

BLACK AUTHORITIES ACT REPEAL BILL HEARINGS

20 JULY 2010

MIRRIAM MATEZA'S ORAL PRESENTATION:

My name is Funeka Miriam Mateza. I was born in Cala in the year 1932. When we had the Transkei government in the 1980's, there was the Transkei Development Company (TDC). The project entailed that suitably-skilled people would be given an opportunity to purchase land for the purpose of farming. One such initiative of the TDC was launched outside the area of Nyalasa. At that time, Nyalasa was under traditional authority but our particular area was outside of the traditional authority's rule as it had previously belonged to white farmers. As one who was thoroughly trained in farming, I became interested in this project until I finally decided to become part of it. I was one of the original participants of the project. I purchased a vast portion of land that was allocated to me. It was transferred to me in 1983. Therefore, I became a title-holder of the land that I was farming. I took over the land and farmed in what was a very prosperous farm where I even had a distribution point that was a complex that rendered many other different services. This complex was named Bessenger's Trading Station where I had various businesses. This was a very successful enterprise.

In 1986, the chief Gecelo of the Gcina Tribal Authority expanded his rule and claimed the land that I was occupying as an owner. I was summoned to the traditional court and they asked me how is it that I owned land whereas I was a woman. My response was that I had bought the land and therefore I was a title-holding owner of it. They asked to see the title deed. I showed them the documentation as requested and the response that I received was that the title deed had no bearing on the matter as all land in the area belonged to the chief. Moreover, the traditional court told me that as a woman, I couldn't hold any land in my name. They said that even if the land had been my husband's and he had died, it would have been given my husband's younger brother or my older brother. Therefore, I was told that I had to vacate the land as it belonged to the chief and leave the community. They said that they feared that I would influence their wives into doing bad things such as wanting to take over their lands after their deaths. I couldn't understand how it could happen that even though I had worked so hard to buy the land and held a title as a testimony of my ownership but yet this had no significance. I was also confused as to why I couldn't have land as a woman as this area did not belong to the chief to begin with.

The next thing that happened was that a number of young men under the instruction of the chief, had gone and looted massive amounts of my

belongings, vandalised my property and burned it down. This was so serious that I had to flee for my life as the situation was very dangerous when it seemed that the chief did not want me there at all. The chief took the land and divided it amongst its male subjects.

THE ACTIONS I TOOK TO REMEDY MY PROBLEM:

- In 1986, I approached the Cala municipality which is now known as the Sakhisizwe Municipality. The response of the municipality was that they couldn't intervene in the matter.
- I then went to enlist the services of a lawyer and the matter still failed even though we never went to court.
- When I first heard of restitution in 1996, I approached the Department of Land Affairs. At the Land Affairs Department, I was told that the government only took claims of people who were dispossessed by whites. Therefore as my land had been taken by a black chief, they couldn't get involved.
- Over the years, I tried going to many government offices but I could still not get any help.
- After going to them on multiple occasions in the 1990's, the Department of Land Affairs said that maybe they could compensate me only for the money I had bought the property with. I found this to be unsatisfactory

as I am a farmer and want to restore the livelihood that I know which was brutally taken away from me. Now I live in a shack, which is a life that is very much unlike the life I knew. All these crimes have been perpetrated against me by a ruthless chief all because I am a woman. I would like to still believe that there is still a principle of justice that still prevails in our country. Therefore, I plead with you to listen to our cries and take note of our anguish as this platform is our last hope.