (i), Roosboom Community Representation, p.5.

122. Ibid.: Director-General (DDA) to Chairman (Roosboom Board of Overseers), 22 Jul. 1991.

Steincoalspruit, some parts of Roosboom were granted to the SADF (5 SA1 battalion) as a shooting range for artillery and for army manoeuvres.¹²³ In Steincoalspruit these grants also brought serious confrontations between the SADF and the former landowners. The latter were still confident that the land belonged to them. In Roosboom the confrontation only started in 1980 when the re-occupation drive began.

Mrs Elsie Hlatswayo, who had returned to Roosboom, together with her three children, was arrested on 19 October 1990 but the following day she was released. The case was subsequently withdrawn by the magistrate on 22 October 1990.¹²⁴ Another re-occupant, Mr Mlotshwa, was also arrested in November 1990 and released later. His case was then provisionally withdrawn until further investigation.¹²⁵ The withdrawal of these cases was indicative of the government's lack of direction in handling land affairs. Mr Mazibuko of the Roosboom Interim Committee urged the former Roosboom people to move in quickly before the government repealed the Land Acts, which would enable whites to buy up Roosboom.¹²⁶ The families, which reoccupied Roosboom, were allowed to remain there, while the

123. Ladysmith Gazette, 16 Nov. 1990.

124. AFRA File 11.2. (iii), Fieldwork Report, 24 Oct. 1990.

125. Ibid.: Public Prosecutor (Ladysmith) to M.H. Gafoor and Co. (Escourt), 30 Nov. 1990.

126. Ibid. Fieldwork Report, 24 Oct. 1990.

Roosboom Interim Committee was engaged in negotiations with the Department of Works and Land Affairs.¹²⁷ The reoccupation of Roosboom was a great challenge to President De Klerk's reformist government. Such initiatives contributed to the later reprieve and ultimate restoration of land to the former Roosboom landowners.

In view of the long-term issues to be addressed, coupled with mounting responsibility, in 1991 the Roosboom Interim Committee was dissolved to make way for the new Roosboom Board of Overseers. But the same members who served in the former also served in the new body. There were two committees to function under this board - the Committee of Caretakers and the Disciplinary Committee.¹²⁸ The establishment of this new board tended to be a preparation for the battle ahead, reprieve, restoration of titles and development. This was a wise step in the light of the 1991 government's decision to open up negotiations with the former freehold communities of Roosboom and Charlestown to return the land from which they had been forcibly removed.¹²⁹ The internal squabbles which were apparent within the Steincoalspruit Management Committee tended not to exist in Roosboom. While the Roosboom community spirit was maintained even at Ezakheni without any distinction between

127. Natal Witness, 23 Feb. 1991.

128. AFRA File 9.2.21: Roosboom Board of Overseers to Bridgette Murphy (AFRA), 1991.

129. AFRA Press Statement, 7 Aug. 1991.

landowners, that of Steincoalspruit was marred by a division between the syndicate members and the individual land owners.

Like some of the Steincoalspruit landowners, the three families which remained at Roosboom when others were removed, fought their legal and political battle with the help of their legal representatives, and later Afra also tried to help. The two prominent ones in this struggle were the Zuma and Dhlamini families. They refused to leave since they were not satisfied with the compensation they had been offered. In the case of the Zuma family, an attorney Mr J. Shepstone of the Woodhead, Bigby and Irving firm (formerly from Alloway Shepstone), succeeded in having the original expropriation, dated 23 November 1977, set aside due to technical aspects.¹³⁰ The family then continued to occupy its farm. The second notice of expropriation which was given on 16 November 1988 was also declared null and void, because the description of the property was incorrect. Despite the invalidity of the notice, the amount offered for compensation was not accepted.¹³¹

Mr Shepstone continued to engage with the government departments for a number of years over the Zuma and Dhlamini cases. Realising that the legal battle was very difficult, in

130. AFRA File 9.2.21 (i), Roosboom Community Representation, p.5.

131. AFRA File 11.2. (iii): Messrs Woodhead, Bigby and Irving to Department of Public Works and Land Affairs, 8 Dec. 1988.

1989 he appealed to then Minister of Education and Development, Dr G. Viljoen to intervene at a political level.¹³² Apparently this request never bore any positive results. Ultimately a Commission of Inquiry was set up to determine the future of the Zuma property, and in 1990 it was decided that the land and title thereto was to be restored to this family.¹³³ It is worth noting that unlike in Steincoalspruit where Inkatha was actively involved, it never featured prominently in the attempt of the former Roosboom people to achieve reprieve. This difference emanates from the actions of the Steincoalspruit leaders who approached the IFP and the KwaZulu authorities for help. As indicated earlier, this was a desperate attempt to achieve reprieve and in line with an attempt by the community to identify itself with Natal's traditional Zulu group. There is no indication of Roosboom people seeking help from that direction.

The circumstances of the expropriation of the Dhlamini properties were identical to those of the Zuma's, but the state expected the former to follow the same procedure as the latter. In spite of the uncertainty surrounding their future in Roosboom, the Dhlamini family had built a big modern house, but

132. Ibid.: J.W. Shepstone to Minister of Education and Development Aid, 14 Sept. 1989.

133. AFRA File 9.2.21(i), Roosboom Community Representation, 5 May 1991.

only after consultation with organisations such as Afra.¹³⁴ The three families, together with the former Roosboom residents who have already started to re-occupy it, are a serious challenge to the government in as far as restoration and development are concerned. The latter aspect is of great importance, because Roosboom like Steincoalspruit and other "black spot" areas had been denied development aid.

After a lot of campaigning for the restoration of their title to the land, in 1992 the Roosboom people received a positive response. On the recommendation of the Advisory Commission on Land Allocation (ACLA), a special commission set by the government to make recommendations on the use of state-owned land, President De Klerk agreed that ownership of the previous landowners was to be restored.¹³⁵ The decision to restore the land, as was the case in Steincoalspruit, was welcome by all the people who had been involved in the struggle for land restoration. The restoration of land in Roosboom and Steincoalspruit was not complicated, because the disputed land was still owned by the state and had not been developed or allocated for a specific purpose.¹³⁶

134. Personal Interview with Mr Thuthuka Dhlamini at Roosboom, 6 Oct. 1991.

135. Natal Witness, 12 Dec. 1992.

136. Sunday Times, 13 Dec. 1992.

The development of Roosboom is going to be of major concern in 1993. The first on the priority list should be the provision of schools in the area because as it was the case in Steincoalspruit, the landowners were not compensated for school buildings. The second most important aspect will be restoration of the area as a viable agricultural or residential zone. The latter seems to be more applicable to Roosboom which already on its way towards being a peri-urban area of Ladysmith in the 1970s. As indicated, Steincoalspruit has a chance of reviving its farming activities, pending the resolution of its internal conflicts and development aid. Fortunately there is no indication of internal disputes in Roosboom; therefore should development aid be secured, the area could be revived quicker than Steincoalspruit. It will be interesting to see how the two areas can be revived up to the pre-expropriation development. The task of development is not an easy one for the communities were broken into pieces. There is a need for reorientation and restoration of hope to these victims of "black spot" removals.

CONCLUSION

From the foregoing discussion it has become clear that the forced removal of people from the "black spots" was not only unnecessary, but also destructive, causing irreparable damage to the communities concerned. The present state of affairs in both Steincoalspruit and Roosboom is indicative of these effects. The abandonment of territorial segregation cannot be regarded as a permanent cure for the formerly expropriated areas. The communities in these areas were disadvantaged, for their land had been in the government's control for over a decade, thus denying them of any possible development.

The passing of the 1913 and 1936 Native Land Acts provided the state with the legal basis for massive removals of blacks from land which many of them had occupied for generations. But forced removals became part of the South African land story since 1948 when the Nationalist government came to power. The original owners of Steincoalspruit are from the 'oorlam-kholwa' group, foreign to Natal, and those of Roosboom from the Natal 'Zulu-kolwa' group. The two communities were developed by two different aspects, Steincoalspruit by the coal mining industry on its land and Roosboom by urban centres in its neighbourhood. These two aspects also attracted many tenants, which were later to be used as a decisive element in the removal of these areas. Both areas became under threat of removal from 1913, because they were classified under "black spots".

The broader causes of the removal of the two areas overlap, but the last straw was the economic considerations in Steincoalspruit and political ones in Roosboom. The timing for each removal was different.

The coal deposits underlying the Steincoalspruit farms were of great economic importance by the 1970's because of the oil 'shock'. Whereas Roosboom's fate came about because it was regarded as an "eyesore" for the government due to its proximity to the N3 national road which is accessible to the tourists.¹ But the primary motive for the speedy Roosboom removal was the political forces in its vicinity.

Apart from achieving a reprieve of their expropriation and restoration of their titles, the former landowners in Steincoalspruit and Roosboom are still in a dilemma regarding their future existence^{as} either farming or residential areas. This uncertainty shows that reprieve and restoration are undeniably one more 'episode in the ongoing land struggle in South Africa'.² The legacy of land dispossession in South Africa as manifested in the two areas tends to have taken its toll on the community coherence. This aspect is clearly visible in Steincoalspruit. In spite of the division between the landowners and the tenants sown by the government to

1. The Star, 22 Dec. 1992.

2. From Removal to Development : Cornfields, Profile and History of A Rural Community (AFRA Special Report No. 7, Jun. 1991), p. 85.

achieve consent for the resettlement move, and the division between those who accepted compensation and those who did not, there is a third devastating division between the syndicate landowners and the individual landowners. The latter division will hold up development and planning projects until the conflict is solved.

The restoration of the land to the original owners will not be problematic in Steincoalspruit and Roosboom for in both areas the land was still under government control and only some parts leased to white farmers for grazing purposes and to the SADF as a shooting range. The real challenge will be in those communities whose land has been disposed of to a third party. Such cases could be handled by an Advisory Commission on Land Allocation (ACLA) or the proposed Land Claims Court.

The case of Steincoalspruit and Roosboom vividly illustrates the damage caused by the larger injustice of the 1913 and 1936 Union Land Acts, which will continue to be a legacy of land dispossession even long after their repeal. The government has to make recompense for the suffering in the two areas.³ This responsibility will be a great challenge in the future land reform.³ In shaping such reform, it should be noted that 'any land strategy or policy in South Africa will be viable and progressive only if built on the traditions of land struggles

3. The Daily News, 16 Dec. 1992.

that have been fought in South Africa'⁴, as in Steincoalspruit and Roosboom. A policy anchored on community based development projects could be used, because it will be directly in touch with the needs of the people it seeks to address.

To be revived, Steincoalspruit and Roosboom need generous financial and technical assistance. In the case of Roosboom, development towards a periurban area seems to be a viable possibility. This possibility could be in line with the stage of development of the area prior to expropriation and also its proximity to the employment opportunities in the nearby towns. But irrespective of any amount of assistance afforded to the two areas, the unique and prosperous African freehold communities cannot be reconstructed. The Steincoalspruit oorlam community will never be the same again and the same applies to Roosboom's kholwa community. The picture depicted in the history of the two areas is to a great extent a microcosm of the South African land story, but it should be noted that there are some varying cases, because forced removals did not always follow a predetermined and predictable pattern.

4. A. Claassens, 'Rural Land Struggle', in C. Murray and C. O'Regan (eds), No Place to Rest : Forced Removals and The Law in South Africa, (Cape Town, Oxford University Press, 1990), p. 62.

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