

Fighting for Justice in Rural KwaZulu-Natal

by David Ntseng with Mark Butler, 2010.

Introduction

Over a number of years, Thulani Ndlazi has been Church Land Programme's primary link with the emergence, growth and struggles of the Rural Network. During 2010, while Thulani took some sabbatical leave, colleague, David Ntseng, took on temporary responsibility for sustaining those links. Up until then, David's contact with militants of the Rural Network in Northern Zululand had mostly been enabled through participating in solidarity actions – especially at the eShowe Magistrates Court where a case of murder of two scholars is being tried against two security guards:

I have participated in protest marches, picketing outside court and sitting inside the court room listening to the trial. But I had no idea where these villages are that the people come from, nor what their life is like. I have always enjoyed hearing the testimonies by these militants describing their experiences on the farms and their revolutionary attempts to resist brutalities on the farms. One of the militants invited me to come with him to see where people live and how they live, so I can connect their struggles to their daily experiences. In this short article I present my reflection of what I was invited to see, hear, taste, smell and feel:

ENkwalini Village

I got there mid morning, accompanied by a gracious female militant from the area. She had already told some people that I would be coming and that I would be happy to have time to listen to their stories. The farm sits on the foothills and is adjacent to orchard farms owned by a white farmer. That neighbouring farm is hard to see from the distance because it is tucked behind the orchards and at the bottom of the hill. On the whole it gave a sense of an isolated or hidden place.

On arrival, people started showing up and before I knew it there were already twenty people, mostly women. As they gathered, I recognised faces as those of militants I always see in eShowe magistrate court. I was happy to see them and they were too. What was alarming was that I came to pay them a visit. I had no special news to share, no programme to roll out, no project to launch. I just came to see them and really have a chance to connect their stories to their context.

Discussions began and there were really shocking experiences that people have to endure on regular basis. The leader of the community, who is a woman, began by describing how they are treated by the local farmer, the owner of the orchard farms. More disturbing was hearing her describe the way security guards physically abuse local residents and their livestock. The day I came was four days since someone's cow had been shot dead and hidden in the bush by the security guards. Others joined the discussion telling how they or their next of kin have been assaulted by the security guards. Their situation is like a life of imprisonment - they said that every move they make is controlled. They have to put up with interrogation every time they go to town or to schools or to graze their cattle. Although there are regulations about cattle impounding, the next-door farm impounds their cattle all the time. As residents, they have learnt to stand up to these security guards and protect their livestock and their rights to live as normal human beings not objects to be pushed around.

They went on to talk about how the Department of Land Affairs (DLA) has abdicated its responsibility and left them to be trashed upon by ruthless farmer. It all began with boundary disputes. The farmer's claims of the boundaries do not match the residents' claims. The local iNkosi is said to have been very lenient to the farmer and allowed him to shift boundaries. DLA, with all the resources it has, has not been able to present registered cadastral data that indicates at what point the farms split.

DLA is accused of ignoring the residents of eNkwalini, even failing to appoint an officer to work with eNkwalini residents. In addition, accusations regarding DLA conduct mean that eNkwalini people are forgotten citizens - people who do not matter. In their assertion they feel they are being used by DLA and the farmer to settle their scores. DLA offered to buy land as a way to deal with the dispute and the farmer agreed - but at a high price. With the DLA refusing to meet the farmer's price, the residents pay the human cost, living a life of daily brutality, physical assault and livestock impounding.

EMasangweni Village

Situated along the R34, between eNkwalini and eMpangeni, this farm is part of a tribal authority. I met with the local chairperson, a militant male who has recently been arrested and charged with 'public violence' and violating the Gatherings Act. He took me to the kwaMpanza family where I was going to spend most of my stay. I must say that for me it was a real honour that I set my feet at the Mpanza homestead. This is the family that had lost a son in 2006 after he had been ambushed by security guards with four others (where Thembinkosi Mpanza and Vukani Shange died) in a sugarcane farm not too far from their homes. To me this family is the centre of the trial that has been my point of contact with other militants in Northern Zululand.

I was shown the grave of Thembinkosi Mpanza, [may his soul rest in peace] but like all other young men and women who die defying structural poverty, his blood was shed to water the tree of the struggle for freedom.....

I was shown the school he attended until the day he was killed. I saw another young man who was the state witness and a good friend of Thembinkosi. I couldn't help it but shake his hand and commend him for the bravery he had shown in court, giving his account of how they were ambushed. I hope to God that the law will take its course and does justice, and not let people go with impunity even when they have robbed a village of a young man who would have made a positive difference.

Here too I told people that I had come to visit them, I did not have a project to launch or a programme to enrol them into. I came because I owe it to them to know where they live and how they live. In the discussion I learnt that it is hard to organise in the village. For many years people have been receiving communiqués from the tribal authority and through the tribal structures that will communicate their wishes.

With the trial of Thembinkosi's murder some people have turned around and embarked on a struggle to live free of security guards and white farmers' tyranny. The hegemonic presence of white farmers is so overwhelming because they are also the source of employment for many residents.

I was humbled by the eagerness of people to change things and to be a community that looks after each other. The death of a young man has begun to testify to this effect, as more and more people are suddenly interested in knowing what is happening in court and how much they wish the perpetrators to be punished. Most of the residents that I met reiterated their steadfast commitment to be united all the way until all have a life they deserve.

Victory triumphed when the eShawe court finally found the two who were accused of killing the young men guilty for murder and attempted murder, and sentenced them to twenty years each behind bars.

I was so shocked to hear that there are ongoing land disputes - not only between white farmers and local residents, but also between local residents and their local Trust Committees that were formed as part of government's Land Restitution roll out. Weak monitoring, and a lack of post-settlement support by the Department of Land Affairs, has allowed for irregularities in the management of these restitution farms and has denied most residents the space to participate in decision-making to shape their future.

KwaNtsheluntshelu

This is the village on the hill just across Umhlathuze river from the R34 between eMpangeni and eNkwalini. It is adjacent to eMasangweni. People from both farms know each other very well. In 2007, residents of kwaNtsheluntshelu won a restitution case and were awarded three farms that are next to their village. They have been working closely with their mentor, as per advice from DLA, to continue using the land for crop farming, tree plantations and sugarcane. For a long time before that, they were working as farm labourers on these farms.

I went there to be introduced to residents accompanied by the chairperson of eMasangweni village. As we went through the farm, he started telling me about his experience as a farm labourer on the same farm. He remembered what the fields looked like in those days. He told me of the productive capacity of that farm, and how unfortunate it was that it has been left to lie fallow and revert to untamed bushveld.

In the new dispensation, their local trustees have taken over the ownership of the farm on behalf of the residents. They have not managed to keep the farm in the form that it was before. Some suspect that the mentor got the best out the deal, and left the residents with just the crumbs. Some suspect irregularities from the side of trustees. Recently a new deal was signed with a white farmer who is leasing the farm for crop farming. He has reduced salaries of employees and brought back security guards, a phenomenon that residents had long forgotten about since taking over the farms.

I particularly visited the farm because another incidence of murder has happened. Mr Mpanza, a local hard-working man, was shot and killed by security guards while he was walking through a farm next door to kwaNtsheluntshelu across the river. He was walking with his three daughters and was accused of stealing oranges. I wanted to visit the Mpanza family and send my deepest condolences and extend our support (on behalf of many militants who are disgusted by the merciless killings of innocent people on farms).

As I listened to elders in the village telling their story it was clear to me that even here too, security guards are brutalising people to the extent of unreported fatalities. I cannot actually believe that this is still happening. I was told that people are found mutilated on the riverbanks and that they will then be reported to have been attacked by crocodiles trying to cross Umhlathuze river. It is true the river has many crocodiles but the number of bodies found raises concerns. Residents accuse security guards of ambushing people who are walking alone, and throwing them in the river. Mr Mpanza happened to be one of those unfortunate victims who were confronted with titanic might of security guards - and that cost him his life. He has left behind a widow and three daughters who, from just observation, show scars of the poverty they will still have to contend with for many more years to come. The family was robbed of the possibility of a better future, and that has angered all Ntsheluntshelu residents.

Police nabbed the security guard and he has appeared in the Magistrates Court in eMpangeni. He has since been granted bail. Investigation is still under-way and the trial is set for 9 and 10 February 2011. Like in the murder case of Thembinkosi and Vukani, residents have vowed to come in their numbers to support the Mpanza family. They want to see justice. They want to be seen as humans, not animals that can be butchered any time a security guard so wishes. They want farmers to know that they too are humans with rights to land and access to use land.

Conclusion

As a way of drawing lessons and making connections from this trip, I read again Hope and Timmel's book titled **Community Worker's Handbook 1** (1984). As an activist and as someone who believes in the role of faith in people's struggles for freedom, it was useful for me to dig from the wells of my tradition.

It is for that reason I think it is important to quote Albert Nolan when he writes,

to believe in Jesus is to believe that goodness can and will triumph over evil. Despite the system, despite the magnitude, complexity and apparent insolubility of our problem today, humankind can be, and in the end will be, liberated. Every form of evil- sin and all the consequences of sin: sickness, suffering, misery, frustration, fear, oppression and injustice - can be overcome. And the only power that can achieve this is the power of a faith that believes this. For faith is, as we have seen, the power of goodness and truth, the power of God (in Hope and Timmel, 1984: 31).

For me this is what I can offer to militants from these villages, a reminder that they are the powerful force that can change the course of history. To change the course of history is a daunting task. It requires a sense of communion and commitment to each other. As a proverb from Madagascar has it: "cross the river in a crowd and the crocodile won't eat you".

Unless there is commitment to organising and mobilising in numbers, efforts to dismantle the economic and political forces that condemn people to poverty, humiliation and degradation will be in vain. At a given time and a decisive point in history, people decide to act against these conditions which restrict their freedom as people. The struggles that villagers I met are waging attest to this. Most importantly, this is a hard struggle in which militants have demonstrated their strong, firm and steadfast commitment to freedom for all. Amandla!!!"

Postscript: NGO Praxis and Celebrating militancy

Over a number of years, the Church Land Programme (CLP) has transformed its way of being in the world and its understanding of the role of civil society in relation to emancipatory change in the world. It is not helpful simply to imagine that civil society – which is almost universally now thought of as being mainly NGOs – should be 'agents of change'. Of course, NGOs, with their/our resources, their/our middle-class staff, their/our access to circuits of information and connection in broader 'civil society', and so on, **can** be agents of change. But the changes they effect can seldom be properly emancipatory. Since their praxis in the world simply follows the logic of their assumption of agency, the practical effect of their work is to compromise the agency of the poor. This is a common experience of the poor as they are often conscripted into the outsiders' projects about 'what should be done'.

It is through our very familiar practices that the agency of the poor is compromised: they cannot present themselves and their life struggles, so we must re-present them; they do not think, so we must think for them and 'empower' them with our insights; they cannot speak, so we must speak for them or 'give voice to the voiceless'.

But it doesn't have to be that way. It is perfectly feasible to chip away at these assumptions and find ways of working in the world that abandons them in favour of a fundamental assumption of egalitarianism: the simple conviction that everyone matters, everyone is human. In that decision, the poor and oppressed cease to be **objects** of the outsider's project, but **subjects** of their own liberation. Then the possibilities of really emancipatory action to change the world unfold in the actions of 'the people' - that mass of humanity that has no name, no voice, no power. Then the NGO, like any other outsider-with-power, comes not with arrogance but humility, not contempt but love and respect, not teaching but learning, not leadership but solidarity.

When those who should not name themselves, nor speak for themselves, nor act on their own thinking, fulfil their humanity through collective struggle, they have become subjects of their and our freedom – they have become militants for the truth rather than activists on someone else's behalf, and we can all grow and discover the unimaginable depth and breadth of our collective humanity through solidarity with their struggles against injustice.