

# CHAPTER 1

## INTRODUCTION

### 1.1 CONTEXTUALISATION AND PROBLEM STATEMENT

The forced removal of especially large numbers of black people from traditional white rural areas to be separately located in residential areas, constituted a major aspect of the South African Government's policy of separate development. Forced removal is a world-wide phenomenon and is older than the history of settlement in South Africa. South Africa has experienced a long history of forced removals.

Forced removal can be defined as a process of control, division and segregation of people. It is achieved by forcing people to move from one place of residence to another without their opinion and/or approval.<sup>1</sup> In South Africa, forced removals were carried out to implement the apartheid policy which was aimed at segregated development in separated geographical, political and economic terms. This was based on a land policy founded on a number of acts passed by different governments.<sup>2</sup>

Some of the acts that were passed are briefly discussed in this paragraph. The Native Land Act, no. 27 of 1913, entrenched territorial segregation between blacks and whites in the Union of South Africa. In practice only 7,5% of land was reserved for black occupation.<sup>3</sup> The Native Administration Act, no. 38 of 1927, gave the Governor-general as the supreme head of all black tribes within the Union of South Africa powers to determine new tribal

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<sup>1</sup> E. Unterhalter, **Forced removal: The division, segregation and control of people of South Africa**, p.1.

<sup>2</sup> L. Platzky and C. Walker (eds.), **The surplus people: Forced removals in South Africa**, p.291.

<sup>3</sup> Union of South Africa, **The Statutes of the Union of South Africa 1913**, p.438.

boundaries. He could order the removal of any tribe from any place to another within the Union of South Africa upon conditions he may determine.<sup>4</sup> This made forced removals legal. The Native Trust and Land Act, no. 18 of 1936, which was more closely related to the Native Land Act of 1913, instituted *inter alia* a trust to acquire additional land for black occupation.<sup>5</sup>

From 1948, the National Party placed more emphasis on territorial segregation among blacks on an ethnic basis. The Promotion of the Bantu Self-government Act of 1959 classified people as ethnic groups, thereby creating dispersed and less threatening ethnic groups.<sup>6</sup> The Bantu Authorities Act of 1951 strengthened barriers between blacks and whites. It severed black political aspirations in white areas. It resuscitated tribalism.<sup>7</sup> The Promotion of the Bantu Self-Government Act of 1959 further divided black areas into a number of ethnically divided homelands.<sup>8</sup> It (legalised) officially demarcated black ethnically defined areas as **de jure** groups.

The creation of homelands and the removal of "black spots" involved the removal of millions of people in South Africa. In the former Western Transvaal (North-West Province), the so-called homeland consolidation programme led to the removal of more than 17 000 people in the former Transvaal and Cape Province to Bophuthatswana during its creation as an independent black state in 1977. This consolidation programme continued beyond 1977.<sup>9</sup> One of the communities forcibly removed was the Bakwena ba

<sup>4</sup> Union of South Africa, **The Statutes of the Union of South Africa 1927**, p.476.

<sup>5</sup> Union of South Africa, **The Statutes of the Union of South Africa 1936**, p.92.

<sup>6</sup> C. Albertyn, "Forced removals and the law: The Mogopa case, *More v Minister of Co-operation and Development 1986 (1) SA 102(A)*," **The South African journal of human rights**, Vol.2, Part 1, March 1986, p.93.

<sup>7</sup> B.J. Liebenberg and S.B. Spies (eds.), **South Africa in the 20th century**, p.376.

<sup>8</sup> C. Albertyn, "Forced removals and the law: The Mogopa case, *More v Minister of Co-operation and Development 1986(1) SA 102(A)*," **The South African journal of human rights**, Vol.2, part 1, March 1986, p.92.

<sup>9</sup> W.F. Lye and C. Murray, **Transformation on the Highveld: The Tswana and Southern Sotho**, pp.99-100.

Mogopa of the Ventersdorp district, which was relocated during the years 1983 to 1984 at Pachsdraai in the Groot Marico area in Bophuthatswana.<sup>10</sup>

The Government used different methods to remove the Bakwena ba Mogopa. Although the government managed to entice a group under **kgosana** Jacob More to move to Pachsdraai, many resisted the removal. This resisting group used legal advice to oppose the removal. They endeavoured to challenge the validity of the State President's order served on them on 19 November 1983, instructing them to leave Mogopa within ten days. The Bakwena ba Mogopa's attempts failed because the Pretoria Supreme Court ruled that their removal was legal.<sup>11</sup> On 14 February 1984 the Government used brute force to remove the resisting people. An armed police force of ninety, with dogs forced people into buses and took them to Pachsdraai. The situation was tense and could be equated to a state of emergency.<sup>12</sup> Even after using brute force to remove the people, the Government created the impression that the Bakwena ba Mogopa had moved voluntarily.<sup>13</sup>

This study focusses on the problem that even long after the forced removal of the Bakwena ba Mogopa, no coherent and systematic analysis explaining the general context in which the removal took place, how it was executed, what happened to the people's property, what compensation they received and what the short and long term political, social and economic consequences of the removal entailed, exists. There is only limited fragmented references to the forced removal of the Bakwena ba Mogopa in published sources.

This study is therefore an effort to address the following research problems:

- ❖ Who are the Bakwena ba Mogopa and what was the nature of their migration and settlement patterns?

<sup>10</sup> M. Kgatitsoe, **personal interview**, 3 April 1996.

<sup>11</sup> **The Sowetan**, 14 December 1983.

<sup>12</sup> S. More, **personal interview**, 24 September 1994; C. Cooper et al., **A survey of race relations 1984**, pp.462-463.

<sup>13</sup> P.G. Koornhof, **telephonic interview**, 11 July 1996; **Sunday Express**, 29 April 1984.

- ❖ Why did the Government find it necessary to remove the Bakwena ba Mogopa?
- ❖ How was the removal executed?
- ❖ What attempts were made by the Bakwena ba Mogopa to resist the forced removal?
- ❖ What were the short and longterm economic, social, political and infrastructural consequences of the removal of the Bakwena ba Mogopa?

## 1.2 OBJECTIVES OF THE RESEARCH

It is intended that this research should shed more light on the process of the forced removal of the Bakwena ba Mogopa. It will endeavour to confirm the hypothesis that their removal was not voluntary.

In order to achieve the main objective, the following subobjectives will be pursued:

- ❖ To give an historical analysis of the nature of the migration and settlement patterns of the Bakwena ba Mogopa;
- ❖ to debate the reasons of the Government for removing the Bakwena ba Mogopa;
- ❖ to critically describe the execution of the removal process and the attempts made by the Bakwena ba Mogopa to resist the forced removal; and
- ❖ to determine and evaluate the impact of some of the short and longterm economic, social, political and infrastructural consequences of the forced removal on the Bakwena ba Mogopa.

### 1.3 RESEARCH PROCEDURE AND LITERATURE REVIEW

Historical methods were applied. Some relevant primary and secondary sources were critically analysed by using the method of internal and external source critique. An analysis of texts of primary sources, such as original government files, title deeds, circulars, notices of removal and other documents constitute a major part of the sources of the research. Archival research was done at Pachsdraai, Mogopa, Ventersdorp and Potchefstroom (tribal offices, municipalities, local museums and the magistrate's office) and in Pretoria (Land Affairs Department and National Archives Depository). Concerning the latter, specifically the files of the former Department of Native Affairs (NTS) and the Executive Council for the Union of South Africa (URU) proved valuable. The documents and sources of the Land Restitution Commission were also consulted.

As part of the primary research, interviews were conducted individually with people of the respective areas involved. Among those who were interviewed, are **Kgosana** Jacob More, who accepted the removal, Shadrack More and Mathews Kgatitsoe, who resisted the removal. Dr. P.G. Koornhof, former Minister of the Department of Co-operation and Development that was responsible for the removal, was also interviewed. Information obtained by interviews was evaluated carefully on the basis of external criticism.

The records of court cases and papers of Cheadle Thompson and Haysom Attorneys who acted on behalf of the Bakwena ba Mogopa tribe to fight the removal were used.

The support groups and non-governmental organisations such as the South African Council of Churches (SACC), Transvaal Rural Action Committee (TRAC) and Black Sash, made recordings of the forced removal of the Bakwena ba Mogopa. These records were used. The periodicals of the National Land Commission (NLC) supplemented these records.

The forced removal of the Bakwena ba Mogopa was widely published in the daily press and these newspaper reports were used. The newspaper reports were obtained from the Centre for Contemporary History at the University of the Free State by means of the assistance of the Ferdinand Postma Library of the Potchefstroom University.

Some published works containing limited fragmented information on the forced removal of the Bakwena ba Mogopa were used. These include: **The surplus people: Forced removals in South Africa** (Platzky and Walker, 1985); **The myth of voluntary removal** (Black Sash, 1986); **Race relations survey in South Africa** (South African Institute of Race Relations, 1984 and 1985); **Forced removal: The division, segregation and control of the people of South Africa** (Unterhalter, 1987); and **No place to rest: Forced removals and the law in South Africa** (Murray and O'Regan, 1991).

#### **1.4 PROBLEMS ENCOUNTERED IN THE RESEARCH**

During the research certain problems were encountered. The transfer of tribal records from one magisterial office to others in distant districts during the removal posed problems. Some tribal records could not be found, as they were lost during the transfer process or immediately thereafter.

The forced removal negatively affected the people to the extent that they became the victims of their own fear. It was difficult to make them feel free to discuss their ordeals during interviews.

The research on this sensitive issue was not well-timed, as it was conducted during the period when the Commission on Human Rights Violations of the Truth and Reconciliation Commission (TRC) was busy with its hearings all over South Africa. Many people (state officials) avoided interviews on this topic. It was difficult to get interviews with the Police. Apart from one policeman at the Ventersdorp Police Station, others stated clearly that they did not want to become victims of the TRC.

Conducting this research without any financial assistance (bursary or loans), made this work nearly impossible.

Despite all these problems, it is hoped that at the end of the research, a clear understanding of the forced removal of the Bakwena ba Mogopa will have been achieved.