

Chapter 3

Availability of land and land ownership

3.1 Introduction

In this chapter much of information received was oral or obtained through interviews, the reason being that most of the records that were kept in the government offices of Bophuthatswana were either burnt or otherwise destroyed, especially during the time of transition and the occupation of offices by the new government, as the old records were no longer needed. All the available material was not enough to cover the full spectrum. The facts which I shall be discussing therefore will in some cases be subjective and may raise certain questions. Many people that I spoke to expressed their disappointment at the destruction of the records, as they felt that it was necessary to keep them for historical as well as research purposes. The research I conducted involved some cabinet ministers in Bop and some supporters of the same government. Other interviews were opponents of the government, who shared their experiences under that government as well as how they perceived it.

There were also different views, which I gathered from those who were in opposition to the government, regarding the issue of land as well as the national anthem of Bophuthatswana. On both sides I came across similarities, particularly the issue of the availability of material and documents. Opponents of the government of Bophuthatswana also seem to have been little organised because they appeared not to know who kept the records or who was the secretary at that time. This made the research somewhat difficult as I had to rely on their narratives and compare these with the events they seemed to commonly agree upon. Due to insufficient material, there are instances where I used the secondary sources to back up my argument and sometimes to locate the time frame, in an attempt to be as accurate as possible. On the other hand, the issue of the forced removals which were taking place in the area of Winterveld where people were relocated from Lady Selbourne, Eastwood and

other of Pretoria's white areas, will be discussed in terms of the involvement of the church, particularly the Pretoria Regional Council of Churches, which helped the Winterveld residents to establish the Winterveld Action Committee so as to take into consideration the plight of the landless people. There were also some forms of communication between the South African Council of Churches and the government of Bophuthatswana regarding the situation in Winterveld. This affected not only the landless people but also the residents who had been there before the establishment of Bophuthatswana and were forced to either apply for permanent residence or leave the area, in spite of being born and bred there. This led to some meetings between the South African Council of Churches and the Bophuthatswana government, but the South African government was also heavily involved as this situation was one of their own making.

3.2 Land: a contested reality in terms of Setswana law and its custom on land

In Setswana law there can be no man who is married but without natural claim to a residential site, tillable land as well as access to communal land (this would be land for grazing especially for small and large livestock). The right to this claim is usually exercised by an authorised person (tribal, ward or family head) on allocating the rights of use of land (Jepp 1980: 24). There are instances where women and young men are allowed to exercise these rights to land, mainly in cases of hereditary succession. The traditional tribal system of the Batswana makes no difference between tribesmen and the holders of rights to land and other tribesmen, which basically means that there is no married man without land. However, this does not mean that all tribesmen have the right to claim. What it does mean is that those tribesmen who do not have practical rights to land do not have any at all as they have only the passive rights and their right to land has not lapsed (Jepp 1980: 24). Access to land for tribesmen and newcomers was not sold or acquired through any form of payment. For the newcomers it was through a courtesy gift either to the tribal ward or ward heads; in the case of money, as is the trend nowadays, it will take the form of a special levy that is in no way connected to the purchasing or leasing of land. The traditional land use rights in the case of fields and residential plots are permanent and can only be taken away under certain circumstances, which may be exceptional. As a result, ownership

of land can be passed on from the original owner after death to other generations within the family, through inheritance (Jepp 1980: 25).

3.2.1 Various land acts

The ideology of the Nationalist Party was only officially in force from 1948, and the areas which were allocated to the Bantustans were the reserves which white people were least interested in owning over the years (Rogers 1976: 10). These were widely scattered parcels of land, many of which were smaller than single farms, forming one-eighth of the total land of the Republic. The existing allocation objectives at that time could not go further than the 1936 Trust and Land Act, which was based on the 1913 Land Act which was the result of the colonial conquest and theft of the African people's land. The Act (1913) itself was a means to facilitate the two-thirds majority which the government of the time had wanted in order to remove the Africans from the voters' roll, especially in the Cape (Rogers 1976: 19). The total reserve area which was planned was about 6.21 million hectares an (equivalent to 13,8% of the land area in South Africa) (Rand Daily Mail: 24. 3. 1976).

From that time on the 1936 Act was used as the yardstick for land allocation in the Bantustans in spite of the attempts in some cases by certain of the chiefs to try to make sense of the policy. One of the chiefs who attempted this was Chief Lucas Mangope, when he rejected the 1936 Land Act in an attempt to make it the basis for settling the issue itself (Rogers 1976: 10). In his argument Mangope tried to show that this Act was introduced to solve the 'Native Problem'. His argument was simply that the Act was not relevant to the homeland issue and the future of its sovereignty. The chief ministers of the homelands were concerned with the expansion of the existing homelands and the massive removal of the large number of Africans to the Bantustans and they protested at this imposition upon the homelands without the pretence of consultation. In response to the demands of the chief ministers of the Bantustans, the South African government through Mr MC Botha, who was minister of Bantu Affairs for all the Bantu people of South Africa, said:

'...if they think they can get more land than was allocated to the Bantu in the 1936 Act, by coupling it to independence, then they need not come and

discuss it; they would be wasting their time and ours' (Rogers 1976: 10).

The 1910 founding of the Union of South Africa led to the Batswana tribes becoming South Africans, while the Land Act of 1913, which 'deprived' them of all their territory. According to Reikert (1975: 134), the areas in which the Batswana people were situated did not form a consolidated unit but were made up of loose units over a large area of the North Western and Western Transvaal, North Western Cape and a section of the Orange Free State. Out of this about fifty territorial units were occupied by Setswana speaking people (Bophuthatswana at Independence, undated: 16). The Land Act of 1913 stopped the alienation and the decline of Batswana homelands in South Africa. However, Bauer (1992: 20) seems to think that the Land Act of 1913 should have been regarded as an initial step towards Batswana Nationhood. In terms of the recommendation of the Beaumont Commission the Batswana area covered 1,8 million hectares and comprised a total of 139 units. In spite of these proposals being rejected, they served as a foundation to reduce the number of Batswana areas to 36 larger territorial units through the Black Trust and Land Act of 1936. (Bophuthatswana at Independence, undated: 16).

The consolidation of the Batswana areas by 1967 had arrived at the stage where the homeland was made up of 18 large areas of land (Bauer 1992: 20). The consolidation proposal which was accepted by the South African government in 1975 meant that Bophuthatswana was to be consolidated to six geographical units. At 'independence' Bophuthatswana bought some more land, which at that time meant that there were now seven large units which were extending to four million hectares. Post 'independence' saw Bophuthatswana still receiving more land from South Africa (Bauer 1992: 20). The purchasing of this land was done mainly by the South African Black Trust and it was later transferred and legalised in the South African Parliament, as the transactions were, it was said, taking place between the two 'independent' countries (Bophuthatswana at Independence, undated: 16). The fragmentation of Bophuthatswana was always an issue as it was scattered through some parts of South Africa. For the Bophuthatswana government it was important to consolidate it into one large unit, not only for political, administrative and economic reasons but because this was going to reverse the 'process

of scattering' and displacement which was to ultimately mould the Batswana into one 'independent nation' (Bophuthatswana at Independence, undated: 16).

In attempting a justification for the existence of Bophuthatswana as a sovereign state, Lucas Mangope tried to appeal to pre-colonial history during the Convention for A Democratic South Africa (CODESA). His justification was simply that this history dated back to the nineteenth century, where the Batswana were the occupiers of the area stretching from the South West of the Zambezi River to the North of the Orange River (Bophuthatswana: Pioneer 1992: Vol. 14, No.1). In addition to the argument which Mr Mangope used, based on his historical view, he pointed out that the opportunity had been presented by the South African Government to regain Batswana 'sovereignty'. A further argument which was adduced by people who supported the government of Bophuthatswana was that their 'Independence' did not come about as a result of human making but was due to their prayers. One of the strongest arguments was that Bophuthatswana was a Christian state built on sound religious principles; hence the national anthem was not only regarded as a song but as a prayer of thanks as well.

The issue of land is very sensitive for many of the African people (including the Batswana) as it bears the scars of dispossession and the loss of identity. Among Batswana the issue of land can be traced back from the pre-colonial period when ownership was exercised through territorial and genealogical membership of a group. This membership was determined through kingship or the tribe and it was of communal land which could be used for cattle grazing, tilling and occupation (Jepp 1980: 7). This is a dominant feature in Africa South of the Sahara, where the different groups and levels (in terms of hierarchical order) which work as inclusive interest groups (political, social and economic) are able to provide the structures within which the rights to land of traditional systems of Africa, South of the Sahara, should be understood.

Land allocation was also a problem among the Batswana because the traditional method was not fully followed when Bophuthatswana was allocated land. The method followed was the one which was used by the South African government, following the 1913 land act and

its 1936 amendment act. This allocation was further justified by the use of the Christian principle that the 'land was given by God without any conflict or bloodshed' but through negotiations with South Africa. This became an extension of the supposed inheritance of the South African government, that this was the promised land of milk and honey: the same Old Testament story of Exodus emerging in the boiling pot of the divided context of South Africa. One may ask, what then is the traditional method of land allocation amongst the Batswana?

In most cases the land is under the control of the king (tribal head) who traditionally is the highest authority, with control over the communal area of his tribe (Jepp 1980: 18). The king (Kgosi¹) has direct control over the land and sometimes may work through delegation (dikgosana²). However, the right of the king to control the land does not cease to exist. Because of the different clans that exist among the Batswana there are different ways in which the tribal heads control and allocate the land in their different wards. This contradicts the land allocation by the South African government to Bop and at the same time reduced the traditional leadership of the Batswana, as well as taking away their rights to control and allocate the land to both their subjects and to strangers (Jepp: 1980: 18). Due to colonialism, the traditional method of land control and allocation was taken away from the African Kings and was used against them, since they then had to turn to the colonial powers and the apartheid government for land allocation and control. Despite this the South African government went ahead to allocate the land to the Batswana and appointed a leader for them, who in this case was not a 'king' but a 'president'.

In the context of this situation many people tend to believe that racism started only in 1948 when in the actual sense there was already racism in the colonial era and it seemed to

¹This refers to a king of the Batswana. He may belong to a certain clan but oversees a large area of that clan.

² Under the king is a prince, who is delegated by the king to overlook some of the smaller areas which may be a little further from the king's kraal. Princes are given the powers to control and allocate the land the same way as the king except that they do not exercise absolute powers over the use of land and decision making.

have been a way of life even then. The church collaborated with the state during that period, as missionaries endorsed the racial disparity in the alienation of land, which had clear implications for the practice of traditional religions (Saayman 1993: 37). This added to the Natives Land Act of 1913, which disadvantaged the Black South Africans, and in Saayman's words (1991: 37) 'these expressions of colonialism were not simply bureaucratic political arrangements, but were conceived by their recipients as having very specific religious overtones. This is clearly articulated in the well-known saying ascribed to black South Africans: When the missionaries came, we had the land and they had the Bible. They said: 'Let us pray', and when we opened our eyes after the prayer, they had the land and we had the Bible'. At the same time the abolition of some of the apartheid laws (e.g. the Population Registration Act and the Group Areas Act) did not in any way help to end apartheid, as the social structure characterising apartheid was still in existence in South Africa.

The legal and political background of what was called homelands within the South African context was adopted after the Union came into existence in 1910 (Jepp 1980: 58). This was directed mainly to the land and land use relevant to the Land Act, 13 (Act No.27 of 1913) and the Development Trust and Land Act, 1936 (Act No. 18 of 1936) which specified all the national or black 'states' and provided borders for the administration of land inside these states (Jepp 1980: 58). The 1913 Act was providing additional land for the occupation of national states and reserved areas for the black people (Jepp 1980: 58). After the passing of the Act of 1913 the acquisition, exercising and alienation of rights to land in the national (black) states became subject to the stipulations of these acts, which encompassed mainly the following:

(i) Blacks may only obtain rights to land in so-called 'reserved black areas' and 'released areas' (Act 27/1913: section 1; Act 18/36: section 2 r.w. section 11).

(ii) In 'reserved black areas' and in 'released areas' blacks may obtain land from anybody but alienation of their rights to whites, coloureds and Asians is subject to approval (Act 27/1913: section 1(2); 18/1936: section r.w. section 11 (4).

(Jepp 1980: 61).

However, in the context of transferring land from South Africa to Bophuthatswana distinctions were made based on the Constitution Act for the Black National States, 1971 (Act No. 21 of 1971) section 36. This proclamation made provision for the transfer of land as well as movable property. A distinction was further made regarding the following:

(i) Transfer of all rights to land of which the property rights or control vest in or were obtained from the South African government or the SADT (South African Development Trust) to the government of Bophuthatswana (Proc. No. R347 of 1977: par. (1)); and

(ii) transfer of all rights to land which are registered in the name of the Minister of Cooperation and Development or any other person in trust for a black person, a tribe or community, to the Chief Minister (now the President) of Bophuthatswana and are registered in trust in the latter's name for this black person, tribe or community (Proc. No. R 347 of 1977: par. (2)).

(Jepp 1980: 61).

At the same time there was a legal position which was presented in this manner:

(i) The legal distinction between 'reserved black areas' and 'released areas' has no further practical value in Bophuthatswana. The most important basis of distinction with regard to ownership rights to and control of land is:

(a) the land transferred to the government of Bophuthatswana. 'On the understanding that the land in the area is still administered for the settlement, support, benefit, and material and moral welfare of citizens' (Act 21/1971: section 36) and

(b) the land transferred to the President in trust for the black people, tribes or communities concerned. This distinction is clearly superimposed over that of reserved black areas and 'released areas'.

(Jepp 1980: 62).

From this analysis it is clear that the government of Bophuthatswana should have considered the legislation which was going to give a description of different classes or categories of land, control and ownership and which was going to do away with Act 27/1913 and Act 18/1936 in Bophuthatswana.

3.2.2 Bophuthatswana and land: Lefatshe ke Boswa³

The Batswana people had lived in and around the region of the Orange Free State, Cape Province and the Western Transvaal from the 13th or 14th century CE. However, they lost most of their land to the Afrikaner and British conquests in the 19th century. This was shortly before the Union of South Africa, which later became the Republic of South Africa, in 1961. Later the white leaders of South Africa began to change and implement the policies of racial segregation. These policies culminated in the 1950s when the government divided the blacks according to their ethnic identity and defined them as citizens of separate ethnic homelands or Bantustans (Edgar: Encarta Encyclopaedia 97). The Act of 1971 gave the South African president the powers to establish constitutions and assemblies for any bantustans. Five years later Bophuthatswana became the second homeland to achieve so-called independence. This led to Bop developing its own national anthem, the theme of which centred on the land which had been given to them by God without bloodshed.

Pina ya Setshaba⁴

*Lefatshe leno la borrarona
Re le abetswe ke Modimo
Kwa ntle ga tshololo ya madi
A re lebogeng, a re ipepleng*

³ Lefatshe ke Boswa: This refers to land as an irreplaceable heritage.

⁴ Pina ya Setshaba: The National Anthem of Bophuthatswana.

*Lefatshe leno la borrarona
Re le abela matshelo a rona
Re tla le fufulelwa
Go fitlha sethitho se fetoga madi*

*Lefasthe la kgomo le mabele
Boswa jwa rona ka bosakhutleng
Ramasedi a ledibele
Re tshele mo go llona, ka pabalesego*

*Modimo tshegofatsa fatshe le
Go rene kagiso le kutlwano
Tshegofatsa Setshaba sa rona
Le yona puso ya rona
Go ntsha maungo a a tshedisang*

Translated version:

*This land of our Forefathers
It is given to us by God
Without shedding of blood
Let us give thanks, and rejoice*

*This land of our Forefathers
We pledge our lives to it
We shall labour for it
Till the sweat turns to blood*

*This land of cattle and corn
Our lasting heritage
May God safeguard it fittingly
That we may live in it safely*

*God bless our land
That peace and harmony may reign
God bless our Government and nation
That in good health we may produce life-giving fruits.*

Unofficial Translation. (Bophuthatswana at Independence, undated: 3).

The land issue in South Africa has been a hot potato which over many years created tensions and animosity among its own people. With the creation of the Bantustans, it meant that the perception of communal land ownership, as well as of individual ownership for black people, was now becoming more complex than it had been before the 1913 and 1936 Land Acts and after the creation of the Bantustans in the 1970s. The main question was how Bophuthatswana addressed this problem.

This anthem was composed by one of the members of the cabinet of Bophuthatswana: Mr JM Ntsime, who was the deputy Minister of Education and an author of many Setswana literature books. The national anthem of Bophuthatswana was designed to acknowledge the pieces of land allocated to Batswana based on the Land Act of 1913 and 1936 and separate development, as a way to control the influx to the cities. However, the 'independence' offered to Lucas Mangope did not imply liberation for the Batswana, which was his (Mangope's) perception owing to the fact that Chief Minister Lucas Mangope believed that the Batswana were destined to be on their 'own'. He used the phrases 'Ga re tshwane le batho ba bangwe'⁵, 'mme ebile ga re botoka go phala batho ba bangwe'⁶.

⁵This means that the Batswana were different from other people or ethnic groups.

⁶Batswana were no better than or superior to other people.

Many people who followed Mangope believed in these phrases and they became a popular slogan for those who believed in the 'independence' of Bop at that time. Unlike the well known South African National Anthem (Nkosi Sikelela iAfrika), this anthem was widely sung without any victimisation by the state agents, while Nkosi Sikelela was not allowed to be sung within the 'boundaries' of Bophuthatswana. As with any national anthem when 'Lefatshe la borra rona' was sung, everyone had to stand to attention until the end, and pupils at school were taught to sing it in the same way as well.

The composer, (JM Ntsime) in an interview that I had with him, explained the message behind the song itself. Like most people (particularly those who supported the 'independence' of Bophuthatswana) he said that the government was 'Christian' and its foundation was basically Christian. The interpretation of the song was simply that the opening stanza concerned faith, acknowledging the gift of their forefathers' land from God without any fighting and bloodshed, and therefore expressing thanks to God as they will be proud of it. Further, the anthem describes the land of the forefathers for which its owners shall give up their lives in its defence and not allow anyone to take it away from them. They shall work hard for it, sweat for it till their sweat turns into blood, just to ensure that they will prosper and develop it. The third stanza dealt with the traditional and social side of the Batswana. For many Batswana, cattle and corn mean wealth, both in the past and in the present, and this has been their heritage which will not be taken away by anyone. God must bless this land so that they may live on it without any conflict. God should save and protect everyone who lives on it. The final stanza requested God to bless the land so that there should be everlasting peace, and also to bless the government, laws and the nation.

The promised land was to be delivered to the Batswana by God through its 'leader', LM Mangope who like Moses was seen as having led the children of Israel from bondage. On September 27, 1979 the Bophuthatswana government held a thanksgiving ceremony in which a scriptural text was read from the book of Joshua 1: 1-9 by Rev D Ramokoka from the Lutheran Church. In his sermon Ramokoka likened Bophuthatswana to the Israelites under the guidance of God while on their way to the promised land. He indicated that under the leadership of Moses the Israelites had achieved certain things but not all of them

(Morongwa 1979: Vol.1, No.1). Moses's journey ended at the river Jordan, which simply means that his leadership came to an end but the nation had moved on and continued with its journey, destined by God to reach the land of milk and honey: under the apartheid government the journey had ended and under the 'independent government of Bophuthatswana' the Batswana as a nation were to live and continue with the journey to the land of promise.

Further on, Ramokoka emphasised that God spoke to Joshua as a new leader of Israel beyond the river Jordan and that he (Joshua) had never seen that land; only God had done so. As a result, taking up their 'independence' as Batswana meant that they had crossed the river Jordan like the Israelites (Vol.1, No.1:1979). 'Independence' at that time was seen as the beginning of better things to come and as showing that Batswana should not panic about the uncertainty and the future of Bophuthatswana. During the early stages of 'independence' the promise to the Batswana was that there would be enough land provided for them; they should merely be patient as God had a plan to do just that (Vol. 1, No. 1: 1979, 16). This was raising the hopes of Batswana: the implication was that the South African government was still going to identify more land which was going to be given to Bop. Without any doubt this was referring to another form of forced removal or incorporation of some communities of Batswana into Bophuthatswana. Mangope in this case was given support by a group of some ministers who felt that his was a 'legitimate' government as he was seen to be a Joshua figure :they argued that God was guiding Bophuthatswana and that nothing would happen to it because God would protect it from its enemies (Vol.1, No.1:1979). At the end, Rev D Ramokoka said: 'This God will never be ashamed to identify Himself with Bophuthatswana for the people of this country were also created in His image' (Vol. 1, No.1:1979). This land was to become 'Lefatshe la Kgomo le Mabele'⁷.

The fact that Bophuthatswana was seen as the promised land was emphasised so that

⁷This is a traditional concept meaning that the country is based on agriculture, and that cattle and corn are wealth among the Batswana. Another meaning could be that Batswana's staple food is corn and milk provided by the cattle.

there would be delivery. Because the leaders had made this promise public, it was imperative that there should be some progress. But they did not make public the fact they were not truly independent and that they depended on South Africa for agricultural developments, their mining industry and their commercial industry.

Two years after 'Independence' Chief Lucas Mangope summoned the Batswana to Mmabatho Independence Stadium in Mmabatho to celebrate Bophuthatswana as an 'autonomous state'. The gathering at the stadium was to a certain point linked to the period when people would be celebrating Christmas as it was held on the 6th December 1979. The gathering was one of the 'thanksgiving' for the achievements of Bophuthatswana in its infancy. In his speech Mangope mentioned that it was time that the Batswana should come together to praise God with love and thank Him the protection He had offered to them (Vol.1, No.1, 2). The emphasis of his speech was that God had stretched out His hand to Bophuthatswana and that the Batswana were able to build for themselves; they were now able to listen, enjoy the victory and the achievements of what had been a dream previously. By this he meant that it was time they began to feel like the other nations. It had also been a wish in the past that the Batswana wanted to feel like people and be people (Morongwa:1979, 2).

In addition, the 'leader' of Bophuthatswana spoke about how much women in Bop had united and declared that he was happy about the prospects of the years ahead when Bophuthatswana would be regarded as a nation equal to many in the world. This unity of women, he said, was something which had never been experienced by anyone before. The illustration he gave was that as women had united, they could together build a progressive 'nation' of which everyone would like to be part. His thanksgiving was also directed to God for the children, whom he said were the future leaders given to Bophuthatswana by God. For Bophuthatswana the system of governance was based on the traditional leaders, and they too were thanked by Lucas Mangope for being co-operative, as well as the members of parliament and the other leaders that were present. He hoped that people in Bophuthatswana would 'humbly' accept from him the gratitude that came from his heart, and declare that God had anointed him to be the servant of Bophuthatswana, as well as

expressing thanks to his wife, Leah Mangope.

He expressed with his vision of Bophuthatswana, that it was building its own infrastructure and that for the past two years there had been something which Bophuthatswana had done on her own (Morongwa 1979: 2). The government had managed to secure a piece of land on which they were to erect government buildings. Some of the first buildings that were established under Bophuthatswana were officially opened in 1978 and Mangope dedicated them to God, who had been on the side of the government of Bophuthatswana. One of the wishes was that Mmabatho should remain Mmabatho and the capital at the same time. In emphasising the image of the land of milk and honey, Mangope mentioned the two hotels that were built in Mmabatho and the Sun City hotel outside Rustenburg as another way in which Bophuthatswana would be valued by many who lived in it and many who did not. These were some of the things the Batswana should be proud of that had created jobs for the children of Bophuthatswana (Morongwa 1979: 2).

In the same year the Chief Minister of Transkei, Kaizer Matanzima, visited his counterpart L M Mangope, to celebrate the 'independence' of Bophuthatswana. Like Mangope, Chief Minister Matanzima had opted for the 'independence' offered by Pretoria and he too declared Transkei a 'Christian State' when he stopped the Methodist Church of Southern Africa from honouring its Christian mission in that homeland (Madise:2000, 66). However, Matanzima went further than Mangope and established a church which supported the state: the Methodist Church of Transkei. Mangope made a call for the Batswana to welcome Matanzima as his visitor and their visitor. For Bophuthatswana the support of the church was something that could not be separated from the state, as it was believed that Bophuthatswana was a 'Christian state'.

3.2.3 Opposition to an 'Independent homeland'

Not all people supported the government of Bophuthatswana: some stood up against its 'Independence' and even declared it an extension of apartheid. Those who did so used the name 'Bophuthatswana' to show just how apartheid was extended to the oppressed,

allocating land to them according to their ethnic groupings. The name 'Bophuthatswana' was seen as grouping Batswana speaking people together in a specific piece of land which was allocated by the South African government to separate the people of South Africa. In the territory of Bophuthatswana were two kinds of churches namely, the Imported churches and the Independent churches. It seems as though the government of Bophuthatswana was supported mainly by the Independent churches as opposed to the imported churches. The reason for this was that the mainline churches were affiliated to the South African Council of Churches, which was based in South Africa. These churches saw the territory of Bophuthatswana as the offspring of the South African government and perceived that the ownership of the land was in fact still in the hands of the white people. The ownership of land was, according to the mainline churches in Bophuthatswana, not totally in the hands of the Batswana as they depended on white people to supply them with facilities to till the land and to export their agricultural and mining produce, and they also had to depend on the South African government to address foreign matters.

3.3. The churches and the land issue in Bop

In an attempt to justify the 'Independence' of Bophuthatswana, Lucas Mangope brought up the issue of Batswana history which dated back to the nineteenth century. He also referred to the arbitration by Lieutenant Governor Keate of Natal to resolve the land dispute. This was due to what he (Mangope) called the northward colonial expansion of Britain and the westward encroachment by the Voortrekkers (Bophuthatswana: Pioneer 1992: Vol. 14, No. 1, 4). Mangope's argument was that in spite of the fact that Keate had passed a judgement which was in favour of the Batswana they still continued to be the victims of British colonialism. To Mangope the land issue meant that the allocation by the colonial government was authentic and justified the ownership which 'belonged to Batswana' and could not be questioned. The 1885 occupation by the British Colonial government and the division of the land into Bechuanaland Protectorate and the Crown Colony were viewed as meaningless. As a result the discovery of the diamonds in Kimberley was seen as a breach of the agreement that Southern Batswana were to be part of Bechuanaland. This agreement was never honoured and 'Bophuthatswana' was unjustly and unilaterally

incorporated into the Cape Colony.

The land owned by the church was inherited from the South African Government. Because Bophuthatswana was predominantly rural, most of the land that was owned by the church was obtained from the local chiefs, tribal headmen and the traditional leaders. In some instances churches owned huge lands, such as Methodist (then Wesleyan Mission) in Thaba-Nchu and the Lutheran Church in the Rustenburg area. In some other areas the churches were owning land, but for different reasons than in the cases of Thaba-Nchu and Rustenburg. The history of the land occupied by churches goes back to colonial times as well as to the land act of 1913. In some cases the ownership of this land took place long before the 1913 situation in which it was easier for black people in general to own the land. The situation in Thaba-Nchu could be traced from the colonial period as well as from the Difeqane wars, which led to the Barolong clan occupying that land while fleeing from the Matebele people who were attacking them. The Barolong clan had to travel across the Vaal River, to settle in the place which today is known as Thaba-Nchu in December 1833, three years before the Great Trek. These were Barolong who were under the kingship of Seleka and who apparently bought Thaba-Nchu from Moshoeshoe who was king of the Basotho. The deal for the purchasing of the land was done in front of the Methodist and French Missionaries. Three years after the occupation of Thaba-Nchu by Barolong boo Seleka the Voortrekkers under the command of Hendrik Potgieter were attacked by Mzilikazi and it was alleged that they lost all their food, cattle, sheep and most of their horses. According to Mangope the trekkers owed their lives to Chief Moroka of the Barolong who showed them great hospitality without taking their race into consideration (Vol., 14, No. 1:1992, 5). Mangope claimed that these events led to the state of fragments in which Bophuthatswana found itself. At the same time he argued that the British and the Boers had agreed at the Sand River Convention not to sell guns to the Batswana and this made it difficult for them to protect their land against the land-hungry trekkers. The movement of the trekkers gained momentum until they crossed the Vaal River, where they came into contact with the Batswana. Other clans of Batswana, like Batlhaping boo Mankurwane, Barolong boo Ratshidi in the Molopo region (that is in Mafikeng) and Barolong boo Ratlou were also caught up in the same kind of spider web regarding the issue of land, which took different

routes and had to be challenged in various ways and courts.

In trying to win the confidence of the Batswana Mangope went on to say, the meeting with one accord rejected annexation by the Cape Colony because the Cape Colony was discriminatory, unjust and had usurped their land (Vol. 14, No. 1:1992, 6). Further Mangope went on to discuss the meeting which took place in chief Montshiwa's kraal, saying that, 'the Cape Government took from chief Moshoeshoe his guns, and fought with him although he had done no wrong, and people who today possess nothing, not even guns with which in time past they had helped the Cape Government' (Vol.14, No.1:1992, 6). On the same note Queen Victoria had sent a delegation to help solve the land issue: the people who were tasked with this job were Rev S Mackenzie and Warren. This was seen as a sound judgement by the Queen's government in that both black and white were treated with equal justice. Rev Mackenzie recommended to the Imperial Government to recognise the oneness of Bechuanaland. There were mixed reactions to the whole issue of the annexation of the Batswana, as Mankuroane Molehabangwe wrote to the Lord Marquess of Ripon in Cape Town objecting against annexation by the Cape, the same way as the Barolong boo Ratshidi had done. The Wesleyan Missionaries decided to write to the Cape Colony in 1895 questioning the annexation of British Bechuanaland by the Cape as the matter was still under discussion in the Cape Parliament (Vol.14, No.1:1992,7). These missionaries were claiming that chief Montshiwa of the Barolong had advised the queen against such annexation. The missionaries maintained that they had laboured among Barolong and had knowledge of the people and that they agreed with him (Chief Montshiwa) that the annexation of British Bechuanaland into the Cape Colony was disastrous to the interests of the natives. However, in the same year the territory was annexed to the Cape Colony by Britain. Hence, the decision that was taken by the British government had gone the wrong way according to Mangope's version.

This was not the only reason strongly clung to by the government of Bophuthatswana: it also maintained that it was founded in the heartland of the Orange Free State. This was focussed on the region of Thaba-Nchu, the history of which was deeply rooted in that of the Wesleyan Missionaries (Vol.14, No1:1992,19). There were a number of mission stations

around Thaba-Nchu which belonged to the Wesleyan Society, serving the Barolong under Chief Moroka. This land was occupied by tribes and was drought stricken, barren and plagued by locusts, so much so that people could barely subsist. Over a number of years they (Barolong boo Ra-Seleka) had travelled a distance of about seventy miles to plough, sow and reap on a farm which was owned by Chief Waterboer. James Edwards and James Archbell were the two missionaries who accompanied the headmen looking for land which was described as fertile, and negotiations were entered into between these two missionaries to induce Sekonyela (who was Chief of the Mantatees) and Moshoeshoe, Chief of the Basotho. At the end of the negotiation an agreement was reached and a document was drawn up with the two parties agreeing on the manner of payment and it was signed by both parties (Vol.14, No.1:1992,19).

It seemed as if Thaba-Nchu would be fertile ground for the establishment of a good relationship between the state and the church. Lucas Mangope was a member of the Assemblies of God Church and on several occasions he assisted this church, especially when there were conferences, by making venues available and at the same time he would share the podium with the leaders of the same denomination (Bond: 2000, 112). It came as no surprise when Mangope assisted the Assemblies of God to purchase land, which according to John Bond (2000: 112) was not donated, for the building of its conference centre. For this he was accorded the honour of taking part and his name appeared on the foundation stone of the new conference building. It appears that this honour was accorded him not as a politician but as a church member. The reason given was that it was in his territory (Bond: 2000, 112). Contrary to the above situation, violence erupted in the Eastern Cape (near King William's Town) in which a number of buildings were set alight in 1994. This situation created fear in the members of the Assemblies of God Church, so much so that the conference centre in Thaba-Nchu had the foundation stone with the engraving bearing Mangope's name removed (through the decision of the Black Executive), without consulting him. This was intended to be temporary until the situation had calmed down, but this angered Mangope and since then it seems as if the church has never had contact with him.

However, the church land was not only the issue stemming from the history of the Barolong bo Seleka at Thaba-Nchu. There were other developments in the land near the Winterveld: in the Odi-Moretele region plot number 1376 was identified for the establishment of an Ecumenical Centre. At the same time Rev Mashikinya was able to acquire a piece of land for the Anglican Church and an agreement was reached between the church and the Winterveld Action Committee to construct the Ecumenical Centre as well as to establish self help projects such as gardening, brick-making, carpentry, sewing projects and marketing. Other centres were also established, like the Health Community Centre. In spite of all this, it appeared that the authorities of Bophuthatswana were not appreciating what the South African Council of Churches, together with the Winterveld Committee, were doing in their effort to alleviate the people hardships. For the people of Winterveld, this was not against any law known to them, and was neither desirable nor inhuman. It was justifiable service and people appreciated and deserved it (Chairman's report; Winterveld Action Committee: 4 March 1985).

As a result of the land dispute between the residents of Winterveld and the government of Bophuthatswana, the Pretoria Regional Council of Churches formed the Winterveld Action Committee, which was to function under its authority. This committee comprised three representatives of their churches: Sister Immaculata from the Catholic Church, who was the convener of the Justice and Reconciliation Committee in the Council; Mr J Makhubedu, representing the Evangelical Church; and the Rev Hans Hlaethwa, representing the Catholic Church (Chairman's report; 4 March 1985).

The issue of land has been a controversial matter, particularly regarding religious land. For many Batswana traditional religion has always characterised the good and the evil, as has divination (Jepp 1980: 35). Religious views and ceremonial customs are of great importance regarding the utilisation of land rights. Most people who were in the area of Bophuthatswana believed deeply in 'witchcraft', some were consulting traditional diviners or doctors concerning their rights to the use of land, especially in relation to property, like constructing a house protected against evils or disasters. For one to prevent a situation like this he or she needed some medicine which would help in protecting the property and the

family, to maintain happiness. In some communities rain ceremonies are observed and the protection of the fields by traditional ceremonies is still common.

3.4 The utilisation of land in Bop

It has been estimated regarding agricultural land in Bophuthatswana that only 10 percent of it is arable. Based on a population of 1 740 000, this means that the average land area per household was 1,4 ha, which comparatively was less than that of Transkei by 1,5 ha and worse than the South African context, 3,8 ha per household (Makanjee 1988: 41). From 1980 to 1986 there was a decrease in livestock from 602 560 to 463 008, which was an average decrease of 4,3 percent of the gross domestic product (GDP) and further impoverished the rural populace. The contribution of agriculture to the Bophuthatswana GDP was declining at a steady rate since 1970 and it was ranked third after manufacturing and mining.

At the same time Bophuthatswana had a system which provided the legal services for land as well as for land administration. In the 1988 - 1989 annual report of the Department of Agriculture and Natural Resources, it was clearly stated that:

the Land Administration of the Section Division is responsible for land registration and administration, contracts management, collection of rents for farms, land applications (in rural areas), land use control and inspections. The Legal Services Division offers legal advice, drafting, action, litigation and legal administration for land consolidation. In addition the division offers secretarial services to research committees and multilateral and bilateral meetings (Agricultural Annual Report, 1 October 1988 to 30 September, 1989).

On the issue of land administration the report mentions that:

A central Land Registration is kept at Head Office in which details of agricultural State Land usage are kept up to date. Each District keeps its own register as well. District Land Officers (DLO) assist District Managers

with management and control of agricultural land. Many problems regarding land use have been solved since DLOs were appointed. An analysis of these registers has also revealed irregularities in allocation and usage of State Land (Agricultural Annual Report, 1 October to 30 September, 1989).

The government maintained that it had applied a quiet agricultural revolution in the 'national state', which had largely been removed from the public eye. This means simply that the government was involved in leading a movement towards freehold land tenure and land privatisation, and that this movement was alleged to have succeeded even in the traditional tribal land system. The Bophuthatswana National Development Corporation (BNDC), after negotiations with most tribal authorities in Bophuthatswana, claimed to have set up and supported small scale farmers as they were increasingly becoming private owners of the land through loans by the Agricultural Land Bank of Bophuthatswana, which provided an amount of R47 million to these farmers (Vol. 14, No.1,17:1992). At the same time the private sector in Bophuthatswana also played a role with financial institutions by making the finance available when it accepted a section of the title to ownership of tribal land as collateral. Despite the consolidation process which the South African government had used to buy the land the white farmers (in South Africa itself), to try and consolidate the pieces which made up Bophuthatswana, the process had actually stopped. However, the government of Bophuthatswana was in the meantime still buying the land through Bala Farms (this was a company which was buying up the farms and reselling to local farmers at a price below the market). The Bophuthatswana government saw this as a way in which it avoided 'indiscriminate handouts' of land but rather offered a means to help the farmers become 'independent' (Vol. 14, No.1,1992,17).

The irrigation scheme in the Taung region was based on large scale farming which was considered to be productive and which was proposed in 1977 and started to operate in 1979. This process was planned to increase the land per family through consolidation and additional land to at least 8 hectares on which farmers were expected to make an income of about R2 000-00 per annum. At the same time a new project for development was considered: it was called a pivot irrigational system. This project was seen as being

capable of irrigating at least two circles of hectares and was more efficient than flood irrigation. This system was controversial as it was based on the assumption that the less sophisticated the farmer, the more sophisticated the irrigation must be to ensure success (Jepp 1980: 138). However, this process did not only concern agricultural land, as it involved commercial land as well.

The purchasing of land through Bala Farms also opened new avenues, especially to the owners of companies such as Sun International, Southern Sun and Bophuthatswana National Parks Board, which gave rise to the Tourism Industry. Hotels such as Sun City, Carousel and the Lost City were providing an income for the economy of Bophuthatswana. An advantage was the beauty of the countryside and its wildlife, as the government explored vast tracts of land which they had set aside for game parks as well as nature reserves, and a substantial investment was made at the 60 000ha Pilanesberg National Park, which was opened in 1979. This was followed by an even bigger project, establishing a National Park in Dwarsberg which was about 70 000ha, as a result the biggest game reserve in Africa was established there (known as Madikwe Game Reserve). The issue of over grazed land was to be attended to by the wildlife authorities: they were going to rehabilitate it and open it to the public, and expectations were that the Big Five would also be kept there. These developments were based mainly on the increase of the foreign interest in nature: Africa was seen as providing the best venue and as one which could attract much foreign capital. Through commercial land, the growth of commerce and industry became the mainstay of Bophuthatswana's income (Vol.14, No.1:1992,19).

Three years after the 'independence' of Bophuthatswana, which was celebrated at Mmabatho on the 6th December 1980, Lucas Mangope addressed the Batswana about the blessings Bophuthatswana had received from God, during the three years. According to him, they had demonstrated the success of the 'independence' of Bophuthatswana and its achievements within a short period. The successes he mentioned were attributed to the building and opening of the University of Bophuthatswana as well as to other projects which included the construction of roads and the building of houses for the 'citizens' of Bophuthatswana (Morongwa 1980: Vol. 2, No. 12, 2). Mangope further emphasised that

the land given to Bophuthatswana by God was rich and could not be compared to others. He stressed the minerals and the agricultural, land which he claimed was producing more than enough food to feed Bophuthatswana's 'citizens' and the neighbouring countries (i.e. South Africa, Transkei, Ciskei, Venda and the self governing Bantustans). He spoke about the use of land to produce wealth through farming and mining. Above all, these Lucas Mangope pointed out that there was no greater gift which God had given to the people of Bophuthatswana than their identity to be Batswana (1980: Vol. 2, No. 12, 2). Mangope, as the leader of Bophuthatswana, pointed out that he depended on the people of Bophuthatswana to tell him their problems and that he wanted to know what they needed. Above all he pleaded that the Batswana should welcome people who were not citizens of Bophuthatswana and were coming in a positive spirit to live there and added that there could be no turning back to where the Batswana had come from (in this case implying that Bophuthatswana was not going to be part of South Africa again). In his speech on this day Mangope told the people who attended the celebrations that the Batswana had been undermined by other nations and that it was time for them to show the world what they were capable of.

3.5 Whose land is it anyway?

Not all issues of land in Bophuthatswana were positive, because there were areas which the South African government had agreed upon with Bophuthatswana concerning land. The land issue seemed to have become more than Lucas Mangope had bargained for because there was a problem of land dispossession amongst people who had owned the land and were forcibly removed. In some cases the governments of both South Africa and Bophuthatswana were involved in these acts. A good example of this was the statement made by Mr MC Botha that Bantu people liked being moved from their own land and being resettled (Rogers 1976: 60). To make matters worse, the people of Rietfontein in the Lichtenburg district were moved at short notice and the Department of Bantu Administration and Development claimed that these people had volunteered to move to a place called De Hoop, which was in Bophuthatswana. The statement was disputed by the local chief who even said that the government had promised to compensate them but

nothing had come their way. Another situation was that of the Thaba-Nchu area where Chief Lucas Mangope claimed that 'people were moving of their own free will' (Rogers 1976: 60). The most controversial was the area just North of Pretoria known as Winterveld, where many people were forced to go and live on land which was later incorporated into Bophuthatswana. This area was a squatter settlement where many of the residents had been forcibly removed from the white area of Pretoria in areas such as Lady Selbourne, Eastwood, Eersterus and Riverside from the late 1950s to the early 1960s. Winterveld is about 40km northeast of Pretoria in the Odi-Moretele district, islands of the Bophuthatswana archipelago (A Profile on The Winterveld; unpublished, undated: 2). The history behind Winterveld goes back to the 1936 Natives Trust and Land Act where some of the areas of South Africa were released for purchase by Africans for the purpose of settlement. Winterveld and Klippan were identified as such areas. The stipulation regarding the sale of land was that the land was available 'to Bantu only' and that there were no restrictions on the basis of ethnicity or tribe (A Profile on the Winterveld: 2). Many of the people who were removed were supposed to go to Mabopane and Ga-Rankuwa but owing to lack of enough housing and plots they were dumped from government trucks on the Winterveld farming land, with the stand owners there agreeing at the request of the Department of Bantu Affairs to lease them temporary housing plots. However, in 1967 the Winterveld Community Authority was established by the South African government, empowered with jurisdiction over the people living on the farms Winterveld and Klippan.

In the 1970s the South African government planned to divide black areas of the country into independent homelands, which generated waves of pro - and anti-Batswana feeling. As a result of Winterveld being traditionally adjacent to the Batswana area it was incorporated into Bophuthatswana which at that time was a self governing state of Batswana. Residents of Winterveld petitioned the government of South Africa without success that the area be split off from Bophuthatswana before 'independence'. On December 7, 1977, Bophuthatswana was granted 'independence' without any consultation with the North and South Sotho, Ndebeles, Shangaan, Zulus and Xhosas. In 1978 eviction orders were issued to non - Batswana by the government of Bophuthatswana. Police from Bophuthatswana raided the area and many non Batswana were fined for squatting or not having permits to

reside there. About 30 000 people were removed to a designated area which was to become the new homeland of Kwa-Ndebele. This situation led to the arrest of many principals of private schools and unlicensed hawkers. In response the Pretoria Regional Council of Churches formed a Winterveld Action Committee under its auspices and it had the backing of the Catholic Archdiocese of Pretoria's Commission for Justice and Peace (A Profile on Winterveld: 3). In April 1979 Lucas Mangope warned the plot owners not to allow new families to settle and he urged the community to join the Winterveld Community Authority. The following year (1980) the community of Winterveld who were the plot owners asked the Bophuthatswana government to grant them similar municipal status to Soweto so that they could run their own affairs. Many of the land owners in Winterveld were North Sothos and Shangaans (A Profile on The Winterveld: 3). Despite this, the government of Bophuthatswana insisted that non Batswana could not own the land as they were not citizens of Bophuthatswana.

On January 31, 1979, the representatives of the Catholic Church and the Justice and Reconciliation Division of the South African Council of Churches (under the chairmanship of Rev A Massey) wrote a twelve paragraph letter to the then ambassador of Bophuthatswana to South Africa, Rev SS Seane, expressing concern over the envisaged development which was to take place in Winterveld and Hammanskraal just outside Pretoria. In particular their concern was with the way in which evictions and removals had been taking place as no alternative land had been provided for the non Batswana by the governments of either Bophuthatswana or South Africa. They also took up the issue that those who owned the land in Winterveld and were not interested in obtaining Bophuthatswana citizenship should not be forced to do so. Seeing that he was a former Minister of Religion, an appeal was made to Rev Seane to ensure that the suffering of the black people be relieved irrespective of their ethnic groups. In his response to the letter from the Justice and Reconciliation Commission, the Rev SS Seane in a letter dated 22 March 1979 acknowledged receipt of the above mentioned letter and apologised for the delay as he had only recently been appointed to the Ambassadorial post. In his letter Rev Seane mentioned the twelve paragraph points and raised questions about the sources of information which the writers had, if they were newspapers, which newspapers, and if

people, which people? He added that in Bophuthatswana there were no such things as non Batswana or non Bophuthatswana, as Bophuthatswana was a non racial country. Rev Seane pointed out:

The Bophuthatswana Minister of Urban Affairs and Land Tenure Mr DCM Mokale has recently said this: It is not the intention of my government to force people to settle in Bophuthatswana against their will. It is our wish to create a peaceful atmosphere among the different racial groups in this country and set an example to the world on a model non-racial society. All we require from these people is that they respect our laws and be prepared to die for this country (Seane: 22 March, 1979).

He continued that what the newspapers had reported was all exaggeration and that it had done a lot of harm to race relations among the Black people. The government of South Africa, together with that of Bophuthatswana, were jointly going to resettle some of the people who lived in Winterveld.

Another meeting was also called at the request of president Mangope, through the Ambassadorial office of his government, inviting the South African Council of Churches to discuss a number of issues, which was held on 21 April 1982 as stated in the previous chapter. It was related to the land, that is to plot owners as well as residents. Rev Jimmy Palos from the South African Council of Churches, who was part of the delegation to Mmabatho, raised a concern over the lack of response to the letters which the plot-owners claimed they wrote to the government of Bophuthatswana. One of the letters had been sent on 1 December 1980 to the Inter-Governmental Committee and was directed to the Chairperson, Mr Finlayson. In response Mr Finlayson stated that he had forwarded the letter to the secretary of the Inter-Governmental Committee for a response. No response was received. However, Lucas Mangope maintained that the questions that were raised were not within the jurisdiction of that committee but that they should have been referred to both South Africa and Bophuthatswana. Mangope went on to state that if Bophuthatswana had not been humane they could have implemented the jurisdiction in terms of the pre-independence agreement and forced all the people in Winterveld to leave there. Rev Palos

went on to question why there no was formal acknowledgement of receipt of the Memorandum and to ask whether the questions were receiving attention (Minutes of the meeting in Mmabatho: 21 April 1982). The Rev SS Seane referred to the 12 December 1979 meeting with the plot-owners where he claimed that about 500 people had turned up, following the invitation to them by the government of the homeland which was on February 1980 at Mmabatho. In that meeting it seems as if Lucas Mangope told the plot-owners to throw in their lot with Bophuthatswana and be involved themselves. In this case Rev Seane was referring to the problem of overcrowding, lack of clinics, schools and roads and indicated that the situation could explode. According to Seane, Bophuthatswana was not prepared to move these people unless they wanted to move on their own. Chief Lucas Mangope added that he was in possession of a letter from the Plot-Owners Association in which, Mangope said, the association asked for the removal of the tenants from their plots. In his comment Mangope said that of over 1600 people only 32 of them were found to be Batswana: at the time of the police raids some were arrested and fined R90-00 while others were being prosecuted and fined R30-00. Mangope emphasised that it was in the context of this prosecution and harassment that the owners had asked that their tenants be removed.

Mangope also stated that it was human for people to be defensive and that the impression given was that they (Bop government) were callous and inhuman, but that if they were to go to Winterveld 98% of the people would turn up and say that they were doing a good job, and that only 2% of those would have time to go to the South African Council of Churches and ask for food and parcels at Christmas (Minutes of the Mmabatho meeting, 21 April, 1982). Dr Rod Smith, who was from the Foreign Affairs Department and was also a member of the Inter-governmental Committee, referred to the informal meeting the Pretoria Regional Council of Churches had with the members of the Working Committee and added that there were concerns regarding the situation of Winterveld. Dr Smith expressed his dismay at hearing the criticisms of the Working Committee's activities. At mass meetings the Working Committee listened to the plot owners and tenants complaints: meetings where representatives of the Committee of Eighteen from the Winterveld jointly identified the problems. The Inter-Governmental Committee drafted a policy regarding the proposed

upgrading strategy and it had come to the hands of the South African Council of Churches. The Winterveld Committee under the auspices of the Pretoria Regional Council of Churches had examined the document and was in agreement with its approach and recommendations which were to:

- (a) Make provision for 'permanent residence' instead of obligatory citizenship;
- (b) provide for freedom of choice on the part of tenants and plot-owners to decide their future.

The questions which were raised by the Pretoria Regional Council of Churches, Winterveld Committee related to whether these recommendations had in fact been accepted by the relevant authorities and whether the procedures had been followed. There were also questions regarding the choice of Setswana language as a medium of instruction in schools for people of the Nguni speaking groups.

Rev Seane then referred to those who had allegedly been driven out by police. He asserted that the police only acted against people in the course of their duties and those people (who were arrested) were formally charged before the magistrates. He further said that the allegations were only founded on rumours: 'Gatwe re tsamaye' (it is said we must leave). It was asserted that the police had a difficult task: they could not be blamed because there were people who were illegally occupying the land. One minister (whose name was not disclosed) from Bophuthatswana said that only people who had occupied the land after 6 December 1977, which was the day when Bophuthatswana was given its 'independence', were being arrested and prosecuted. When challenged he insisted that this was the case. Another minister, who was also not named, alleged that people were leaving of their own free will. It was only when they discovered the disadvantages of Kwa-Ndebele that they had come back and tried to obtain a place in Bop. Only then did they face difficulties. Chief Mangope supported his ministers in saying that the SACC acknowledged that there was a need for legitimacy and that they were going to insist on it, but that they (non Batswana) were not going to expel them. For Mangope, people had a choice to either take citizenship or receive permanent residence on application.

On the other hand, the Winterveld Property Owners' Association under the chairmanship of Reverend BID Pule revealed that the Winterveld Community Authority was forcing the squatters to pay R50-00 and R80-00 for graves to bury their dead (Sowetan: June, 15, 1982). Pule said that the Winterveld Community Authority has been in office since 1976 but were redundant as administrators, except in cases of bribery and corruption regarding destitute people. In his allegations Rev Pule said that squatters were made to pay exorbitant fees for local graves when burying their dead, irrespective of having to dig the graves themselves. He stated that this was due to the fact that the government of Bophuthatswana possessed the power to issue permits and grant citizenship, and this had led to the massive exodus of other people towards Kwa-Ndebele, in panic. This panic was climaxed by the house to house police and army raids and people were warned that if they did not obtain citizenship they would be arrested (Sowetan: 15 June, 1982). Rev Pule, who was a pastor of the local Apostolic Church, added that the bogus leaders were collecting monies from the people yet failing to report to them how their money was used and for what purpose. The information which the community was receiving came from school children. He stated that these leaders had been in office for the past seven years and that there was a need to elect new officers who were going to fulfil the demands of the people.

Many of the plot owners in the area of Winterveld were Black people who had bought the land; it was freehold land and they divided it into plots and allowed families to live on them. These families were simply tenants. The government of Bophuthatswana did not see this as ownership of land by ordinary people but rather by illegal immigrants. On 26 July 1984 the Bophuthatswana police harassed these people. A Catholic priest was based in an area called Marokolong where the tenants were harassed, which was one of his outstations (Field Work report: 7 August 1984). Here some members of his congregation were arrested as they did not belong to Bophuthatswana or have any form of Bophuthatswana identification. One of the congregants told the priest, together with the field worker, that the police arrested anyone they could lay their hands on, even school children, and about seventy people were arrested and taken to the Temba Police Station. In some cases the plot owners were also arrested and taken into detention. In attempting to bail out these people from the Temba Police Station they (the priest together with the field workers) were

told that bail was five hundred rand for each person but this was later reduced to one hundred rand. Those who could not be released were then taken to the Ga-Rankuwa Police Station.

The plot owners were able to release all their tenants through their lawyer from Johannesburg: some at fifty rand and others at thirty rand. In certain instances some of the tenants were released soon after the police heard that their lawyer had arrived. In this case the backdoor was used to release them. Their case was supposed to have been heard on 11 July but was remanded to 12 September 1984. This was not the end of the harassment as the police returned on 21 July 1984 and arrested the plot owners again. This time the owners were prepared to face the government as it was not clear why they had been arrested. They explained to the commissioner of police, in the presence of their lawyer, that their tenants used to live in the expropriated white farms and were forcibly removed after the expropriation. In response the commissioner promised that a suitable place would be found and that tenants were going to be resettled. The plot owners accepted this in good faith and were waiting for the commissioner to fulfil his promise. Officials from the commissioner's office wrote down the numbers of the houses, promised that they were going to build houses for the tenants and even promised to fetch them once their houses were completed (Field worker's report: 7 August 1984). At one stage an official from the commissioner's office instructed the plot owners that they should not build mud houses for their tenants, as mud houses tended to get easily destroyed. This promise was never fulfilled as the tenants continued to be constantly harassed by the police.

3.6 Conclusion

In conclusion, the government of Bophuthatswana tried in many ways to ensure that the Batswana did not belong to South Africa and that they were never to fight for the land of which they were dispossessed by the apartheid state. Leaders of Bophuthatswana at that time tried to make use of the Christian religion to win the hearts and minds of the Batswana with a clear view that the Batswana had adopted Christianity as their religion, as seen in

the national anthem's description of the land that was given to them without bloodshed. This notion of the ownership of land made things difficult as many people did not own land in the real sense of the word. Most of the land belonged to the government of Bophuthatswana, hence it could afford to install a high tech irrigation scheme on agricultural land which was supposed to be communal. Further, the government of Bophuthatswana managed to get access to South African finance regarding agricultural land through what was called Agricor (Agricultural Corporation).

As for the church - owned land this was an issue which the churches (particularly those that supported the government) did not outrightly tackle especially when the governments of both South Africa and Bophuthatswana were engaged in dispossessing people of the land which they had believed came from their ancestors. There were, however, situations in which the church did become involved in the land situation. Churches that were affiliated to the South African Council of Churches were perceived as being influenced by external forces as this Council was not regarded as a local movement by the Bophuthatswana government. One may say that the voice of the church in Bophuthatswana was divided mainly because some churches supported the homeland government. The division between the churches was mainly on the grounds that some independent churches were not affiliated to the South African Council of Churches while the mission churches were members. Regarding the support from the individual ministers from the different churches who were members of the Bophuthatswana Ministerial Fraternity, some of these ministers belonged to the mainline churches while the majority were from the independent churches. These ministers were supporting the Bophuthatswana government solely on the grounds of benefiting personally. In this way it gave more power to the individual ministers and certain denominations. One cannot generalise that the entire denomination was affected except that it was a particular congregation within a specific context.

On the issue of church land the government of Bophuthatswana took advantage of the history of the Batswana, particularly that of the Barolong around Thaba-Nchu who managed to obtain their land through the assistance of the missionaries. At the same time it might be possible that Bophuthatswana had used one of the clauses from the 1913 Native Land

Act to argue that Thaba-Nchu had belonged to black people prior to the 1913 Act itself. What this means is that black people could obtain land in terms of section 8(1) (l) of the land act, which was exempting the existing occupation of the black people from the prohibitive clause of the Act (Ramagaga: 1988, 27). In terms of the church accessing ownership of land the old system of occupation was not changed as it was passed on from the colonial government to the apartheid government and finally to the bantustans.

As for the commercial land, the church, in particular the South African Council of Churches, was vocal particularly in the situation where people had to give way for the establishment of the game reserves and the parks. A good example of this was in Mokgopa, where people were forced by both the South African government and Bophuthatswana to be incorporated into the latter. However, this was not resisted by other church bodies within Bophuthatswana, like BOMIFRA (Bophuthatswana Ministerial Fraternity), which did not see the SACC as a legitimate body which could function in Bophuthatswana, simply because it was regarded as a foreign body. In spite of how BOMIFRA perceived the denominations that were affiliated to the SACC, this did not stop these churches from being the prophetic voice of the people in Bophuthatswana. Many of the mission churches did not recognise the status of Bophuthatswana as an 'independent' government. There was a perception as well on the part of the SACC that those ministers and churches which were siding with the government were receiving something in return. There was some truth in this perception as some individual ministers were also in the cabinet of Bophuthatswana, while certain churches were receiving support from the state. This was clearly visible in terms of how the Winterveld matter was handled. Irrespective of its effort to maintain that it was an autonomous state the government of Bophuthatswana found itself working together with the South African government in forcibly removing people from their land as well as taking away their birthrights, in spite of the historical truth that some of them had been born and bred in the area. The Council of Churches looked at this as one of the continued methods of the South African government to rid itself of having to acknowledge the existence of the black people. The South African Council of Churches took its firm stance on the situation of Winterveld because both governments (i.e. South Africa and Bophuthatswana) were passing the responsibility on to each other. This will lead us to the next chapter which will

tackle the issue of the Christian government which Bophuthatswana perceived itself to be.