

THE BLACK SASH: : BORDER

NATIONAL CONFERENCE 1937

KWELERHA

SITUATION

Kwelerha is situated about 27kms to the east of East London and 12kms from the sea in the so-called white corridor. (See attached map) (1)

It consists of 4 locations or villages - Tuba, Jongilanga (Nokala, an extension of Jongilanga), Qwaba and Zozo. It covers an area of 4270 morgen and has a population of 7503 people (this is the official figure) but we estimate the population to be in the region of 12,000 people.

EARLY HISTORY OF KWELERHA

Kwelerha and all the rest of the land between the Chalumna and the Kei rivers, including East London, was formerly the territory of Chief Umhala, the son of Ndlamba. Umhala was a leading figure in the Nongquase "National Suicide of the Xhosa" (1857), and most of his followers starved to death or left to seek work in the Cape Colony. The chief was imprisoned on Robben Island, and most of his land was divided up among white farmers.

It was however the wish for Sir George Grey, who was the Governor at the time, to create opportunities for civilised and progressive Xhosas to achieve equality with the whites, and certain parts of Umhala's old territory were set aside specifically as farms for blacks. For reasons that are not clear, these farms were never properly surveyed or sold, and they were eventually settled on by refugee elements, who had survived the cattle-killing. The origins of Kwelerha are described as follows by one of the oldest inhabitants:

In those days of Nongquase, so people started starving at that time, and then Sir George Grey came and tried to help the people. People were scattered all over the country. They left their chiefs. They were not moving with their chiefs. They were running away from that terrible deed which Nongquase did to them. So they just came scattering down, down, down.

Now, as they came down, there were different tribes. So when they came and settled down here, they didn't differentiate than that this one, you are of that tribe, and this one, you are of this tribe. They came here, and came together, and sat together, and planned together, forgetting about their tribalism. There were Fingoes, Xhosas, Zulus, it was a mixture of tribes, but just feeling that we are one people, so we must not try to divided ourselves. Then the missions came, and we all received Christianity.

The people say that they received the grant to their land as a result of the help they gave the British Army in the last Kaffir War (1873). This could not be checked but it has been established that the land between the Conubie and the Kwelerha was officially allocated to the Blacks already living there as early as 1865. The people say that some people were in possession of title deeds to their land, but these were collected for safe keeping in 1950 by a Mr Fike from the Department of Native Affairs. Leadership of the community was in the hands of four headmen named Tuba, Zozo, Camlana and Nokala. As the above quotation has shown, the people were disgusted with tribalism and the tribal way of life as a result of the National Suicide, and they had formed themselves into an entirely new sort of community based on common interests and Christianity. There were no chiefs among them.

The great-grandfather of the present chief Jongilanga was named Qasana. He was a sub-chief under Umhala, and he was also a great supporter of Nongquase. He was imprisoned after the National Suicide, but he managed to escape and he hid himself in the Transkei for many years. Some time in the 1870's, when the essential elements of Kwelerha (the villages and the headmen) were already firmly established, Qasana's son Jongilanga returned from the Transkei and was permitted to settle at Kwelerha by the four headmen already named.

Being of royal blood, Jongilanga was naturally treated with respect by the people of Kwelerha but he was never at any time regarded by them as their chief. He was a chief, who lived in Kwelerha, but he was not the chief of Kwelerha. His status was enhanced by the fact that chiefs travelling between the Ciskei and the Transkei (this was frequent because the Sandile family and many of the other important Ciskeian chiefs were living in exile in the Transkei as a result of the Kaffir Wars) used to stay at his house, since it was beneath their dignity to stay with the headmen, who were commoners. But this really had nothing to do with the people of Kwelerha, who were of mixed tribal origins and were not really interested in chiefs or chieftainships.

When Bantu Authorities were introduced in the 1950's, the tribal authority of Kwelerha was placed under the nominal authority of Chief Makinana of Berlin, who was a descendant of Umhala. The people had no particular objection to this because it was recognised that the Makinana family were the original chiefs of the area and, besides, Makinana (who had five tribal authorities under him) lived far away and did not interfere.

With the rise of party politics in the Ciskei in the 1970's, L L Sebe's governing party decided to create about ten new chieftainships. Several of these new chieftainships were historically justifiable (for example, those created for the Ciskeian chiefs who had been living in the Transkei since the time of the Kaffir Wars), but others were more dubious. Sebe's majority in the Ciskei Parliament was only 26-24 and it was obviously in his interests to create as many chief-

tainships for his supporters as he possibly could.

D M Jongilanga, an intelligent, educated and ambitious man, was an obvious candidate. His claim to chieftainship over Kwelerha was not, however, regarded as valid by the people of Kwelerha nor by Chief Makinana, who actually resigned from Sebe's party and crossed over to the opposition party on this issue.

(This information was partly obtained from a taped recording of a meeting with some of the elders of Kwelerha. I have used the translator's notes verbatim).

ADMINISTRATION OF THE AREA HANDED OVER TO CISKEI AFTER INDEPENDENCE ON DECEMBER 1981

Kwelerha and certain other areas in the 'white corridor' such as Mgwali, Hekel, Mociplaas and Newlands, were given over to the administration of Ciskei with effect from December 1981, although they did not form part of Ciskei. Thus we had the anomaly of a part of South Africa being administered by a "foreign power".

In 1985 the Mgwali Residents' Association contested the legality of the Ciskei administration of the area, and the SA Government eventually conceded that the agreement between it and Ciskei was indeed invalid. This decision should also have applied to other areas in the white corridor. The government however, did not concede the illegality of Ciskei administration in the other areas until the 14th March 1986.

PROCLAMATION R252/1977

On 30 September 1977 the State President made 'Regulations for the Administration of the Ciskei' R252/1977. These regulations inter alia prohibit the holding of meetings in the Ciskei without the permission of the magistrate of the district. At that time, Kwelerha formed part of the Ciskei.

Subsequently, during 1985, members of the South African Police interrupted and dispersed indoor meetings at Kwelerha, on the basis that permission had not been obtained from a magistrate of the district. After this matter had been taken up with the magistrate, he took legal opinion and came to the view that the Proclamation did not apply to Kwelerha. He was asked to bring this to the attention of the SA Police in East London.

KWELERHA RESIDENTS' ASSOCIATION (KRA)

D M Jongilanga was appointed chief of Kwelerha by chief L L Sebe in 1975. Chief Sebe, addressing the people of Kwelerha at the time of Jongilanga's appointment, told them that they were getting a real chief, a man of royal blood, not some jumped up chief, of which there were many in the

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Ciskei. A man, he said, who one day would lead the people of Kwelerha across the river Jordan.

There does not appear to have been much bad feeling at that time amongst the people at Jongilanga's appointment. They might even have felt that his standing in the Ciskei Legislative Assembly might benefit Kwelerha. (This is conjecture on my part, based on what people in Kwelerha have told me.)

Although there had been rumours and articles in the Daily Dispatch (E.L. newspaper) as early as 1983, the people were officially informed by chief Jongilanga of their removal to Good Hope Farm, Chalumna in the Ciskei, in 1984 beginning 1985. (The exact date can not be established.) There is a story that at the meeting, when the people were told of their removal, one old man got up and said that Sebe had told them that Jongilanga would lead the people across the river Jordan, but it appeared that he was going to lead them across the Luffalo.

Resistance to removal came when the people began to realise the full implications of their being resettled in the Ciskei.

The Kwelerha Residents' Ass. was formed in November 1985. The aims of the KRA were:

- 1) To contest the legitimacy of Ciskei administration of Kwelerha.
- 2) Peaceful resistance to removal to the Ciskei.

Representatives were chosen from each of 4 villages, namely Nokala, Jongilanga, Qwaba and Zozo.

A number of meetings were held with the people to discuss the aims of the KRA. Chief Jongilanga and the headmen were invited to these meetings. Jongilanga only attended one of these meetings, and then only to inform the people that they had to move to Chalumna. I have been told that in the beginning the headmen were against removal, but they changed their allegiance. There was constant harassment by the SAP and breaking up of meetings at this time. We attended three meetings during 1985/86 and twice the meeting was dispersed and names taken by the SAP and on the third occasion by members of the SA army.

A number of people from Kwelerha were detained during this period by the SAP and held for 14 days at Eluewater Police station near Konga. (They were being detained by SAF although Ciskei was administering the area.)

TUBA LOCATION

It will be noticed that Tuba village is not mentioned as having representatives on the KRA. When the KRA was formed, the Tuba RA chose not to form part of it.

In March 1986, the chairman of Tuba Residents' Ass., Mr Benny Moyake, formed the first black branch of the PFF.

Three hundred and eighty members were signed up. The formation of a branch of the PFF in Tuba caused a complete break between the KRA and Tuba Residents' Ass.

In March 1986, Mr Denny Moyake was detained under Section 50 of SA Internal Security Act by the SAF and held at Bluewater police station near Komga for 14 days. He was again detained by the SA security police on 2 July 1986 under the Emergency Regulations and held at Fort Glamorgan. An appeal was lodged in the Supreme Court in Grahamstown for his release. The appeal was rejected on the grounds that the security police had reason to believe that the Tuba RA was a front for the ANC.

Mr Moyake is 73 years of age, has a severe asthma condition and kidney problems. He had been admitted to Frere hospital on three occasions since his detention for treatment, and sent back to Fort Glamorgan, where he is still being detained.

PROBLEMS EXPERIENCED IN KWELERHA AFTER 14.3.86, UNDER SA ADMINISTRATION

There was great jubilation in Kwelerha when the news spread that the administration of the area had reverted to SA. The joy, however, was very short lived. The on-going problems in the area can be divided into seven main categories:

1. Headmen
2. Clinic
3. Schools
4. Pensions
5. Ploughing
6. I D Books
7. Daily Administration

1. Headmen

The headmen in each of the villages in the days of Ciskei administration, regarded the KRA as a threat to their authority. A similar situation existed in Tuba between the Tuba RA and the headman. After 14 March 1986, the headmen claimed that they had been threatened by members of the KRA and Tuba RA. With the assistance of the SAF, people were harassed, threatened and a number of people were detained. Violence occurred in three of the villages, Tuba, Qwaba and in Zozo, where a woman was burnt to death.

In April 1986, the headmen and a relatively small group of people left Kwelerha and moved to Chalumna. The headmen, however, returned on a number of occasions, always at night armed and accompanied by members of the SAP, to intimidate and harass people. The people are always asked by the police, "Why do you refuse to move to Chalumna?"

Thus up to the time of this report, Kwelerha is without headmen and SA authorities do not recognise the KRA or Tuba RA. From this situation a number of difficulties flow.

2. Clinic

On 15th March 1986, the Ciskei government closed the well run and provisioned clinic in Kwelerha. All supplies and equipment, including the telephone, were removed, staff were recalled and the doors locked. Not until the 5th May 1986, did the SA department of Health assume responsibility for the clinic, and even then it took a number of weeks before any medication was supplied to the staff at the clinic. Under Ciskei the clinic offered a seven day a week service, was staffed by very well trained nursing personnel, and a very good pre-natal and maternity section. The clinic now operates five days a week, from 8am to 5pm.

3. Schools

There are eight primary and one high school in Kwelerha. Residents say that these schools were built in 1972/73 with money collected from the people of Kwelerha. The school buildings have been in a very poor state of repair for a number of years. Part of the roof of one of the schools in Nokala was blown off by the wind some years ago, this has never been repaired.

The school buildings were attacked by pupils in March 1986. A part of the high school and a primary school in Zozo destroyed by fire, and a deal of damage done to the other schools.

The department of Education informed the teachers in Kwelerha that the damage done to the schools would not be repaired by the department, the parents would have to rectify the damage.

In March 1986, the teachers in Kwelerha were given the option by the Ciskei authorities to remain in Kwelerha or to return to the Ciskei. The majority of teachers chose to remain.

4. Pensions

Under Ciskei administration of Kwelerha most of the pension and disability grants were paid by Ciskei at Ciskei rates. A small number, however, were still paid by SA authorities. The reason for this is not clear.

In May 1985, the Ciskei authorities informed the pensioners that from November 1985, instead of being paid in Kwelerha, they would have to travel to Mdantsane, a distance of 40kms to collect their grants. In the same month, the SA authorities told the few pensioners whom they were still paying, that from November 1985, they would no longer receive their pension from the RSA but would be paid by the Ciskei in Mdantsane.

RSA took over the payment of pensions in Kwelerha for the first time in July 1986, and 110 people did not receive payment. Eventually in January 1987, the number was down to 2. The constant reason given for the lack of payment by the RSA was that Ciskei failed to hand over all the computer pay-out lists.

The pension problem is still not resolved as a large number of the pensioners are still due the difference between SA and Ciskei rate of payment for the years from January 1982 to May 1986. The Department of Constitutional Development and Planning in Pretoria is aware of this fact, and it appears that the people might receive this money in March and May 1987.

<u>Maximum Pension/Disability grants in RSA</u>		<u>Ciskei</u>	
Oct 81 - Sept 82	R40 p.m.	Oct 81 - Sept 82	R33 p.m.
Oct 82 - Sept 83	R49 p.m.	Oct 82 - Sept 83	R40 p.m.
Oct 83 - Sept 84	R58 p.m.	Oct 83 - Sept 84	R40 p.m.
Oct 84 - Sept 85	R65 p.m.	Oct 84 - Sept 85	R40 p.m.
Oct 85 - Sept 86	R79 p.m.	Jan 86 - Sept 86	R48 p.m.
Oct 86 - Sept 87	R97 p.m.	Oct 86 onwards	R72.50 p.m.

5. Ploughing

In the past Ciskei supplied Kwelerha with a ploughing unit. The cost to the people for ploughing their land varied between R5 and 1.50 per acre. I was told that the price depended on one's standing with the headman. This facility came to a stop on the 14th March 1986.

We were approached by members of the KRA for help with the ploughing problem. Neither the Department of Home Affairs or Agriculture were able to give any assistance. Stories were circulated in this area that any white farmer foolish enough to undertake ploughing in Kwelerha would probably have his tractor burnt out by the people in Kwelerha. Three farmers agreed to do the ploughing at a charge of 1.25 per hour. The people undertook to pay R15 and the remaining R10 came from a small amount of money donated by various welfare organisations for this purpose.

Ploughing commenced in November, but due to the tremendous rainfall in this area over that period, very little was accomplished.

The Rural Fulfilment Foundation in Port Elizabeth has shown interest in meeting with the KRA and discussing the needs of the community with them.

6. I D Books

After the breakdown of the tribal authority, people from Kwelerha applying for the new I D document were told by officials in the Department of Home Affairs that they had to bring letters from their headmen stating that they were living in Kwelerha. The headmen were living in Chalumba.

At a meeting held in September 1986, with Mr Elliot of Home Affairs and members of the KRA and Nooiplaas PA, he agreed that the people from Kwelerha and Nooiplaas could apply for the new ID document without a letter from their headmen.

In November 1986, the people were told that they had to bring letters from school principals in their areas when they applied for the ID book. Some of the principals are reluctant to do this, and the KRA resent their authority. I have been told by members of the KRA that some of the school principals are selling letters to people living in the Ciskei to enable them to get the ID book.

In January 1987, the department insisted that people from Kwelerha and Mooiplaas must produce a document entitled "Permission to occupy an Arable or Homestead Allotment" when they applied for the ID book. As far as can be ascertained only the older people in Kwelerha and Mooiplaas possess such a document.

Members of the Black Sash met with a group from Kwelerha and Mooiplaas at the Department of Home Affairs on 19 February 1987. The group applied for the new ID book and were turned away because they did not possess this document. Two people in this group agreed to participate if this matter be taken to court.

7. Daily administration

People wishing to open a shop have been unable to obtain licences. (Breakdown of tribal authority.)

The building sand and gravel pits are situated in Tuba village. Previously people requiring sand or stone applied to the tribal authority for a permit, and on payment of a fee, the permit was granted. A man from the Tuba RA now appears to be in charge of the sand pits and grants permission and charges according to his whim.

DETAINEES

Eleven people from Zozo, Qwaba and Jongilanga were detained on 2 July 1986, under the Emergency regulations. Most of them are members of the KRA. One of them, Mr John Ngabela is 78 years old. Two from Tuba were detained at the same time, both members of the Tuba RA. Seven detainees were released in December 1986 and January 1987, but six are still being held, including the two old men.

After the failure of the appeal for Mr Loyake's release (see page 3), it was decided not to proceed further with an appeal for the release of detainees from Zozo, Qwaba and Jongilanga. The lawyer representing the detainees wrote to the Ministry of Law and Order requesting the reasons for their detention. In replies received from the Ministry, one of the reasons given is that "KRA is an organisation intent on disrupting and obstructing the functions of official community structure and eventually replacing them with alternative ones."

Wangiwe Matyunjwa from the Peoples' Advice office, who worked with me on monitoring pension payments in Kwelerha, was detained in November 1986. We have heard that one of the reasons

for her detention is the work she did in Kwelerha.

CONCLUSION

It will be obvious from the foregoing that the administration of Kwelerha is in total disarray. The government will not recognise the MIA, and the people have not been given any indication as to how the area is to be administered. There is constant police harassment, and from all indications the Kwelerha people are still under threat of removal.

Nora Squires

THE BLACK SASH : BORDER REGION

MAP OF KWALERA

