# The Griqua People's Heritage

G 210 Farm 371

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Gong-Gong

**Barkly West** 

**Barkly West District** 

8375

8375

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27 August 2019

The Honourable Thandi Modise Speaker of the National Assembly Parliament of the Republic of South Africa Parliament Street Cape Town 8000

Via email

Dear Madam

## PETITION FROM THE PEOPLE OF GONG GONG FARM 371, NORTHERN CAPE

#### 1. Introduction

We are the descendants of the Griqua people that lived in this area millennia before the arrival of the White colonist and Black, nomadic livestock farmers. The earliest graves show that our ancestors have lived, worked and died in this area, in general, and on Farm 371 in particular, since the early 1700's.

Like most indigenous communities we were robbed of land ownership by various pieces of legislation passed by the apartheid state.

#### 2. Brief historical background

- Griqua people have been living on this farm since the early 1700's
- In 1967 ethnic Blacks were forcibly relocated to Pampierstad
- In 1967 the Griqua people, who remained behind after the relocation of the Blacks, suffered gravely under the Apartheid regime. They had to cull their livestock to a maximum of three per household. Some animals were bought by White farmers at ridiculous prices.
- The government issued mining concessions to various companies & individuals over a period of 25 years.
- In 1982 the government tried to remove the Griqua from the farm but met with fierce resistance from the community. The leader of this rebellion was Captain A.J. JOOD. He went to parliament in Cape Town to state the case of his people and refused to move or be removed from his beloved Gong-Gong.
- The resistance led to the Tri -cameral Parliament eventually conceding and buying the land for the Griqua people, in 1986, believing that its diamond resources have been depleted and therefore worthless. The Griqua people have been living here till this day.



- The farm was bought for R 956 940.00 for the "Bruinmense". Even after this decision by the state, we remained a homogenous, harmonious group peacefully co-existing on Farm 371, Gong Gong. This farm was handed to the Northern Cape Housing Board for custodianship.
- On the day he passed, 10 June 1989, the land was transferred to the Gong Gong Community Development Board.
- In 1992 a huge chunk land was sold to Transnet without our knowledge nor consent. We are claiming that back as well.
- In 1996 a section of the community filed a land claim which deliberately excluded Coloured people since they were not removed from the farm. This claim led to a severe disruption of the harmonious existence of all the residents. It was the first time since 1967 that race was utilized to divide the community.
- It was a grave mistake to only consider claims from the people removed to Pampierstad. People were marrying each other across the racial divide for many years. Families counted persons from both race groups amongst their number.
- After the shambolic conclusion of the land claim, a CPA was established. The officials of DRDLA created a monster which has been devouring all common sense and peace ever since. In the settlement of the land claim, the CPA were awarded farms 222, 230 & 372. Yet the CPA, ably assisted by the Dikgatlong Local Municipality, have been laying siege to our farm.
- On 14 March 2003 the title for the farm was transferred in the name of Dikgatlong Local Municipality for safe keeping. We, the residents have never known peace thereafter. We receive no services whatsoever from the municipality. Instead they insist on signing service level agreements with the CPA who has no legal rights nor standing pertaining to Farm 371.

## 3. The road travelled in our endeavor to reclaim our land:

One may be tempted to ask why this piece of correspondence is directed to your office, madam. Indeed, one may even bemoan the sheer temerity of the author / s hereof to direct this complain to your esteemed office.

The response to such a quizzical disposition is rather simple, madam. It can be summed up in one word, **DESPERATION** born from repeated and continuous **DISAPPOINTMENT** by officials and processes supposedly employed and enacted for the betterment of our people.

We are indeed of the opinion that our government has purposely appointed these official to frustrate us and to perpetuate racial segregation of the "new" kind.

In June 2012 we were approached by officials from one of the embassies looking for a community programme to support financially and otherwise. We proposed the building of a skills centre and primary school on our ancestral land. Upon initiating the project with the community, we learned about the CPA and how we needed their approval and permission to build. Furthermore, when we learned that the registered owner was the local municipality, the embassy walked away from the project because they cannot develop government owned land.

Currently **THREE** bus loads of our children are commuting to school in Barkly West, these includes Grade R learners.

Madam Speaker, we did not just wake up this morning and decided to embark on this journey to your office. If you would bear with us, we would gladly demonstrate our continuous, arduous, energy sapping, sometimes heart wrenching struggle.

Here is a summary of our journey:

Date	Detail of action taken	Attendees	Outcome
16 Aug 2013	Letter – Concerns Regarding The Land Ownership Of Gong-Gong	The MEC Agriculture, Land Reform & Rural Development	Mr. Shushu never responded. Did not even acknowledge receipt of our letter. Yet the very same Mr. Shushu was in Gong Gong three months prior promising the people that the farm will be returned to them shortly.
27 Aug 2013	Meeting Land Ownership	Communications Officer Trevor Tshikudo Rural Development, HQ Pretoria	Mr. Tshikudo called Mr. Ntsane and arranged a meeting for us in Kimberley, at the same offices where we were turned away because they do not deal with "complainants".
16 Sept 2013	Letter Request to meet with Manager of Land Reform	Communications Officer  Mr Ntsane	The meeting was arranged.
28 Nov 2013	Meeting Land Dispute	Department Of Rural Development & Land Reform:  Mr. O. B. Mvula Chief Director Ms. Cindy Nkoana Deputy Director - State Land Ms. Deidre Koopman Ass Director - State Land	In this meeting we informed by Mr. Mvula that:  1.CPA's are a consequence of an Act of parliament and we cannot challenge their existence nor their claims to the far.  2. Gong Gong's "blessing" (diamonds) have now become its curse and land disputes will take forever to resolve
		Ms. Ruwayda Baulackey Director of Operations	3. Upon our insistence to speak to his seniors he

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		Ms. Neo Cheou Case Manager – Gong-Gong Claims Mr. Kenneth Lewambano Project Manager	boasted "you can go wherever you like, my word on this matter will always be taken over yours".
		Gong-Gong Cpa Mr. Koos Malan- Treasurer Ms. Rachel Van Nell- Secretary Ms. Joyce Van Graaff - Member Ms. Emily Leburu - Member Ms. Charlotte Piena - Member	4. Ms. Baulackey indicated that the settlement award did not include farm 371. We need to speak to Dikgatlong Local Municipality since they are the legal "owners".
17 Nov 2014	Letter Requesting Moratorium on Issuing permits & Licenses On Gong- Gong Farm 371	The Director Dept of Minerals & Energy	This department failed us and it took 24 months for them to issue us with the information requested. To date, there are several open holes left by the miners over the years since they failed to rehabilitate our farm.  DMR is turning a blind eye to the matter.  Currently, DMR continues to issue permits & licenses on our farm even when presented with clear evidence that the Public Participation did not happen.  They rely solely on the integrity of the consultants applying for these permits. Our rights as affected parties do not matter and are trampled to their hearts content.
27 Nov 2014	Letter Intentions to start exercising our rights as the owners of the farm.	Municipal Manager Mr. Robbertse	Mr. Robbertse admitted that farm 371 was erroneously registered in the name of Dikgatlong Municipality. He would investigate the signing of a Service Level Agreement between DLM & the community.

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			Mr. Robbertse indicated that the fact that he is supplying fuel for the boreholes on the farm and paying the salaries of the two operators thereof, is regarded as "unauthorized & wasteful expenditure" by the law. Furthermore it would be too costly for the municipality to deliver sanitation services due to the poor condition of the roads on the farm.
03 /02 /2015 <u>:</u>	Meeting Basiese Dienste Elektriesiteit Water Sanitasie	Rdl. Martiens Hendricks Me. C. Roberts - Gemeenskapslid Mnr. E. M. Snyders - Gemeenskapslid Me. E. M. Malan - Gemeenskapslid Me. M. Ngoma - Wykskomiteelid Me. V. Drift - Komitee Tesourier Mnr. H. U. Drift - Komitee Assistent Sekretaris	The meeting discussed the provision of basic services to our community, including the electrification of our farm.  The Councilor undertook to prepare all relevant documentation for us to peruse and submit to council.  It never happened.
12 Feb 2015	Meeting Basic Services	Honorable Mayor Clr. William Magongwa  Councillor Martiens Hendricks, Ward 5 Councilor	Both officials undertook to investigate the matter & report back to the community.  Nothing happened.
16 Feb 2015	Meeting Mining Permits	Regional Manager DMR Mr. S. Mabaso Mr. M. Mutheiwana DMR	The community needed information on how they could apply for a community permit on the entire farm. The officials indicated the following:  a. It is NOT possible since permits are issued by hectares  b. Proof of financial ability is required

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				c. The community must form an organisation to represent them and then they can apply
				We left very disheartened since we thought that the idea of the mining charter and all relevant legislation was designed to grant poor communities the opportunity to extract the minerals from the land and to use it to develop the community.
	Letter Proposed co- operation agreement between the Municipality and the community	The Municipal Mr. Robbertse		Council did what they do best, IGNORED our request to a meeting.
10 June 2015	Meeting Land Ownership of Farm 371	Gloria Petersen	ANC deployee from Luthuli House	This meeting took place on request of the Municipal Manager, Mr. Khptso Moeketsi, in the boardroom of the municipality.
		H U Drift W T	Secretary (GGCD)	The purpose was to clarify the matter of the ownership
		Chabalala	Chairperson GGCD	of Farm 371, Gong Gong.
		V Drift	Treasurer GGCD	The CPA reiterated their claim to the farm despite the existence of documentary
		M L Daniels	Member GGCD	evidence to the contrary. Several pieces of correspondence from
		Clr. Martin Hendricks	Dikgatlong Municipality	officials within the department of Rural development & Land Affairs
		Koos Malan	CPA Treasurer	were tabled by us in the meeting.
		Frans Mekgwe	CPA Dep Chair	The CPA insisted that the municipality enter into a service level agreement
		Daniel Motantswane	CPA Dep Sec	with them even though none of them reside on the farm

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	taken	Gaupalelwe Phase  Rachael Van Nel  Anna Nikane Charlotte Pienaar Johan Eilerd  Kgotso Moeketsi	CPA Chairperson  CPA Secretary  CPA Member CPA Member  Legal Advisor Dikgatlong Municipality  Dikatlong MM	and the farm was not restituted to them. The Municipality's legal advisor, Mr. Eilerd, indicated that according to the documentation in front of him unequivocally indicates the purchase of the Farm in 1986 and the subsequent failure of the CPA to get ownership via the restitution route. Therefore, according to Mr. Eilerd, the municipality would be in bridge of several pieces of legislation should they enter into the proposed service level agreement with the CPA.  Upon hearing this legal opinion from Mr. Eilerd, Mr. Moeketsi, the MM, proposed that he should be allowed to convene a meeting of / with his political heads to get guidance on how to proceed with the matter.  The meeting agreed to his request.
				To date, the meeting has not happened.
19 June 2015	Letter Enquiring details of follow-up as promised at meeting on 10 June 2015	Municipal Mana Khotso Moekets		Mr. Moeketsi did not respond to the letter. It could be because he knew of his pending redeployment to the same office that is at the centre of our land dispute. He went to replace Mr. Obed Mvula at Land restitution.
20 July 2015	Letter Rendering of basic services to the residents of Gong-Gong, Farm 371	Municipal Mana Dikgatlong	ger	Council did what they do best, <b>IGNORED</b> our request to a meeting.

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22 Sep 2015	Letter Dikgatlong Municipality inviting them to a Meeting to discuss Basic Serv & way forward	The Mayor: Dikgatlong Municipality The Ward Councilor: Gong-Gong The Municipal Manager: Dikgatlong Municipality The Executive Committee: Gong-Gong CPA	Council never responded to the invitation, to date. The CPA threatened with legal action, a threat we ignored.
2 January 2016	Email Damaged Houses & Graves	Municipal Manager Khotso Moketi	Council, in the person of their MM, ignored our correspondence. Not even an acknowledgement of receipt.
27 Jan 2016	Email Disaster Management Dis-intergrating graves No Response	Kenneth Lucas Francis Baard Municipality	Mr. Lucas also ignored our request.  Nothing happened.
1 Feb 2016	Letter Reporting dis- intergrating graves No response	Municipal Manager Khotso Moeketsi	Council, in the person of their MM, ignored our correspondence. Not even an acknowledgement of receipt.
10 March 2016	Letter Objections DME Ref. No. 11748 PR	The Regional Manager DME	The objections of the community had the desired effect and the mining application was declined
3 May 2016	Letter Meeting Mining on Farm 371	The Regional Manager DME	The community needed to discuss the ongoing issuing of permits without consultation.
		Mr. Vincent Muila DMR, Northern Cape Region	DMR never responded whether in writing or in person to this complaint from the community.  The community was left to fend for itself, again.  We've now become accustomed to this treatment by government departments.

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13 Oct 2016	Letter Complaint: Illegal Mining On Farm 371 Gong-Gong – Sarel Lombaard	The Regional Manager Department of Mineral Resources Northern Cape Region Attention: Mr. Vincent Muila	The objection from the community was again ignored by DMR.
10 May 2019	Letter Complaint against Illegal Mining on Farm 371 Keisiekamma	The Regional Manager DMR Kimberley Mr Mutheiwana	The officials from DMR did come out to the farm and found that the mining was legal and cannot be stopped.  However, we still have an issue with the municipality, as custodian, granting permissions for acts on the farm without proper consultation of the affected persons as described & prescribed in & by the Act.
24 May 2019	Letter Advise of Intended protest actiont by community members to offices on 3 June 2019	Mr Andrew Modise Municipal Manager Dikgatlong	Mr. Modise, upon receipt of the notice by the local SAPS did ensure the presence of the Mayor, Clr. D. D. Mbizeni.  All indictions were that the responsible officials will be present to receive the petition from the community.
.3 Jun 2019	Protest march to the Dikgatlong offices by the community	The community of Farm 371, Gong Gong  Mayor D. D. Mbizeni Mr. A. K. Modise - MM  Clr. Mently Bezuidenhout - Independent	The Mayor & MM were present to receive our petition / memorandum of grievances.  The Mayor undertook to read it and to respond within the stipulated timeframe.
18 Jun. 2019	Collection of response on our memorandum	The community of Farm 371  Mr. A. K. Modise - MM	Upon arrival for collection of a response to our memorandum we found the following:

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				<ul> <li>Ward 5 Councillor absent</li> <li>The community went to request the MM to excuse himself from the meeting he was attending and pay attention to us since we had an appointment setup 14 days in advance.</li> <li>The MM called the Mayor who telephonically agreed to attend a meeting in Gong Gong, at the insistence of the community.</li> </ul>
18 June 2019	Email Request of Meeting	The MEC of CO The MEC of Ru Development a Reform The MEC of Mi Energy Depart The MEC of So Development The Head: Tech Department Frances Baard District Munici The Ward 5 Co	iral and Land inerals & ment ocial nnical d	The Mayor agreed to bring all these relevant departments to the community meeting on 26 June 2019 in Gong Gong.  The idea is to shorten the response time if the community could speak to these departments directly.
26 June 2019	Community meeting	Name & Surname  1 Clr. D. D. Mbizeni  2. Clr. Eric Makoko	Title  Mayor – Dikgatlong Municipality Chief Whip – ANC Dikgatlong	Mayoral response to community:  After listening to the community, the Mayor addressed the meeting. These
		3. Clr.  4 Mr. Kagiso Andrew Modise 5 Mr. Freddie Maselela 6 Ms. Tsepiso 7 Mr. T. Sedupane	Municipality Clr. Delportshoop, Tidimalo Municipal Manager  COGHSTA  DMR	are some of the salient points she raised:  The matter of the errand councillor shall receive the requisite attention The sanitation matter will be resolved BEFORE December

Date	Detail of action taken	Atten	dees	Outcome
		8 Mr. Odirile August 9 Ms. Nomathemba Masenge 10 90 community members	Town Planner – Dikgatlong Municipality Manager - Mayoral office	<ul> <li>The resolution of land ownership is importan and DLM will do everything in their power to assist the community to resolve</li> <li>She encouraged the community to prepare a celebration because when she returns, on 25 July 2019, she will come bearing gifts and good news.</li> </ul>
13 July 2019	Email Land ownership and other concerns	The Chief of Staff Department of Agriculture, Rural Development & Land Affairs (DARDLA) Ms. Millie Ramoraswi		In response to correspondence to the Presidency we were directed to this lady for assistance and possible conclusion of our problem.  We are aware that Dikgatlong received enquiries regarding the matter though we have not officially been informed about the enquiry through our communication channels.
25 July 2019	Community meeting with Dikgatlong Municipality	Clr. D. D. Mbizeni – Mayor  Mr. D. Macingwa – Ward 5 Councillor  Mr. A. K. Modise Municipal Manager Dikgatlong Municipality  Mr. O. August – Town planner DLM		The Mayor did not feel well and so she left it to the Ward Councillor and the MM to report back on the outcome of their deliberations regarding our meeting on 26 June 2019.  The following were the salient points from their report:  The Council only has money to supply FIVE chemical toilets for a community of approximately 500 families.

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			We view this as a slap in the face. Does the municipality really expect 100 families to share a toilet??
			The Councillor indicated that he has on numerous occasions requested the MM to increase the fuel account for the boreholes in Gong Gong. He does not know what to say anymore.
			He instructed the MM to investigate the use of water from the water tanks at the local clinic.
			Clr. Macingwa also indicated that all correspondence to & from his office shall happen via the two ward committee members in Gong Gong. He invited the community to make use of the ward committee members to communicate with him since he has a vast ward and may not always be available to meet with us.

Madam Speaker, we are convinced that a study of the above clarifies the following:

- o The community have tried every available avenue to resolve this matter
- The officials have failed dismally in their duty. They are guilty on two counts.
   Firstly they are guilty of dereliction of duty on a grand scale. Secondly, they are guilty of failing to care enough for the citizens of this beautiful country.
- These officials have broken the hearts of so many of our senior citizens who hoped to live to see the that the land is restored to them. They passed without seeing that.
- We have purposely mentioned the names of the various government officials we've met and dealt with to avoid the incorrect assumption that we're just grandstanding and being used as pawns to score cheap political points on behalf of someone.

 The Dikgatlong Local Municipality has no intention to act in the best interest of the people of Farm 371. If any development is going to happen here, we are going to have to do it ourselves – and we fully intend to do so.

# 4. What would we like to see happen?

We, like the rest of the country, are aware of the debate regarding the land question. Restoration without compensation is not foreign to us. We are genuine victims of suffering that fate, *TWICE!!!!*. First the White colonisers and apartheid state did that to us and in 2003 it happened again at the hand of Dikgatlong Local Municipality and the Gong Gong CPA.

The following are the outcomes we would dearly like to have happen in this case:

- We would like to have a deputation from this farm be given an opportunity to address the Standing Committee on Land Affairs, in the NC. We have learned that documents are easily disposed of, filed and forgotten. However, the warm bodies being impacted upon by this callous approach by officials deployed may not so easily be destroyed / disposed of.
- We would like to see the national department of Agriculture, Rural
  Development & Land Affairs expedite the transfer of our land back to us. They
  must also assist in the speedy registration of our own CPA since it is the
  only vehicle through which we can get our land back.
- In Dikgatlong Local Municipality there are cases of the municipality restoring land rights & full ownership to other communities. Why can it not be done in our case?
- Furthermore, Madam, we would like the DARDLA to make available all aid, financial and otherwise, that is extended to recipients of restituted land. It will go a very long way in assisting us in developing the farm for ourselves and our children.
- Return the land to us frothwith, without delay. The land has been raped and pilaged long enough now. We, the rightful owners are not benefitting by any stretch of the imagination. We want the part sold of to Transnet to be used to determine the value of the servitudes payable to this community since 1986 and a payment plan be designed and implemented.
- We would like you to instruct DMR to investigate the miners that mined on this farm over the last 15 years, establish if they were refunded their rehabilitation fees and on what grounds. On our farm there are numerous holes dug and left unrehabilitated by miners.
  - We see the rehabilitation of our farm as an opportunity to create much needed employment for a community that is largely grantdependent.
- o We would like Public Works to come and fix the roads on our farm
- We demand portable water and proper sanitation
- We demand the erection of a community centre which should include a community recreational hall, library with internet access, ECD centre with all the modern teaching aids
- We demand that the DARDLA and Dikgatlong Municipality help us to create awareness that Farm 371 belongs to the Griqua People
- We demand assistance for the small scale farmers on our farm

We trust, Madam, that this request will receive due consideration and are loking forward to your response.