



iBandla nomHlaba

Izindaba ezivela kwi Church Land Programme



Abesimame Nomhlaba: Izindaba Ezivela Kubantu

Umthetho ongunombolo 108 ka 1996 okuMthetho Sisekelo waseNingizimu Afrika uthi abantu besimame banamalungelo, kubandakanya nelungelo lokuba nomhlaba nokuwusebenzisa (Isigaba 9, isigatshana 3 no 4 kanye nesigaba 25, izigatshana 1 no 6). Ingoba abantu abaningi besimame nezingane zabo bathembele kuwona umhlaba ukuze baziphilise-umhlaba uyinzuzo kubona. Naku-ba ilungelo lomhlaba lishicilelwe ephepheni, umlando uveza ukuthi kumele siyihlaziye futhi siyicabangisise kabanzi indaba yomhlaba eNingizimu Afrika. Ngeke sithathe izinto kalula.

Leliphephandaba libheka ekutheni kwenzekani kubantu besimame nezinganezabo abahlala emhlabeni. Libheka indlela okuhlukunyzwa ngayo amalungelo omhlaba abantu besifazane, liphinde libheke indlela yesankahlu okuphathwa ngayo abesifazane. Lisixoxela izindaba zabo ezikhuluma nezikhombisa ngokuhlukunyezwa kwamalungelo lapho kunabantu abazama ukubaphoqa ukuba bashiye imihlaba yabo. Lezi yizindaba ezivela kubantukazana ayi izinkinsela. Leliphepha libuye lisigqugquzele ukuba sizimbandakanye nabesimame ekuvikeleni amalungelo abo ukuba bakwazi ukuwusebenzisa nokuwuphatha unhlabo okuyinto asebenze iminyaka ngeminyaka.

UNkosikazi Ngema wase Dingaanstat, KwaZulu-Natal

Emva kokusebenza iminyaka engaphezu kwamashumi amathathu njengonkhonzi wepulazi, uNkosikazi Khulelaphi Ngema, ongumfelokazi ohlala epulazini unezinkomo eziyisishiyagalombili qhwaba, izinkukhu ezimbalwa kanye nezimbuzi, akanawo amanzi, amsu oukthutha ukungola (sanitation) nogesi. Usehlale kulomhlaba cishe impilo yakhe yonke, kodwa akavunyelwe ukuzakhela indlu yakhe yangempela, njengalokhu ehlala eqhugwaneni lodaka. Kulelelupulazi elingelentso, uNkosikazi Ngema wasebenza 'njengomkhonzi wepulazi' okungukuthi esebenza kodwa engaholi yonke leminyaka. Umholo wakhe kwakuba amalungelo omhlaba,



Emva kweminyaka engamashumi amathathu unkosikazi wakwa-Ngema eyisikhonzi sepulazi, engaphansi kwengcinezi yokushiya umhlaba nendlu yakhe

Emva kweminyaka engaphezulu kwamashumi amathathu engumsebenzi wasemapulazini, uNkosikazi Ngema ungaphansi kwengcindezi yokushiya indlu nomhlaba wakhe. Umthetho waBasebenzi Abakhonze Emapalazini ongunombolo 3 ka 1996 (Labour Tenants Act 3 of 1996) "unika ukuvikeleka kobunikazi bomhlaba babasebenzi abakhonze emapulazini abanezindawo noma labo abahlezi kulomhlaba ngenxa yokusebenza kuwona noma, unikeza nelungelo lokuwusebenzisa lowomhlaba, unkize ukuvikeleka nakokunye okumayelana nalowomhlaba". Isigaba 6 salomthetho siphinde sithi umnini wendawo (okuyi sonto kuloludaba) akaphoqelekile ukweseka ukuxoshwa kwabasebenzi abakhonze epulazini lakhe (okungu Nkosikazi Ngema kuloludaba) noma ngabe ubani (njengaba MAFA).

ngamanye amazwi: ilungelo lokudlisa imfuyo edlelwele kanye nelungelo lokwakha iqhugwana. Ngonyaka ka 2004, iningi lezinkomo zikaNkosikazi Ngema zadliwa zathathwa zayodayiswa ngoba umlimi owayegade ipulazi lesonto wayenganeme ngenani lezinkomo, njengamanje uNkosikazi Ngema usacela abangani nezihlobo ukuba bamgcinele ezinye zezinkomo.

Manje isonto limfaka ingcindezi uNkosikazi Ngema ukuba athole enye indawo yokuhlala. Imbangela yalesisenzo ukuba kuthengiselwe AMAFA/Heritage Association umhlaba. Lokhu kuyingxenywe yesu lezokuvakasha (tourism) elithintene nama-bhizinisi amakhulu kanye nohulumeni, elidinga umhlaba omkhulu endaweni. Lesisenzo sithikameza imizi eminingi esemapalazini ayisithupha ehlukenene kanye nesikole samabanga aphansi- bonke bangaphansi kwengcindezi yokuthi kumele bafuduke endaweni asebhale kuyo izizukulwane ngezizukulwane. Lokhu kwenzeka nakuba eminye yalemindeni yayifake isicelo sokubuyiselwa umhlaba eMnyangweni wezemi-Hlaba (DLA). UNkosikazi Ngema akanayo indawo lapho engaya khona, yena kanye nabantwana bakhe baqoka ukuba bajoyine umbutho wabahlali base mapulazini basendaweni naba-kwezinye izindawo ngenhloso yokuzimazisana uma behlukunyezwa.

UNkosikazi Ngema uthi: "Asikwazi ukuqhubeka ezimpilo zethu. Singthanda ukwakha ezinye izakhiwo kodwa ngenxa yokuhalela ovalweni asikwazi ukukwenza lokho ngoba asinaso isiqiniseko sokuthi angeke sixoshwe. Izinkomo zami zigcinwe kwamanye amapulazi, abaaMafa sebefake ucingo osekungenza ngizwe engathi imfuyo yami iyangokuya iqhelelana nami."

UNkosikazi Mke wase Kennedy Road, eThekwini

Omame abahlala emijondolo yasendaweni ebizwa ngokuthi Kennedy Road basebenzisana ndawonye nabanye abahlala kweminye imijondolo emzabalazweni wokulwela amalungelo abo ezindlu kanye nomhlaba. Ngo September kunyaka odlule, usihlalo nosekelo wakhe kwihlangano yaBahlali Basemijondolo bahlaselwa ngamaphoyisa ngendlela engekho emthethweni, babuye baboshwa, abantu abangaphezulu kwamakhulu amahlanu bahlangana ehholo lomphakathi belindele ukuzwa ukuthi kwakuzokwenzekani emva kwalesehlakalo. Kwathunyelwa umyayezo ngomakhala ekhukhwini (SMS) kulabo ababesiteshini samaphoyisa ukuzwa ukuthi bangayithola yini ibheyili. Amaphoyisa enqaba ukukhipha ibheyili. Uma kuzwakala lowombiko emhlanganweni iqembu labesimame ababengaphambili lakhetha ukumasha kuyiwe esiteshini samaphoyisa.

Kwathi kungakapheli mizuzu mingaki umphakathi usuzophumela emgwaqeni ubhekise amabombo kwasidlodlo yase isiqhamukile ingaloyomthetho, ngalekokuxwayisa umphakathi ukuthi uhlakazeke yavele yahlwayela ngezinhlamvu zenjoloba nezomthofu imbala nasehholo imbala. Kwakudutshulwa kwasani ehamaba emgwaqweni naphakathi kwemijondolo.

Owesifazane oneminyaka elinganiselwa kweyamashumi amahlanu unkosikazi Nondumiso Mke wadutshulwa emlenzeni wangakwesokudla wathola nemihuzuko. Waxhugela waze wafika ehhovisi elingaphansi kwehlo kuKennedy Road lapho afike wathola khona usizo. Abangani bakhe bamthatha bamphuthumisa esibhedlela lapho afika khona wathola usizo, wahlinzwa ukuze kukhishwe inhlabu esithweni sakhe. UNkosikazi Mke wadutshulwa ngaphandle kokulwisana noma

abakhombise ukuba ingozi kwabakwasidlodlo, akazange futhi abasabise ngalutho. Wabe esevulela amaphoyisa icala loku-zama ukumbulala.

UNkosikazi Mke wayemasha futhi ebhikisha ngokuthula nakuba kunjalo amaphoyisa amdubula.

Umthetho Sisekelo uthi esigabeni 17 "wonke umuntu unelungelo, ngokuthula engahlomile, lokuhlanganyela, ukubhikisha, nokuletha uhla lwezikhaziso." Umthetho wokuHlanganyela (Gatherings Act) ongunombolo 205 ka 1993 uveza kabanzi ngalelilungelo. Kwisigaba 5 (1) kwiSilawulo somThetho wokuHlangana (Regulation of Gatherings Act) kugunyazwa ukuvinjwa kokuhlanagana (noma imashi, ngokwakulendaba) uma "... kunokwesabela ukuthi lokho kuhlangana kungaholela ekuphazamiseni ukuhamba kwezimoto noma abantu, ukulimala kwabantu ababambe iqhaza noma abanye, noma ukulinyazwa kwempahla, noma amaphoyisa kanye namaphoyisa omgwaqo athintekayo engeke akwazi ukusivimbela lelisismo uma sidaleka ..."

Ugogo Masikane wase Rietvlei, Kwazulu-Natal

Ugogo Masikane nomyeni wakhe bahlala futhi basebenza epulazini iminyaka engaphezulu kwamashumi ayisithupha endaweni yase Rietvlei ngaseMdlovana (Greytown). Loluhlelo lathatha isikhathi eside njengoba nabanikazi bepulazi lelo babesina bededelana ngokudayiselana lona. Ngonyaka ka 2002 ipulazi lathengwa ngomunye umlimi owabe esewazisa umndenini wakwaMasikane ukuthi akazimisele ukuqhubeka nokuwuqasha. Wabuye wabaphoqa ukuba bahlukane nemfuyo yabo, bayeke nokulima. Waqhubeka wavala ipayipi lamanzi, wabhidliza nendlu yabo, wasehluthulela umnyango wendlwana yabo okwase kuyiyonanto abase beselenayo vo. Okungukuthi njengamanje bahlala bengabantu abadala abane nezinganyana kwindlu enamagumbi amabili.

Nyakenye umninipulazi wagasela umndenini wakwaMasikane, wabasasazela ngezinja. Waphinda wahlasela ugogo Masikane ngenhloso emsukela ngesithuthuthu, yize noma wayesemdala futhi engasaboni emehlweni. Emva kwesikhathi washona ngenxa yokulimala. Ukudlula kwakhe emhlabeni akusho nje kuphela ukuthi umndenini walahlekelwa yinhloko yekhaya, kodwa balahlekelwa nayimpesheni kagogo ebisiza ngokukhokhela abantwana imali yesikole. Okungukuthi abantwana abasakwazi ukuya esikoleni.

Umnadini wakwaMasikane wawufisa ukuba umngcwabe ugogo Masikane eduze neliba lomnyeni wakhe kodwa umnikazi wepulazi akabavumelanga. Emva kokusizwa abakwa KZN Land Legal Cluster ukuba bathole invume enkantolo, umndenini wakwazi ukukhweza umama. Emva komgcwabo umnikazi wepulazi wahlasela umnumzane Masikane, oyindodana kamufi, kusukela nkuleso sigameko useyaxhuga. Indaba kagogo Irene Masikane ibuhlungu kakhulu, ingalo yomthetho isayilwa lempi njengoba umndenini sewafaka izimangalo zamacala amaningi enziwa ngumnikazi wepulazi futhi balubhekile nosizo ekulweni lempi.

continued overleaf ...

Ugogo Masikane waphathwa wabuye wajeziwa ngendlela ewubugebengu, enganabo ubuntu nephathisa amahloni, lokhu kwaholela ekutheni adlule emhlabeni. UMthetho Sisekelo kwiSigaba 12, neSigatshana 1 (c), (d) no (e) uthi wonke umuntu unelungelo lokukhululeka nokuvikeleka, unelungelo lokukhululeka kukho konke ukuhlukumezeka okungaba semehlweni ezwe lonke noma kube yimfihlo; angaphathwa noma ajeziwe ngendlela yobugebengu, nengenabo ubuntu neyhlazo.”

Kwesokudla: Umndeni kaGogo Masikane



Izinto eziyi 10 esingazenza ngamalungelo omhlaba abesimame

Umphakathi noma iqenjana labesimame bangawlwela kanjani amalungelo emihlaba, futhi baqiniseke ukuthi ayahlonishwa? Lezi izindlela okungaqalwa ngazo:

1. Abesimame bangathola amandla ngokuba baxoxisane bebodwa mayelana nokudicilelwa phansi kwamalungelo abo ezemihlaba okwenzekayo. Ukuxoxa kuyasiza ukuba sithole amandla nokuzethemba ukuze kubekhona esikwenzayo
2. Omame bangahlangana bodwa, bazilungiselele bathathe isinqumo. Inani labantu besimame abayizishosho vu belwela amalungelo omhlaba eningizimu ne-Afrika liyakhula.
3. Omame akumele balindele ukugunyazwa imithetho noma abantu besilisa basemiphakathini ukuvikela amalungelo emihlaba. Singazenzela ngokwethu singabesimame.
4. Singabantu besimame kumele saziswe ngamalungelo ethu asomqulwini woMthetho Sisekelo noshicilelwe ngokusemthethweni.

5. Kumele sicabange kabanzi ngesikholelwa kukho: ingabe siyakholelwa ekutheni abantu besimame kumele babe nomhlaba wabo?
6. Abesimame abahlala emhlabeni ongamapulazi nasezindaweni zokhokho babo banelungelo lokuqhubeka bahlale kuwona.
7. Abesimame bangalibamba iqhaza ekuvikeleni amalungelo abo nawomhlaba. Akumele sidikibale ngenxa yokungaboni ngaso linye.
8. Abesimame bangakha ubudlelwano nabanye besimame futhi baqine. Akumele bazimele ngabodwana.
9. Kumele sikwaziswe ukuthi kunolwazi olungasetshenziswa ngabantu besifazane olungabasiza bakhule bakwazi ukuyilwa impi yomhlaba.
10. Uma sinelungelo lokusebenzisa utholefoni, singaluthola usizo ezinhlanganweni ezizimele njenge Freedom of Expression Institute etholakala (011-403-8403). I-KZN Land Legal Cluster (033-345-7607); kanye ne Legal Resources Centre (031-301-7572).



Abaholi Bamabandla Bathi

“Ukuhlukunyezwa nokungabi khona konulungiswa okubhikiswe kubanikazi bomhlaba besimame eNingizimu Afrika abamukeleki. Thina njenge District of Natal Coastal yebandla lama Methodist Church of Southern Africa siyalugxeka lolunya, futhi sizakalisa ukubaseka abesimame abahlalele engozini yokulahlekelwa ubunikazi bomhlaba. Kuyisifiso sami ukuthi onke amaKrestu ezweni lethu abe isiphephelo kulaba besimame abahlukunyeziwe futhi azwelane nabo.”

amazwi kamBishobhi Purity Malinga
KwisiFunda sasoGwini laseNatali-MCSA
Senior Vice President: SACC

“Izenzo zokuhlukunyezwa nokwesabisa abantu besimame ikakhulukazi labo abanemihlaba eNingizimu Afrika zimele ukugxekwa. Thina siyibandla lama Sheshi (Anglican) esiFundazweni saseNatal (CPSA) siyazwelana nabesimame amlungelo abo obunikazi bomhlaba busengozini siyabaseka ngokuphelele. Kuyifiso sami ukuthi onke amabandla ezweni lethu abe yizindawo zokuphephela abesimame aphinde azwelane nabo emzabalazweni wabo wokuvikela ubunikazi bomhlaba.”

UmBhishobhi Rubin Phillip
KwiSinodi yase Natali
kwiBandla LamaSheshi



“Ngokulandela isibonelo yeNkosi yethu uJesu Krestu nemfundiso kaPhapha uBenedict XVI zokuzibophezela ekusebnzeleni ukuthula nokubuyisana, njengeBandla lamaKhatholika esifundazweni saKwaZulu-Natal siyakugxeka ukusetshenziswa kodlame nokusatshiswa kwabesifazane, ikakhulu labo abangabanikazi bomhlaba. Ngokungangabazeki siyabaseka abesimame nabesilisa abamalungelo abo obunikazi bomhlaba nempahla busengozini, futhi sinxusa bonke abaholi ebandleni lamaKhatholika ukuba baqinisekise ukuthi amaBandla ezweni lonke abazinqaba zokuphephela labo amalungelo abo ayahlukunyezwa noma ngayiphi indlela. Masenze ukuzwelana kwethu nabahlwempu nabadingayo kubonakale.”

Wilfrid Cardinal Napier OFM
Archbishop of Durban
President: Southern African Catholic Bishops’ Conference



Wena Qhawekazi

Ibhalwe ngu Mthutheni G F Dlamini

*Wasishiya
Wasishiya siloyiza njengamatshwele.
Wasishiya sikhungekile
Sabona ukhozi likuthatha
Amaphupho ethu ashabalala
Sazitshela ukuthi kuphelile*

*Sasingazi ukuthi wena nemfundo yakho
ejulile wazikangcono
Wabalekela kuMgungundlovu
Ezazini zomthetho namandla zahlokoma
Baviva ngochwepheshe bezazimithetho
Baviva ukuze balwe impi yasetafuleni*

*Ngenxa yolwazi lakho olungcono
kunolwethi awuzange ugcine lapho
waqhubeka wathinta ngisho neTheku
nalolahlokoma
Sasicabanga ukuthi awukafundiseki
kodwa ukwazile ukuphoqa
ongqondongqondo
Ukwazile ngisho ukufinyelela ko-
Bloemfontein nasephalamende
wabanyakazisa*

*Ngokunqoba kwakho uphenduke iqhawe
Uyilwile impi kaBhambatha,
uyisizukulwane sika Bhambhatha
Phakathi kwabantu abafile angeke ulale
uphumule
Ulele phakathi kwabo khona uzokwazi
ukuvusa labo abalele
Ulwile ngisho ekufeni yize wena uphila
ufile*

*Namhlanje sidla izithelo zobuqhawe
Ubuqhawe lobu obuvezileyo
Lala phakathi kwalabo abalele
ngokuthula kodwa ungazumeke
Lala nomoya wamadlozi ungozeli
Wenaqhawe, sizukulwane sikaManciza*

Lenkondlo ibhalwe indodana kamama ongasekho emhlabeni uNkosikazi Getrude Ntombi Dlamini waseFawnleas esifundeni saKwaZulu-Natal. Umndeni wakwa Nkosikazi Dlamini wanqatshelwa amalungelo awo okumngcwaba umama wabo emhlabeni oyipulazi abase behlale kuyona isikhathi eside. Emva kokuba sebelilwile icala eNkantolo yase Bloemfontein, umndeni wabuye walizuza ilungelo lokumngcwaba. Ngomhlaka 7 October 2006 amathambo kaNkosikazi Dlamini aphinde angcwatshwa ngokusemthethweni. UNkosikazi Dlamini uwalwele amalungelo akhe okuthola umhlaba ngisho esesethuneni.

Awusixoxele Eyakho Indaba

Ithini eyakho indatshana ngamalungelo abantu besimame ekubeni nomhlaba adicilelwe phansi? Sifuna ukuzwa ngawe. Uma ngabewena noma umphakathi wakho ufisa ukusixoxela noma ukuthumela isikhalazo, sibhalele:

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