

CHAPTER 5.

SOVEREIGN INDEPENDENCE FOR BOPHUTHATSWANA

5.1. Introduction

The aim of this chapter is to examine how the Tswana homeland ultimately attained sovereign political independence and how this was viewed by both people in Bophuthatswana and beyond the borders of the new state. This will be done by examining the following two aspects: the initial position of the Bophuthatswana government concerning independence, and the initiatives taken by the Bophuthatswana government to mobilize for independence.

The chapter will also focus on the role played by the South African government in transferring the sovereignty to Bophuthatswana and on the agreements reached between the Bophuthatswana and South African governments relating to land, law and order, powers of legislation and citizenship. The arguments about the independence of Bophuthatswana as propounded by the opposition parties in the South African parliament are also discussed.

The chapter will moreover look into the reactions to Bophuthatswana independence from various quarters with particular reference to issues such as citizenship, land, and the forced removals of certain Tswana groups from their original places of occupation and settlement.

5.2. The initial position of the Bophuthatswana Government concerning independence

As late as 1974, the government of Bophuthatswana made it clear that it would not accept independence until its claim to more land had been met²²⁵. This idea was in line with the agreement reached at the summit conference of the six homeland leaders (i.e. Transkei, Ciskei, Bophuthatswana, Kwazulu, Lebowa and Gazankulu) at Umtata in November 1973. The six leaders had declared that no homeland leader would make any major decision on independence without consulting the others²²⁶.

Soon afterwards, however, the attitude of the Bophuthatswana government began to change. The pre-condition of more land before independence was dropped by Chief Mangope. The chief minister said in 1974:

*"With certain reservations I am convinced that independence for Bophuthatswana would give more leverage in my quest for more land as well as a satisfactory consolidation of the territory"*²²⁷.

Chief Mangope mentioned that an independent Bophuthatswana would not be isolated from the rest of South Africa, but would use its new position to press the Republic of South Africa to improve conditions, both socio-economic and in general for Tswana and other blacks²²⁸.

5.3. Mobilization for independence

5.3.1. Attitudes of the tribal chiefs and headmen in Bophuthatswana

On 4 November 1975, the chief minister, Chief Mangope, convened a meeting of all tribal chiefs and headmen in Mafikeng in an attempt to promote the

²²⁵Republic of South Africa Debates. B.L.A. Special Session. 3 December 1974.

²²⁶N.M. Stultz. 1980. *Op. cit.* p.153.

²²⁷Republic of South Africa, Debates in the National Assembly. Hansard, Col. 8797, 30 May 1977.

²²⁸Republic of South Africa. Debates: B.L.A. Special Session - 2nd L.A. 19-20 November 1975. p.10.

concept of independence. At this meeting 155 chiefs indicated keenness for independence as opposed to 5 negative votes²²⁹.

On 8 November 1975, all 400 delegates at the National Congress of the ruling party (B.D.P.) backed the decision for independence²³⁰. The opposition parties were invited to take part in this conference and they did attend. It was decided to refer the idea of sovereign independence to the Legislative Assembly²³¹.

5.3.2. Negotiations on independence - the Bophuthatswana cabinet and the South African government

On 18 November 1975, the proposals for independence were laid before a special session of the Legislative Assembly by the cabinet of Bophuthatswana. A motion introduced by Chief Mangope asking that the cabinet of Bophuthatswana be given a mandate to initiate negotiations on independence with the government of South Africa, was tabled. The motion read as follows:

*"That in the opinion of this Legislative Assembly the government should consider the advisability of negotiating with the government of the Republic of South Africa for the independence of Bophuthatswana"*²³².

In his motivation the chief minister said:

"Independence would help to liberate the Tswana people and liberate all South Africa from the explosive tensions and fears that

²²⁹Republic of Bophuthatswana. Debates: B.L.A. Special Session, 19-20 November 1975, p.8.

²³⁰Republic of Bophuthatswana. Minutes of the National Congress. 8 November 1975.

²³¹Loc. cit.

²³²Republic of Bophuthatswana Debates: B.L.A. Special Session, 18-20 November 1975. p.8.

are the children of disillusionment, frustration and discrimination. Independence will relieve the Tswana from the inequities of apartheid and separate development. Independence of Bophuthatswana will empower us to have full and final say over all our affairs. We will be able to develop Bophuthatswana freely if we have full independence and have final say as government. We will only be in a position to develop our nation fully and to develop our children fully and satisfactorily, in all aspects of modern development if we have independence. We will be able to conceive plans without any restrictions in our own country and develop our human potential. Independence will also lead to co-existence with South Africa, it will not lead to isolation but rather result in interdependence which will be blown and bear further fruit²³³.

The cabinet was duly given the mandate and negotiations with the Prime Minister of South African opened in Cape Town in February 1976. The negotiations were to be based on the following conditions:

- That the Tswana draw up their own constitution and have the final say in matters affecting them.
- That the existing area of Bophuthatswana be enlarged.
- That movement between the various regions of Bophuthatswana be guaranteed by the government of South Africa.
- That the rights and privileges of the Tswana in the white urban areas be protected²³⁴.

It was decided that both an Action Committee and a Cabinet Committee comprising representatives of both governments would be appointed to look into, among other things, the conditions laid down by the government of

²³³Republic of Bophuthatswana. Debates: B.L.A. Special Session, 18-20 November 1975. p.8.

²³⁴Republic of Bophuthatswana. Debates: B.L.A. Special Session. November 1975. pp.9-15.

Bophuthatswana and draw up a detailed programme for independence. The constitution of Bophuthatswana would have to be approved by the Tswana Legislative Assembly and the South African Legislative Assembly²³⁵.

5.4. The Opposition Party's attitude towards independence

The move towards independence was met with opposition by the B.N.S.P. in the Legislative Assembly. This was clearly demonstrated when the opposition party walked out of the Legislative Assembly meeting when a mandate was requested to commence negotiations on independence with South Africa²³⁶.

The opposition party argued that many Tswana people did not support the idea of independence — hence they called for a referendum to give people the opportunity to decide whether they were for independence or not²³⁷.

The opposition party argued that the homeland should first be fully consolidated before independence was asked for or granted. They rejected independence in favour of the common development of black and white in South Africa as a whole²³⁸.

The opposition party maintained that the land allocated to the Tswana people in terms of the South African Black Trust and Land Act of 1936, made out of landstrips or patches, was not sufficient. Although no specifications were made for extra land to the Tswana, the fact of the matter was that there was not enough land²³⁹. So, the opposition argued that the issue of land first had to be resolved before commencing negotiations.

²³⁵Republic of Bophuthatswana. Minutes of the Cape Town Meeting. February 1976.

²³⁶Republic of Bophuthatswana Debates: B.L.A. Special Session, November 1975. p.26.

²³⁷*Ibid.* pp.26-27.

²³⁸*Loc. cit.* pp.26-27.

²³⁹Republic of Bophuthatswana Debates: B.L.A. Special Session, November 1975. pp.26-27.

Notwithstanding their previous haste to get full independence, seemingly for political expedience, and local political support, Pilane had changed his position on independence.

Chief Pilane appealed to the Bophuthatswana government to consider seriously the question of land and negotiate it with the central government and request it to amend and repeal the South African Black Trust and Land Act of 1936²⁴⁰.

In spite of the objection of the opposition party in respect of independence, the government of Bophuthatswana continued to negotiate with the government of South Africa and a series of meetings between the two governments took place.

5.5. The Independence Constitution of Bophuthatswana

The Constitution Committee, charged with the drafting of the Bophuthatswana independence constitution, was set up. Although the opposition party was invited to submit the names of five members to serve on this committee, it declined because its members were not yet convinced that it was proper and opportune to negotiate independence for Bophuthatswana. The Constitution Committee consisted of the entire cabinet, the chairman and vice-chairman of the Legislative Assembly and 11 other members, including representatives from the white areas²⁴¹.

The Constitution Committee started its work in May 1976 and tabled its final draft at a special session of the Legislative Assembly in October 1977. After lengthy discussions and debates the final amended draft was approved and it was published on 14 October 1977²⁴².

²⁴⁰Loc. cit.

²⁴¹Republic of Bophuthatswana Debates: B.L.A. Fifth Session. 9-25 March 1976. pp.381-2.

²⁴²Republic of Bophuthatswana. Bophuthatswana Official Gazette No. 38/1977.

The proposed constitution made provision for the legislative to comprise the following:

1. 48 members designated by the 12 regional authorities in Bophuthatswana;
2. 48 elected members, four from each electoral division; and
3. three members designated by the President on the grounds of special knowledge, qualifications and experience who need not be citizens of the Republic of Bophuthatswana, but who would not be entitled to vote in the national assembly²⁴³.

The draft laid down that the following people were to be citizens of Bophuthatswana:

1. All inhabitants of Bophuthatswana as defined by an act of parliament;
2. Any other person legally domiciled in the Republic of Bophuthatswana at the time of independence for a period of five years or more; and
3. Any other person who applied for and was accepted as a citizen²⁴⁴.

It also stated that any Bophuthatswana citizen would have the right to renounce his citizenship of Bophuthatswana.

A Declaration of Fundamental Rights, binding on the legislature, executive and judiciary were enshrined in the draft constitution²⁴⁵.

After the publication of this constitution, talks and plans for independence were devised and it was agreed that Bophuthatswana would become independent on the 6th December 1977, with Mmabatho as the capital.

5.6. The introduction of the Status of Bophuthatswana Bill in the South African parliament

²⁴³Republic of Bophuthatswana. Bophuthatswana Independence Act 18/1977, Chapter 2.

²⁴⁴Loc. cit.

²⁴⁵Loc. cit.

After discussions between the Bophuthatswana cabinet and the South African government on the issue of Bophuthatswana's independence, the South African government tabled the Bill on the status of Bophuthatswana in parliament in 1977.

In moving that the Bill be read and passed, the Minister of Bantu Administration and Development said:

"Once again, like last year, we have today come to a day on which the government of the Republic of South Africa is declaring another of its nations independent, a day on which, once again, a nation has reached a stage at which it may be released from guardianship, a day on which, once again, we confirm that the government is sincere and honest in the logical fulfilment of its nations policy in our multinational situation, a day that, once again, can be an important moment for a particular nation in its own dynamic self-realization, a day on which it is, in clear language, and a decisive action being made obvious to everyone that this nation, like scores of larger, but also scores of similar nations all over the world, is also obtaining its own individual freedom.

"A day on which the Republic of South Africa, as well as the nation concerned, can boast that this freedom was obtained without any bloodshed and with the acclamation of both the presenter as well as the recipient of this freedom, a day on which, once again, a nation is able to reap the fruits of our government's system of self-government for every Black nation with its rich constitutional dynamism, that nation is the people of Bophuthatswana."²⁴⁶

The minister went on to say that the preamble of the Bill expressed the wish of Bophuthatswana to become an independent state and affirmed the Republic's concurrence with the desire. The Bill consisted of seven clauses which dealt with the

²⁴⁶Republic of South Africa. Debates in the National Assembly. Hansard, Col. 8432-33, 25 May 1977.

following issues: land consolidation; security and maintenance of law; treaties and conventions; and citizenship.

5.6.1. Land consolidation

In 1972, the size of land allocated to the Tswana in terms of the South African Black Trust and Land Act of 1936 was 3 754 018 hectares²⁴⁷. In 1976 this area was increased to 4 043 000 hectares²⁴⁸. In spite of this increase, some Tswana were removed from "black spots" in the Republic of South Africa, in most cases against their will, and resettled in Bophuthatswana²⁴⁹.

In accordance with the Bill, land was excised from the Republic of South Africa and the sovereignty of the Republic of South Africa over such excised land as the territory of the future independent Bophuthatswana was transferred to the government of Bophuthatswana as a sovereign state. The districts comprising Bophuthatswana were defined by government notice and, as a result, certain boundary adjustments were agreed upon between the governments of South Africa and Bophuthatswana. The description of these districts was to be amended according to the agreement²⁵⁰.

The Bill further made provision for certain additional land to be transferred to Bophuthatswana after independence and after the South African Black Trust had acquired and prepared such land for transfer. This additional land would then be added to the districts concerned²⁵¹.

²⁴⁷South African Institute of Race Relations. *A Survey of Race Relations in South Africa*, Vol. 31. 1977. p.312.

²⁴⁸Loc. cit.

²⁴⁹Republic of South Africa. *Debates in the National Assembly*. Hansard, Col. 669-70, 1976.

²⁵⁰Republic of South Africa. *The Bill on the Status of Bophuthatswana, 1977*, Clause 1, Sub-Section (1).

²⁵¹Ibid. Clause 2.

The issue of land was hotly debated between the governments of Bophuthatswana and the Republic of South Africa. The discussions between the two governments were dominated by an outcry for more land to the Tswana. Already in 1974, the Chief Minister had mentioned that the land allocated to the Tswana in terms of the South African Black Trust and Land Act of 1936 was not enough. It was, among others, the land issue which made the B.N.S.P. oppose independence.

The official opposition party in South Africa also opposed the Bill, partly because of the question of land to be allocated to the Tswana. It is, however, doubtful that it was genuinely against independence because insufficient land had been allocated to the Tswana. In effect the opposition party did not actually want more land for the Tswana as such, but more land in general. The argument was not about enough land for the Tswana, but the issue was used as a political mechanism to stop the government from fragmenting South Africa, a policy to which they were opposed. This implied that even with enough land allocated to the Tswana, the South African opposition party would still be against the independence of the Tswana because it would still result in the fragmentation of South Africa.

5.6.2. Maintenance of law and order and legislative powers

Although Bophuthatswana was going to be independent in terms of both the constitution of Bophuthatswana independence and the Status of Bophuthatswana Bill (which later became an Act), the Republic of South Africa still regarded itself as being responsible for the maintenance of law and order in Bophuthatswana²⁵².

²⁵²Republic of South Africa. 1977. Op. cit. Clause 2.

The Bill on the Status of Bophuthatswana provided that no state of lawlessness should obtain in Bophuthatswana upon attainment of independence. All existing laws in Bophuthatswana prior to independence would continue to be in force until repealed or amended by the Bophuthatswana government and would be administered by Bophuthatswana officials. No executive authority of the Republic of South Africa would have any authority in Bophuthatswana unless otherwise agreed upon by the two governments²⁵³.

The Bill further provided that the Legislative Assembly of Bophuthatswana might legislate with regard to all matters affecting the new state, and laws made would not require the assent of the State President of the Republic of South Africa²⁵⁴.

5.6.3. Treaties, conventions and agreements

The Bill on the status of Bophuthatswana provided that treaties, conventions and agreements binding on the Republic of South Africa immediately prior to independence, and capable of being applied to Bophuthatswana, would be binding on Bophuthatswana unless renounced by the Bophuthatswana government²⁵⁵.

Treaties, conventions and agreements entered into between the governments of South Africa and Bophuthatswana prior to independence would remain in force²⁵⁶.

²⁵³Loc. cit.

²⁵⁴Ibid. Clause 3.

²⁵⁵Ibid. Clause 4.

²⁵⁶Ibid. Clause 5.

5.6.4. Citizenship

The question of citizenship was very controversial. This controversy had permeated the discussions between the South African government and the Bophuthatswana government. The issue of citizenship demonstrated its seriousness in the debates in both parliaments.

In terms of the Bantu Homeland Citizenship Act of 1970, "...every African person in the Republic of South Africa must be a citizen of a homeland; a citizen of a territorial authority shall not be regarded as an alien in the Republic of South Africa and shall by virtue of his citizenship of a territory forming part of the Republic of South Africa remain for all purposes a citizen of the Republic and shall be accorded full protection according to international law by the Republic"²⁵⁷.

Thus prior to 26 October 1976 (Transkei Independence), all black people in South Africa (excluding those from other African territories) held a form of dual citizenship.

So, from 6 December 1977, the Bophuthatswana people's citizenship was as per the provisions of the Bill, i.e.:

- (a) "Every person who was a citizen of Bophuthatswana in terms of any law at the commencement of the Act;
- (b) Every person born in or outside Bophuthatswana, either before or after the commencement of the Act, of parents one or both of whom were citizens of Bophuthatswana at the time of his/her birth, and who is not a citizen of a territory within the Republic of South Africa

²⁵⁷Republic of South Africa. Black Homeland Citizenship Act of 1970, Preamble, 2(4).

or a territory that previously formed part of the Republic of South African and is not a citizen of Bophuthatswana in terms of (a);

- (c) Every person who has been lawfully domiciled in Bophuthatswana for a period of at least five years, irrespective of whether or not such period includes any period prior to the commencement of the Act, and, on application, has been granted Bophuthatswana citizenship;
- (d) Every South African citizen who is not a citizen of a territory within the Republic of South Africa and is not a citizen of Bophuthatswana in terms of paragraph (a), (b) or (c) and speaks a language used by members of any tribe which forms part of the population of Bophuthatswana, including any dialect of such language;
- (e) Every South African citizen who is not a citizen of a territory within the Republic of South African and is not a citizen of Bophuthatswana in terms of paragraphs (a), (b), (c) or (d) and who is related to any member of the population contemplated in paragraph (d) or has identified himself with any part of such population or is culturally or otherwise associated with any member or part of such population"²⁵⁸.

By special request of the Bophuthatswana government, another clause was included. This clause provided for an agreement between the South African government and the Bophuthatswana government to arrange for citizens of Bophuthatswana who may after independence, for some reason renounce their Bophuthatswana citizenship²⁵⁹.

²⁵⁸Republic of South Africa. 1977. *Op. cit.* Clause 6, sub-section 1 and 2(a), (b), (c), (d) and (e).

²⁵⁹*ibid.* Clause 6(3).

This agreement, however, was not fully adopted because such Bophuthatswana citizens would not actually be allowed South African citizenship, but could apply for citizenship of any homeland.

The Bill also provided that except for the loss of citizenship, the existing rights, privileges and benefits of Bophuthatswana citizens who resided in the Republic of South Africa should not be forfeited²⁶⁰.

The Bill further provided that the Act should come into operation on a date determined by the State president of the Republic of South Africa²⁶¹.

The debates in the South African parliament as well as in the Bophuthatswana Legislative Assembly on the independence of Bophuthatswana anchored mainly around these provisions.

5.7. Opposition to the Bill on the Status of Bophuthatswana in the South African parliament

The Bill on the Status of Bophuthatswana was met with criticism in the South African parliament. The official opposition party was vehemently against its introduction: it based its argument on the question of the South African Citizenship Act of 1970 and the question of consolidation of land. The opposition was against fragmentation of the South African territory into homelands. As far as the opposition was concerned, independence of the Tswana was compulsory and not of their own choice. This opposition was marshalled by personalities such as Mr C.W. Eglin, Mrs H. Suzman and Mr R.J. Lorrimer²⁶².

²⁶⁰Ibid. Clause 6(4).

²⁶¹Ibid. Clause 7.

²⁶²Republic of South Africa. Debates in the National Assembly. (Hansard). Col. 6983-6984, 6 May 1977.

"We oppose this measure. We oppose it even at its introduction because we see through it. We see that this is all part and parcel of the pattern of grand apartheid. We are fundamentally against that policy. We do not believe in fragmenting South Africa. We do not want to become part of the numbers game because this is the game this government is playing. It is excising from the population figures of South Africa one African ethnic group after the other. We have already excised the three million Xhosa people. The issue of citizenship of the people who live in the South African Republic is a burning one and we are now about to repeat the same mistake with roughly one million Tswana who live in South Africa and who also will compulsorily be deprived of their South African citizenship"²⁶³.

Members of the opposition argued that the object of the proceedings on the Bill was to deprive the Tswana of their South African citizenship. They maintained that Clause 6(3) did not actually mean that if they renounced Bophuthatswana citizenship they would be allowed to take South African citizenship, but in fact implied that they could be allowed only to acquire the citizenship of another homeland, should they for some reason not wish to remain Bophuthatswana citizens²⁶⁴.

Mr R.M. Cadman (of the opposition party) argued that the Bill did not grant independence to the majority of the Tswana people. It did not grant full citizenship to the majority of the Tswana people and it did not grant them rights. In fact, it took rights away, in particular their South African citizenship which was one of their rights at that time. He went further to say that the important factor was that in taking away these rights, no adequate substitute was given in return by legislation²⁶⁵.

After the three readings of the Bill and after hot debate from all parties concerned, the South Africa parliament passed the Status of Bophuthatswana Act (89/1977) which

²⁶³Loc. cit. This was an argument presented by Mrs H. Suzman in the parliamentary debate.

²⁶⁴Loc. cit.

²⁶⁵Republic of South Africa. Debates in the National Assembly. (Hansard). Col. 8446-8448, 25 May 1977.

provided *inter alia* for the transfer of sovereignty to Bophuthatswana from the Republic of South Africa to the government of Bophuthatswana as an independent state. The act was to be implemented on the 6th December 1977.

This act declared in Section (1) that the territory known as Bophuthatswana was merely declared to be a sovereign independent state and would cease to be part of the Republic of South Africa²⁶⁶.

5.8. Agreements between South Africa and Bophuthatswana

To make up for issues which were not embodied in the Status of Bophuthatswana Act of 1977 and the Constitution of Bophuthatswana Independence of 1977, some agreements between the two governments were concluded on 16 December 1977.

These included, *inter alia*, a non-aggression pact, provision for the continued secondment of personnel (such as teachers and judges) to Bophuthatswana by the South African government, and agreements with regard to economic relations and development, co-operation in the fields of mining and prospecting, fuel conservation measures, health services, postal and telecommunication services and road and rail transport²⁶⁷.

In terms of the agreements relating to citizenship and the regulation of the movement of citizens of the countries across common borders, it was laid down that such movement would only take place at specified ports of entry and on the production of valid travel or identity documents. Citizens of Bophuthatswana "sojourning" in the Republic of South Africa were required to obtain Bophuthatswana travel documents within a period of two years from independence or such further period as would be agreed upon. The government of South Africa undertook to continue to issue duplicate

²⁶⁶Republic of South Africa. The Status of Bophuthatswana Act (89/1977), Sect. 1.

²⁶⁷Republic of South Africa. Government Gazette No. 5823/1977.

reference books to citizens of Bophuthatswana who had not yet been issued with Bophuthatswana travel documents but those would only be valid for the abovementioned two year period. A special endorsement would be required by citizens of either state wishing to remain in the other country for more than 14 days. Bophuthatswana citizens wishing to take up employment in South Africa would only enter the Republic for this purpose if they were in possession of written contracts of employment or calling cards offering employment and authorised by the South African Labour Authorities²⁶⁸.

5.9. Reaction to independence in Bophuthatswana

The independence of Bophuthatswana was met with mixed feelings. Some Tswana people, particularly those in Bophuthatswana, looked at independence as a vehicle to carry them to a point where they would retrieve and regain the original land of the Tswana. They regarded it as a launching pad to develop and improve the standard of life of the Tswana people and as an instrument to enforce respect of human rights and dignity. Independence was also a mechanism through which the Tswana could be freed from the inequities of apartheid and separate development²⁶⁹.

In the same breath, the independence of Bophuthatswana was criticised and rejected. The criticism was anchored on the following issues which have been discussed already, i.e. citizenship, land consolidation and forced removals or resettlement of the Tswana people.

5.9.1. Citizenship

²⁶⁸Loc. cit.

South African Institute of Race Relations. A Survey of Race Relations in South Africa, 1977. Vol. 31, pp.332-2.

²⁶⁹Republic of South Africa. Government Gazette No. 5823 of 6 December 1977. South African Institute of Race Relations. 1977. Op. cit. pp.332-2.

From 6 December 1977, all those people falling under the provisions of clause 6 of the Status of Bophuthatswana Act of 1977 were similarly deprived of their South African citizenship and invested with Bophuthatswana citizenship. This was not acceptable to the opposition parties either in South Africa or Bophuthatswana²⁷⁰.

In terms of the Status of Bophuthatswana Act of 1977, 65% of the total number of Tswana people in South Africa became nationals of Bophuthatswana on the attainment of independence on 6 December 1977 and lost their South African citizenship.

It was clear that even the Bophuthatswana government was vehemently opposed to the provisions of the Status of Bophuthatswana Act of 1977 in respect of citizenship and tried to fight it, but to no avail. Their plea, that the Tswana people who wished to renounce for some reason Bophuthatswana citizenship should be allowed South African citizenship, was rejected. The amendment to the citizenship clause which would allow Tswanas outside Bophuthatswana to retain their South African citizenship was rejected by the government and defeated on division²⁷¹.

The citizenship question caused great dissatisfaction among the Tswana people themselves, particularly those who were outside Bophuthatswana and including those in the white urban areas. It was clear from the agreements between the two governments that these people could no longer use their South African passports and had to apply for Bophuthatswana travelling

²⁷⁰*Ibid.* p.311.

²⁷¹G.E. Norman. 1977. *South Africa's Illegitimate Child*. Journal of South African Studies. Vol. 12. No. 3. London. pp.610-611.

documents which were not acceptable to other African and European countries²⁷².

5.9.2. Land consolidation

The issue of consolidation of land was hotly debated both in the South African parliament and the Bophuthatswana cabinet. Bophuthatswana, at independence, consisted of six blocks of territory.

Chief Mangope himself mentioned in 1974 that he would not accept independence before the land of the Tswana was consolidated. He said in his independence address that the Tswana felt a deep-seated bitterness on the issue of consolidation. He referred to Bophuthatswana's new status as one of greater independence rather than sovereignty and stated that the main reason for Bophuthatswana's acceptance of independence was an abhorrence of racial discrimination, pledging himself to the creation of a non-racial society in Bophuthatswana²⁷³.

The 4 043 000 hectares of land for the Tswana was unacceptable to most Tswana people, as well as to the white opposition in the South African parliament. It was regarded as very small and inadequate²⁷⁴.

²⁷²South African Institute Race Relations. Op. cit. p.313.

G.E. Norman. 1977. Op. cit. pp.610-611.

J.C. Camorof. 1973. Competition for office and political process among the Barolong bo Ratshidi (Phd). University of London.

²⁷³L.M. Mangope. 1977. Op. cit. pp.7-10.

South African Institute of Race Relations. 1977. Op. cit. p.322.

The Star 7 December 1977.

The Rand Daily Mail 7 December 1977.

²⁷⁴South African Institute of Race Relations. 1977. Op. cit. p.312.

The opposition party in Bophuthatswana rejected independence among other considerations, on the basis of the land question after independence. They appealed to the Bophuthatswana government to negotiate for more land.

The opposition party in the South African parliament also objected to the fragmentation of South Africa by the introduction of homelands. They rejected independence for Bophuthatswana because they maintained that the area of land allocated to the Tswana people in terms of the South African Black Trust and Land Act of 1936 was inadequate and could not enable the independence to be meaningful²⁷⁵

5.9.3. Forced removals and resettlement

The intention here is not to discuss the question of resettlement in detail but to mention a few cases of resettlement as examples in order to indicate why some of the Tswana objected to the independence of Bophuthatswana because they perceived it as the result of forced removals.

In terms of the South African Black Trust and Land Act of 1936, certain areas in South Africa were designated as "black spots" and others as "badly situated" outlying parts of existing black areas in white areas and these areas were to be excised.

The Minister of Bantu Administration and Development confirmed that blacks were to be removed from such areas and be resettled elsewhere, preferably in their homelands. From the inception of the scheme until 1975, an estimated total of 42 325 families, consisting of about 211 626 people had been moved and resettled²⁷⁶.

²⁷⁵Republic of South Africa. Debates in the National Assembly. Hansard. Col. 8468. 1977.

²⁷⁶Republic of South Africa. Hansard. April 1975. Col. 721.

The table below shows the position of some removals among the Tswana:

Statistics indicating removals and resettlements from 1976 to 31 March 1977 ²⁷⁷		
	Families	Persons
Internal settlement in Bophuthatswana ²⁷⁸	85	595
Transvaal to Bophuthatswana	1 498	10 552
Cape Province to Bophuthatswana	972	6 813
TOTAL	2 555	17 960

Among the people moved were about 270 Tswana families of the Barolong tribe, who were required to leave Majeng in the Mayen Reserve near Warrenton in the district of Taung (Northern Cape). The reason for the move was that a dam was going to be built in that area. These people were to be resettled at Vaalboschoek, within Bophuthatswana. Undoubtedly this area was larger than their original area. However, the group complained that the new area was not conducive to healthy and productive life because it was swampy; heavy rains had damaged the crops and caused houses to collapse; and the presence of large numbers of mosquitos resulted in the death of animals²⁷⁹.

Some people moved voluntarily while others refused. They were, however, not allowed to remain and were removed by force.

Another scheme which was opposed was the relocation of more than 1 500 people staying at Huhudi township near Vryburg, to Pudumo in Bophuthatswana. Some families refused to go to Pudumo and are still at

²⁷⁷South African Institute of Race Relations. Survey of Race Relations in S.A. Vol. 32. 1978. p.272.

²⁷⁸This was a movement of the Tswana from one place to another within Bophuthatswana itself.

²⁷⁹South African Institute of Race Relations. Survey of Race Relations in South Africa. Vol. 30. 1978. p.221-2.

Huhudi township although the township has not been improved as it is situated in a "black spot"²⁸⁰.

The removal of more than 45 000 members of the Bakolobeng tribe from farms near Lichtenburg in Western Transvaal to alternative land at Deelpan in the Delareyville district, was resisted. They lodged a firm protest with the South African government, arguing that they did not want to move. In spite of their protests, they were forcefully removed²⁸¹.

Another community about whose planned removal there was a public controversy, was the Bakwena tribe at Mogopa, near Ventersdorp. This tribe was moved from Mogopa to Pachsdraai (near Zeerust) in Bophuthatswana. In trying to avoid direct confrontation with the South African government, some families of the tribe moved to Bethanie, near Brits in Bophuthatswana.

Those who remained in Mogopa, opposing relocation, argued that Pachsdraai was not comparable to Mogopa which had fertile land, water resources and diamond mines. Moreover, most of the residents were elderly people who had improved their houses and it would be difficult for them to start a new life. This argument did not pay any dividends²⁸².

Organizations such as the South African Council of Churches (S.A.C.C.); the United Democratic Front (U.D.F.) and the Black Sash, sympathised with the people of Mogopa and tried to plead with the government of South Africa

²⁸⁰South African Institute of Race Relations. A Survey of Race Relations in South Africa. Vol. 37. 1983. pp.309-310.

²⁸¹South African Institute of Race Relations. 1978. Op. cit. p.222.

²⁸²South African Institute of Race Relations. 1983. Op. cit. pp.306-307.

through the Minister of Co-Operation and Development, Dr Koornhof, but to no avail²⁸³.

The United State's government deplored the Mogopa relocation and said that it would not contribute to the dialogue among all South Africans on which the country's political progress depended²⁸⁴.

The communities of Rooigrond and Mathopestad also continued to resist relocation to Bodibe near Lichtenburg in Bophuthatswana and to Onderstepoort in Bophuthatswana, respectively. They argued that there were no facilities in the new areas²⁸⁵.

All these resettlements of Tswana people caused general discomfort, more so because the resettlements were, in most cases, by force. All appeals fell on deaf ears. The South African government was not prepared to withhold the carrying out of the scheme of resettlement. All new areas were in Bophuthatswana, hence the belief of the opponents of the scheme that it was meant to make Bophuthatswana independence possible²⁸⁶. See Figure 2.

5.10. Conclusion

Several aspects relating to the attainment of the sovereign independence of Bophuthatswana have been discussed.

²⁸³Ibid. p.308.

G Maré. 1980. African Population; Relocation in South Africa. South African Institute of Race Relations. Johannesburg.

²⁸⁴South African Institute of Race Relations. 1983. Op. cit. p.308.

²⁸⁵Loc. cit.

²⁸⁶Ibid. p.309.

It is clear that the initial position of the Bophuthatswana government regarding independence was that there would be:

- no independence before land consolidation
- no independence before settlement and agreement on the question of citizenship
- no independence before the stoppage of forced removals and the excision of land from Bophuthatswana.

However, this stand was later abandoned and negotiations on independence were started with the South African government. It was apparent that Chief Mangope aimed at using the advantage of independence to pressurise the South African government to resolve and address the abovementioned issues. It is also clear that the South African government was not prepared to easily succumb to the pressure from the Bophuthatswana government.

The opposition party (B.N.S.P.) was outrightly opposed to negotiations for independence, basing their argument on the questions of land consolidation, citizenship and forced removals of the Tswana people from their original land. In spite of their protests, negotiations went ahead and certain agreements between the South African government and the Bophuthatswana government were concluded. The constitution on independence was drafted and ultimately adopted.

Undoubtedly, the independence of Bophuthatswana was met with mixed feelings both from within and without Bophuthatswana. Criticism was largely on the questions of citizenship, land and forced removals of the Tswana people from their original land.

It should be understood that independence of any state necessarily and automatically suggests citizenship of such a state. Thus was the case with Bophuthatswana as an independent state. It had to have its own citizenship.

It is also clear that although the philosophy of the homeland system, from which the independence of Bophuthatswana stemmed, was initiated by the South African government (National Party) the actual realisation of the independence of Bophuthatswana was a joint effort between the South African government and the Bophuthatswana leadership. This was demonstrated when both the Chief Minister of Bophuthatswana and the Minister of Bantu Administration and Development motivated the idea in their respective cabinets and in parliamentary debates.

The rejection of independence in Bophuthatswana was summarily based on the following arguments:

- that the government of South Africa failed to hold a referendum to determine the attitude of those South Africans whose rights would be affected by the independence of Bophuthatswana
- that the South African government failed to negotiate the provision of an adequate area of consolidated land to enable independence to be meaningful for the Tswana; and to negotiate equitable distribution of economic resources between Bophuthatswana and the rest of the Republic of South Africa; effective political rights for the Tswana who lived permanently outside Bophuthatswana; and
- to ensure that no citizens of South Africa would be deprived of their South African citizenship without their consent and be moved to a place not of their choice²⁸⁷.

In an article in *Die Beeld*, praises and accolades from the then President of South Africa, Dr. Diederiks, to the leaders of the Tswana as well as the Tswana people, for their courage in striving for independence, is recorded:

²⁸⁷South African Institute of Race Relations. 1983. *Op. cit.* p.310.
A. Baldwin. 1975. Mass Removals and Separate Development: (Journal of Southern Africa Studies, Vol. I. No. 2). pp.30-5.

"Deur soveel jare het u na hierdie oomblik verlang en daarom gebid, en nou is dit daar. U kry eie republiek sonder geweld. U kry hom in 'n gees wat oor u vaderland merkbaar geword het, 'n gees so sterk dat dit u landgenote tot groot hoogtes kan voer"²⁸⁸.

"Deur die persoonlike voorbeeld wat hy (Lucas Mangope) gestel het en aangespoordeur 'n roepingsin wat uit diepe oortuiging gebore is, het hy aan die Tswana volk daardie vrede van gemoed aan die een kant en aan die ander kant daardie vasberadenheid gegee wat noodsaaklike vereistes is vir die vertroue en die harmonie waarna hy in die breër omvang streef"²⁸⁹.

In his speech during the festivities marking the independence of Bophuthatswana, Chief Lucas Mangope said:

"Let it be known that our main reason for choosing independence is that we utterly abhor racial discrimination"

He further stated

"...wicked non-consolidation has dealt a cruel and deadly blow to our independence. Independence means that Tswanas were at last no longer helplessly at the mercy of the arbitrary arrogance of those who until this hour trampled our human dignity into the dust. At last we can demand that our human dignity be respected"²⁹⁰.

Lucas Mangope argued that he saw independence as a stepping stone to a greater and more convincing future. The new independent homeland had the advantage of being able to follow the example of Transkei²⁹¹.

²⁸⁸Die Beeld 6 December 1977, p.10.
Vaderland 6 December 1977.

²⁸⁹Die Beeld 6 December 1977, p.10.

²⁹⁰The Star 6 December 1977, p.3.
Die Beeld 6 December 1977, p.10.

²⁹¹The Star 6 December 1977. p.3.

The Progressive Federal Party' spokesman on Black Affairs, Mrs. Helen Suzman, criticised the President of Bophuthatswana, Lucas Mangope, stating that by accepting independence, he had given away his ace card in the land dispute. She stated that had President Mangope refused to accept independence until the homeland was consolidated, he would have had a far greater chance of obtaining a consolidated homeland, than by first accepting independence, and then trying to obtain consolidation of homeland.