

Submission by Maria Mabaso to the Rural Development and Land Reform Committee on Wednesday 21 July 2010 in respect of the Black Authorities Act Repeal Bill [B9-2010]

Introduction

My name is Maria Mabaso, I am the Chairperson of Farm Evictions and Development Committee (FEDCO) in Zululand District in KwaZulu-Natal. I am the subject of Nkosi Mbatha, under the jurisdiction of Mbatha Tribal Authority. There are other traditional leaders who are our surrounding neighbours. These include Nkosi Ntombela, Nkosi Mdlalose and Nkosi Shabalala. Those people, who are our neighbours under the above-mentioned authorities, have the same problems as we have under the Nkosi Mbatha - which are problems of high taxation or too much taxation and levies placed on the subjects. I support the repeal of the Black Authorities Act, but I want to make you aware of these problems that will still exist in our community.

Background of the community

The KwaQwashi community is made up of about 90 000 people, of which about 60% are women. There is a high rate of death amongst the men because of a chest disease contracted by many men while employed as migrant workers in the mines. The community consists of about 70% unemployed persons, the remaining 30% of which are working in shops and supermarkets. Some of the people have survived by selling fruits and vegetables on the streets. Most of the employed persons are men. Those who are working in the textile industry earn about R70 a week, while those working in shops earn between R300 and R500 per month. The community is therefore heavily reliant on social grants. Without these social grants, the community would not have survived to today.

People in the community have to travel about 120km to Ulundi to do their shopping, and it costs about R65 for a return trip. There is only one clinic to serve the population, so people are forced to go to the townships. These clinics are located far away from the community – about 15km. We also have access to mobile clinics, but they only come once a month. You have to ferry the sick yourself, or wait for an ambulance, which takes a very long time to come. We have access to two hospitals in the surrounding area. We have about 10 high schools and 6 primary schools. There is a high rate of people who have passed matric, but who are loitering because they cannot go to tertiary schools or get jobs. There are no recreational facilities in the community. There is no police station in the entire community. Each household has a standpipe and the community built their own toilets. There are no

RDP houses and no electricity – people use candles for lighting and there has been a lot of fire. The Chief plays no role in the development of the area, or improving these services.

Taxes and levies in the past

Since the time of apartheid, the community has paid various levies and taxes to the traditional leaders. Some of the taxes we have paid are: dog tax, administered differently according to the gender of the dog; poll tax, paid by a man above 18 years to the apartheid government; and a tax known as rand-for rand, which we were told was for building schools.

These taxes were a heavy burden to families, especially women, because their husbands were migrant workers. The women who were left behind to head households, had to use their family money to pay these taxes. The money that was allocated for bringing up and taking care of the family then had to be re-allocated to pay the taxes.

Life at present in the community

When the new democratic government came in, we were so excited and ululated about the possibility that now the burden of heavy tax, that we have carried since the time of the apartheid government, would now be lifted, and that we would be able to use the money that we had been using to pay the tax for the bringing up our families and building the community instead. Instead of a lifting of the tax burden, what we are experiencing is that we are now being forced to pay more tax than we did in apartheid.

Right now we are paying many different high taxes to the traditional leader. These are some of the taxes we are paying in the community:

1. If your child gets pregnant, you have to pay a certain amount of money to the Chief. Only the pregnant girl-child's parents must pay, the boy-child's parents do not pay. The amount differs from area to area, and ranges between R200 and R1000.
2. When a widow has to remove her mourning dress, before she can partake in the cultural ritual, she has to pay a tax to the Chief. This amount varies, ranging from R300 to R1000, depending on the traditional leader.
3. Development tax. This development is brought in by government departments, but the Chief claims that he brought the development and then charges taxes for it. For example, for use of the tractor, each family pays R100, for the construction of roads,

- each family pays about R500. In some other cases, Chiefs withhold use of the tractor completely from their subjects.
4. When the government buys land through land reform, the beneficiaries of the land reform who are subjects of the Chief are forced to pay levies to the Chief to access the land.
 5. If the Chief has a private legal matter pending against him, the community has to pay for the legal costs. In most instances, the tax will be about **R150 per person**. The fees are paid no matter what the costs award is in the matter.
 6. If you go to do the unveiling of a tombstone, you have to pay an amount ranging between R300 – R1000 to the traditional leader.
 7. If there is a wedding, someone has to officiate the ceremony, and a fee must be paid between R200 to R500, depending on the traditional leader, for that person to officiate.
 8. In Emakhuzeni, each household has to pay R50 towards the expenses of sending the Chief's child to university.
 9. There is also a 'horse tax', which is for the Chief's use of a car, when he needs one. The amount is R50 per household.
 10. A tax must be paid for the traditional skirts of the Chief's wife. Money is paid for her upkeep.
 11. If the Chief wants to extend his palace, people have to pay a tax towards the building of the extension. The tax is called 'izintungwa'.
 12. If you want a letter to prove your residence in the community, you have to pay for the letter.
 13. In Amahlubi, there is also a tax to be paid to have an end-of year celebration. The amount is R20 per household.

No receipts are received for the taxes and levies paid. Payment is not recorded, and we do not sign that we have paid any fees. There is no accountability to the community about how much money was collected, how much money was spent and how much money is left. If the amounts for the taxes and levies are not paid, the traditional leader will not give any support to you, and if you ask the Chief for anything, he will not help you. If you have not paid, you will not be allowed to bury your relatives in the community and you cannot receive your verification as a member of that community, for example.

Conclusion: The way forward

We want the Committees in Parliament to work together to stop all of these taxes, because people in the community are already very poor and heavily burdened. Most households are dependent on social grants already and most people are unemployed. We do not have the

services that we need and must still pay taxes. Therefore, we want all these taxes and levies to be abolished.

We also request to see the KwaZulu-Natal Bill on the Code of Local Government Law that is mentioned in the Black Authorities Act Repeal Bill, because it has not yet come to our attention.