

HISTORY & BACKGROUND of the KHOISAN DISPOSSESSION IN SOUTHERN AFRICA

Important note when reading: Place names provided in this accounting are the present day names, to facilitate easier understanding by our readers.

PART 4 1894 up to Current Era

1894 The Glen Grey Act (No. 25 of 1894) is passed. Under the Act, the alienation and transfer of land was to be approved by the governor. Subletting or subdivision of the land was prohibited and the principle of 'one man one plot' was to be applied, thus the rest of the people who were not allocated land were forced to go out and find work elsewhere. Although declared in the Glen Grey District, it is immediately extended to the Transkeian districts of Butterworth, Idutywa, Ngqamakwe and Tsomo by Proclamation No. 352 of 1894.

The Cape Government incorporates Pondoland along the east coast.

1895 Law no. 21 of 1895 prohibits farmers from employing more than 5 African householders on one farm without government permission. However, this proves to be ineffective as Land Companies repeatedly break the law.

1899 British settlers stream into Boer Country, the Witwatersrand, after the discovery of gold. The gold mines become British owned. Various British colonial leaders want to annex the two Boer republics to ensure control over the gold fields, as the British Empire is facing serious economic problems. War erupts, with the Boers striking first.

The Second Boer War (the Anglo-Boer War) breaks out. In 1902, the British defeat the Boers. The Treaty of Vereeniging stipulated full British sovereignty over the South African Republics. A significant provision of the treaty ending the war, was that Blacks would not be allowed to vote, except in the Cape Colony.

1900 In January 1900, the British are defeated in the Battle of Spion Kop, which included Ghandi who was a stretcher-bearer in the Indian Ambulance Corps. 23rd February 1900, The Boers and the British battle at Hart's Hill. August 1900: the British defeat the Boer army at Bergendal.

1902 Canadian Mounted Rifles set sail out of Halifax on their way to South Africa to take part in the Anglo-Boer War. The Treaty of Vereeniging ends the Anglo-Boer War. The Transvaal and Orange Free State republics are made self-governing colonies of the British Empire.

1902 The Coloureds in Cape Town formed the African People's Organisation to represent the interests of "educated Coloured people". Abdullah Abdurahman, as president of the organisation, stressed his organisation's displeasure at the political discrimination to which Coloureds were subjected. By 1910, the organisation had 20,000 members.

1903 The Occupation Act of 1886 of the South African Republic is replaced with the Crown Land Disposal Ordinance No 57, which defined Crown Land as "all unalienated land and all landed property of the Government however acquired" and makes available 160 new farms covering an area of about 112,000 hectares.

Discrimination policies assumed new urgency with the formation of the South Africa Native Affairs Commission. This year witnessed the introduction of the Pass System, which would later be the focus of much resistance by the People. Black people were legally prohibited from living in or entering the Orange Free State. The pass system effectively meant that Africans could not be employed by any farmer, miner or industrialist without a pass.

1904 The Lagden Commission submits its report and recommends that 40% of the best and fertile land should be reserved for white occupants as from January 1906.

The British colonial government imposes an annual rent of 1 pound on every male adult who was considered to be squatting.

The Masters and Servants Ordinance is passed, and it deprives Black tenants of legal protection by defining them as “servants” instead of as wage labourers. Through these definitions, the ordinance in essence established the legal basis for the process of forced removals and eviction of labour tenants and farm workers.

The Chinese Exclusion Act is passed.

- 1906 Introduction of a poll-tax: this was a flat-rated tax levied on all members of the population. Failure to pay the taxes, which included taxes on salt and homes, compelled the Black population to seek work in White-owned businesses.

Attempts are made to reconcile English and Boer populations. This culminated in the Bambatha uprising in which 3 000 Black and 30 White men were killed at Nkandla in Natal. The Natal Native Affairs Commission is appointed to investigate the Bambatha Rebellion. Amongst other things, it examines the issue of land. Its report found that the ‘native lands were overcrowded and inefficiently occupied’, and that little was done by the government to improve the land.

Rules and Regulations for the disposal of Crown Lands are published in the gazette. Under these rules, Africans are prevented from buying or renting such land. The government established the Crown Land Commission to find out how many black people are living on State land.

- 1907 The Vrededorp Stands Ordinance Act 27 is passed in the Transvaal. In terms of the Act, freehold title of certain stands is transferred to the Johannesburg Municipal Council on condition that such title cannot be transferred to an “Asiatic”, “native” or “coloured” person.

The Cape Colony appoints a Department Commission to investigate land settlement on unreserved land in order to deal with squatting and enforcing existing laws.

- 1908 The Crown Land Act is passed and introduces a new principle into the disposal of Crown land in the Cape Province. The Act makes available more than 2,000 hectares of land to 35 whites.

In the aftermath of the Bambatha massacres, numerous meetings were organized by Africans, Coloureds and Indians protested the Whites-only exclusivity of the constitutional discussions that took place between 1908 and 1909.

- 1909 These activities culminated in the establishment of the *South African Native Convention* or *National Convention* in March 1909, which called for a constitution giving "full and equal rights" for all Blacks, Coloureds, and Indians. However, it entrenched White supremacy under a unitary state. Subsequently, an African delegation travelled to London to protest this, but their petition was ignored.

The Mission Station and Reserves Act establishes reserves as communal areas in which the Nama people would pay tax, and be entitled to graze their livestock and cultivate fields.

- 1910 Instead of addressing the constitutional crisis, the *South Africa Act* was passed in Britain granting domain to the White minority over Native (African), Asiatic (mostly Indian) and "Coloured and other mixed races". The British dream of a union between Britain's Cape and Natal colonies and the defeated Boer republics was realised when the Union of South Africa was established in terms of the **South Africa Act of 1909**.

31 May 1910: the Union of South Africa was created from the Cape Colony, the Natal Colony, and the republics of Transvaal and Orange Free State.

- 1911 The South African Party (Die Nasionale Suid-Afrikaanse Party) was formerly established after having ruled since the 15 September 1910 elections. The South African Party was an amalgamation of Die Afrikanerbond (Suid-Afrikaanse Party) in the Cape, Het Volk in the Transvaal, the Orangia-unie in the Orange Free State, and the Volksvereniging, with a section of the English in Natal.

- 1911 The Mines and Works Act of 1911 legislated that Black workers could only be engaged as cheap, semi-skilled labourers and effectively prohibited Black workers from seeking skilled work. For these so-called "unskilled" workers, the political environment created by racist rule ensured that they worked under appalling conditions
- 1912 The South African Native National Congress is founded. This was renamed in 1923 to the African National Congress.
- 1913 The **Native Land Act** is promulgated, which prevents Natives from buying land outside of the reserves. In terms of the Act, "native" is defined as "any person, male or female, who is a member of an aboriginal race or tribe of Africa, and that shall further include any company or other body of persons, corporate or unincorporated, if the persons who have a controlling interest therein are natives".

Political agitation and opposition to White rule in South Africa goes back to the earliest colonial times, when the indigenous People's lands, especially prime agricultural land, were expropriated from their rightful owners - often without compensation. Although the colonial government passed many discriminatory laws against Natives, the most severe - the 1913 *Natives' Land Act* codified those injustices by preserving some 87% of the Union's land for the exclusive use of the white minority and a paltry 13% for use by indigenous and African farmers who made up 80% of the population. The Act prevented Natives from purchasing, leasing or using land, except in the "reserves" or "Bantustans." The Act effectively meant that access to land and other resources depended upon a person's racial classification. This legislation caused endemic overcrowding, extreme pressure on the land, and poverty. This affected millions of "natives".

The Act's most catastrophic provision for Natives was the prohibition from buying or hiring land in 93% of South Africa. In essence, Natives, despite being more in number were confined to ownership of 7% of South Africa's land. This was increased to 13.5% by the Native and Land Trust Act which was passed in 1936. Section 1, sub-section 'a' of the 1913 Natives Land Act states, "a native shall not enter into any agreement or transaction for the purchase, hire, or other acquisition from a person other than a native, of any such land or of any right thereto, interest therein, or servitude there-over." However, Natives were permitted to buy and sell land in reserves or scheduled areas while Whites were prohibited from owning land in these places.

The Act also included anti-squatting provisions to stop share cropping and also defined the boundaries of reserves which were referred to as scheduled areas. Perhaps the most visible impact of the Act was that it denied Natives access to land which they owned or had been leasing from White farmers.

Sol Plaatje wrote, "As a result of the passing of the Natives Land Act groups of natives are to be seen in the different Provinces seeking for new land. They have crossed over from the Free State into Natal, from Natal into the Transvaal, and from the Transvaal into British Bechuanaland" (*Native Life in South Africa*, p.99). Evidently, the Act seized the very asset which was central to lives of Natives people and rendered them destitute.

The Act also "minimized competition by denying blacks the right to purchase land and the opportunity to become shareholders on white owned land." In essence, the Land Act marked the end of the limited independence which Natives farmers had on White-owned land. In spite of the Land Act, sharecropping and labour tenancy continued. This was because of the long delay in its implementation and because White landlords who wanted to keep sharecroppers or rent tenants found ways of getting round the law.



*The South African Native National Congress delegation to England, June 1914 to protest the Natives Land Act.
Left to right: Thomas Mapike, Rev. Walter Rubusana, Rev. John Dube, Saul Msane, Sol Plaatje*

Meanwhile Natives farm workers struggled to hold on to a land of their own, no matter how small the piece. Thus, the impact of the Land Act to black people was profound. It dispossessed and locked black people in servitude. As Solomon Plaatje wrote, ““The section of the law debarring Natives from hiring land is particularly harsh. It has been explained that its major portion is intended to reduce Natives to serfs” (*Native Life in South Africa*, p.100). Natives people forced to move to the reserves often could not find enough fertile land to use for crops.

Immediately after the passing of the Land Act, White farmers began issuing notices of eviction to Black people. R.W. Msimang documented some of these notices in his book *Natives Land Act 1913, Specific Cases of Evictions and Hardships etc.* The position of Native farmers was weakened further when the government began to offer low-interest loans to White farmers. These loans enabled White farmers to make improvements to their farms and buy agricultural machinery. They could now farm directly on land which had previously been allocated to sharecroppers. By 1936, nearly half of the Native workers in towns had migrated from White farms.

Native farmers who owned land inside and outside the reserves did not receive any aid from the government in the form of loans. They therefore found it increasingly difficult to compete with White farmers who could use improved methods and expand their farms.

Lastly, the Act laid down the foundation for separate development through the development of Bantustans, or Homelands.

1914 The National Party is formed. The NP dedicated itself to racial separation, hierarchical stratification and republicanism (the belief that the supreme power of a country should be vested in an electorate). Eligibility to vote was seen as a right belonging to Whites who granted it at their discretion as a privilege to non-whites. Suffice to say, electoral privileges were not extended to Blacks.

World War 1 breaks out, and the National Party commits South Africa to assisting with the British war effort, and non-Whites were also called upon to assist the Allied cause against Germany.

1918 The secret Broederbond is formed to advance the Afrikaner cause.

The Spanish influenza epidemic kills tens of thousands in South Africa. Over 500-million are infected worldwide, with over 75-million deaths, making it one of the deadliest natural disasters in human history.

- 1919 Another deputation travelled to London to petition against the *Natives Land Act*. Although the delegation is said to have been "received sympathetically" by the then Prime Minister, Lloyd George, they came back more disgruntled than ever as the British Premier told them that their problems would have to be resolved in South Africa by the South African government. Resistance against unjust laws such as *the Land Act* persisted.
- 1939 Parliament decided by vote to join the Second World War.
- 1940 The City of Cape Town proposes the destruction of District Six in the interests of 'slum clearance' and 'sanitising the city'. Consequently, many people are moved to the Cape Flats area.
- 1948 The National Party comes into power.
- 1950 The Group Areas Act is passed and gives the government power to create racially segregated areas. The Act enables the authorities to forcibly remove people of a different racial group from an area that has been designated as belonging to another racial group.
- 1951 The Witzieshoes rebellion breaks out as a result of pressure applied by the government through successive legislations that increasingly put pressure on arable land in the reserves.
- 1952 Under the Group Areas Act, the entire Bo Kaap area is declared a Malay area.
- 1955 The Land Tenure Advisory Board (LTAB) which was established in 1946 is replaced by the Group Areas Development Board (GADB) and is given wide-ranging powers to expropriate land.
- 1957 Schotsche Kloof in Cape Town is declared a Malay area.
- 1958 About 1,000 Coloured people in King Williamstown are moved from their township to Schornville.
- 1961 The Department of Community Development is established and the Group Areas Development Board becomes an organ of the Department.
- 1963 The Transkei is granted self-governing status by the Apartheid government under the Transkei Constitution Act.
- 1964 The Group Areas Board declares central Cape Town a White group area.
- 1966 District Six is declared a White area under the Group Areas Act and subsequently, over 60,000 people are forcibly removed to the Cape Flats.
- 1967 The government through the Coloured Affairs Department (CAD) threatens to remove its support for schools in the Riemvasmaak claiming it was a Bantu reserve.
- Simonstown is declared a White area, and the Coloured and African people are forcibly removed to other areas.
- 1968 Schornville is declared a White area and the government proposes to move the Coloured people to Briedbach, an area with no roads, sanitation or other facility. The residents protest, convene a meeting and resolve not to move.
- Thousands of Coloured and Black people in the township of Schmidtsdrift, near Kimberley, are forcibly removed to a reserve near Kuruman in the Kalahari Desert.
- 1971 Mossel Bay, St Francis and Paradys Strand are declared White areas.
- The government orders the removal of the Riemvasmaak community from their area near the Namibian border.
- 1973 The Riemvasmaak community is forcibly removed, and community members are separated. Xhosa-speaking people are sent to the Ciskei, Coloured people are sent to Uppington, and the Damara and Nama people are sent to the Khorogas in Namibia.

Control over “Bantu Affairs” in Greater Cape-Town is transferred to the Peninsula Bantu Affairs Administration Board, which become responsible for forced removals.

1974 The South African Defence Force (SADF) takes over the land seized from the Riemvasmaak community, and later the land was incorporated into the Augrabies Falls National Park.

1976 The South African government grants Transkei full independence.

The Government issues an order for the removal of 400 families from a number of small reserves near Humansdorp in the lower Tsitsikama forest, to Elukhanyweni. Police are ordered to arrest all those who refuse to move, after the people fiercely resisted being moved.

1977 The squatter camps of Unibel and Modderdam on the outskirts of Cape Town are demolished without a court order.

1980 The Surplus Peoples Project (SPP) is formed in the Western Cape owing to evictions in Crossroads.

1982 The South African government proposes to cede parts of the land within its territory to Swaziland. These areas were home to predominantly Swazi-speaking people, who were cut off when the borders were defined in 1904.

1985 The Surplus Peoples Project reconstitutes itself as the National Committee Against Removals (NCAR), and serves as an overall structure linking regional Non-Governmental Organisations (NGOs) dealing with land redistribution.

1991 Arising from ANC rejection of a White Paper on land drafted by the NP, stating that the issue of land restoration must underpin any credible land policy, President F W de Klerk announces the revoking of the 1913 and the 1936 Land Acts. The NP then introduces its White Paper on Land Reform which was limited and aimed largely at preserving the Status Quo. The paper also argued that the restoration of land lost as a result of racially discriminatory legislation was ‘not feasible’. The ANC’s Land Commission holds a national conference which produced guidelines for the development of a land policy.

1992 The South African Native Trust officially comes to an end.

1993 The Riemvasmaak community applies to return to the land from which they were forcibly removed.

The Charter of Fundamental Rights is published and acknowledges the seizure of property for public purposes subject to compensation. However, it overlooks the issue of restitution.

A Land Charter is launched in a Community Land Conference. The charter demands that the State expropriate land and hand it over to communities regardless of how the land was lost.

1994 South Africa holds its first ‘democratic’ (universal suffrage general elections) elections.

Post 1994 scenario:

The ANC had risen to power on the strength of a socialist agenda embodied in a Freedom Charter, which was intended to form the basis of ANC social, economic and political policies. The Charter decreed that "the national wealth of our country, the heritage of South Africans, shall be restored to the people; the mineral wealth beneath the soil, the banks and monopoly industry shall be transferred to the ownership of the people". ANC icon Nelson Mandela, asserted in a statement released on 25 January 1990: "The nationalisation of the mines, banks and monopoly industries is the policy of the ANC, and a change or modification of our views in this regard is inconceivable." But, after the ANC's electoral victory in 1994, the eradication of mass poverty through nationalisation was never implemented. The ANC-led government, in a historic reversal of policy, adopted neoliberalism instead. A wealth tax on the super-rich to fund developmental projects was set aside, while domestic and international corporations, enriched by apartheid, were excused from any financial reparations. Large corporations were allowed to shift their main listings abroad. According to a leading South African economics expert, the government's concessions to

big business represented "treacherous decisions that [will] haunt South Africa for generations to come".

By 2014, around 47% of mostly black South Africans continued to live in poverty, making it one of the most unequal countries in the world. Widespread dissatisfaction with the slow pace of socio-economic transformation, government incompetence and maladministration, and other public grievances in the post-apartheid era, precipitated many violent protest demonstrations. In 2007, less than half the protests were associated with some form of violence, compared with 2014, when almost 80% of protests involved violence on the part of the participants or the authorities. The slow pace of transformation also fomented tensions within the tripartite alliance between the ANC, the Communist Party and the Congress of South African Trade Unions.

2017: Inflammatory political rhetoric is escalating, with party leaders vociferously encouraging lawless land invasions and violent attacks on land-owners.

Throughout all the lip-service paid by the ANC to restitution and reversing the evils of the past, the KhoiSan remain dispossessed and marginalised by the current 'democratic' dispensation. This fatal oversight and wilful disregard of the First People will haunt the ANC and Oligarchy into the distant future.