

# **CAPFARM TRUST ANNUAL REPORTS 1993-2010**

## **TRUSTEES REPORT FOR THE YEAR ENDED FEBRUARY 1993**

### **Drought**

CAP was not exempt from the ongoing, nationwide drought, and the annual rainfall on Mdukatshani was 421,45 mm, well below the average of 600 mm. In midsummer the Tugela River had sunk to an all time low, with tepid pools and a shallow current. Hungry cattle from KwaZulu waded the river daily to seek pasture on white farms, and CAP staff had a struggle to push trespassing animals back across the water, as the farm's shrivelled veld was already over utilized by neighbouring black stockowners.

"Grass is as scarce as the hair on the palm of your hand," Petrus Majozi told a meeting of the Management Committee," and you can't go anywhere without the smell of carcasses rotting".

### **Land Claims Programme**

During the year the new Learning Centre became fully functional at last, providing an office for the Community Law Centre, which was immediately inundated with cases relating to exorbitant trespass fees charged by Weenen's white farmers.

The Learning Centre also became the venue for numerous meetings of farm labour tenants, and others interested in plans for the future resettlement of Weenen farms. The committee elected last year to represent local African communities on land issues in the district, continued to use Mdukatshani as a base for discussion and planning.

The suspension of the NPA's Weenen Working Group, effectively blocked African hopes of an outlet for discussion, and CAP has been the driving force behind many of the initiatives which have pushed land claim issues closer to settlement in the past year.

A feature of the year was the growing unity of local African communities, and the involvement of migrant hostel dwellers, as well as the peri-urban township dwellers of KwaNobamba.

In November a two-day strike left Weenen's farmers without labour and CAP was asked to act as mediator in the conflict between white farmers and their black workers and labour tenants.

### **Learning Centre**

The Learning Centre, a two-room stone and thatch building, serves many functions. Apart from providing the district with a paralegal advice office, it offers a monthly clinic and family planning service, adult and child literacy classes. A shortcourse on welding provided local men with a new skill.

A bookkeeping teacher from SHADE visited the farm regularly to help CAP staff take over the daily finances of the project. While a professional bookkeeper in Greytown prepares quarterly financial statements, the records are kept by team of four, only one of whom has been to school.

### **Crafts**

Because of a shortage of bead orders during the year, the beadworkers were "loaned" to "African Art from Scrap" - a project run by Tessa Katzenellembogen, a longtime associate of CAP's. An instructor taught the beadworkers how to adapt their skills to the construction of baskets made of telephone wire, and the Learning Centre became the workplace of the basketmakers. Because they were paid directly by "African Art from Scrap" CAP's records do not reflect the steady income which helped many local families survive a year of economic hardship. A large order of baskets went to the Museum of Modern Art in New York.

### **The Management Committees**

The Management Committee continued to have a valuable impact on CAP's affairs, meeting every two months on the

farm. The experience of committee members assisted staff to run the project more effectively despite their lack of formal education.

Among the subjects on the agenda during the year were proposals for a film based on Rian Malan's book, "My Traitor's Heart". Several draft contracts were prepared by Tinello Holdings, which wanted the go-ahead to film on locality on Mdukatshani. After considerable discussion, the proposals were turned down.

### **Violence**

In March 1992, Mangempi Ngqulunga, his wife and son were killed in an attack by unknown assailants on Mdukatshani's farm. Ngqulunga was a member of the Farm Committee.

In January 1993 the top farm was once again temporarily out of bounds as a war zone when Mchunu impi took up arms, using the farm's woodland as cover. The conflict ended suddenly after a pre-dawn battle which left nine dead.

### **The Farm**

After numerous meetings with African cattle-owners on our boundary, a system of eartags was implemented to control winter grazing on the farm. Adjusting to the effects of the drought, resident families agreed to reduce cattle numbers. CAP's draught animals continued to provide a valuable service, carting manure to the community gardens, although the team is ageing now, and new oxen are being sought.

At the end of 1992 CAP disposed of the goat flock, which was being steadily reduced in numbers by thieves and dogs, which were able to get through the goatproof fences. With reduced funding, CAP could not afford the staff required to permanently guard the goats.

Because of the drought, large numbers of trees have died off on the farm, providing a supply of dry firewood for surrounding communities. CAP has always allowed the harvest of dry wood. To prevent green wood from being cut, a rule has been implemented banning axes and pangas on the farm – effectively protecting green trees.

Although affected by rain and high summer temperatures, the Mdukatshani communal gardens continue to flourish. Two communities with which CAP has historical links, gardens, and funding documents have been prepared to provide the areas with a water supply, fencing, and instruction.

### **Outside Links**

Because of CAP's geographical remoteness from major centres, and other organisations involved in similar work, it has been necessary to establish links with Natal's development community. CAP is a founder member of MIDNET, the Midlands development network comprising NG's and CBO's. CAP is also involved in National Land Committee activities, and the Natal and KwaZulu Regional Consultative Forum on Drought and Development. As CAP finds itself involved in mediation and negotiation on behalf of local African communities, it works actively with ERJ, the Empowerment for Reconciliation with Justice network.

## **TRUSTEES REPORT** **FOR THE YEAR ENDED 28 FEBRUARY 1994**

### **A TRIBAL CEREMONY**

On November 15, 1993 Chief Simakade Mcunu – the longest reigning monarch in KwaZulu – led his regiments onto Mdukatshani to collect the spirits of the warriors who had died in battle on the farm in 1944. Petrus Majozi, CAP's Farm Committee Chairman, was alongside in his role as Chief Induna of the Mcunus.

Mdukatshani lies astride a tribal boundary, and in 1944 was the scene of a battle which Johnny Clegg has described as the greatest single battle fought since the Anglo-Zulu War.

The issue at stake in the original fight was land. A single controversial field. Was Mdukatshani a white man's farm – or did the invisible tribal boundaries stand? An Mtembu tested the question by ploughing on “Mcunu” land. Sixty nine men died in the battle, and the trial which followed was described by the press as the “biggest criminal trial in South African history.”

The tribes long ago settle their differences. The ceremony on the farm, however, was a reminder of the peculiar nature of Mdukatshani. Its history provides CAP with a unique vantage point on the debate on land and change in South Africa.

Even in the hills of Msinga, they year was marked by a mood of expectation. CAP has led many initiatives in the district over the years – and took the initiative, once again, in discussing the future ownership of the farm with those families who were evicted in government forced removals in 1969. There were 40 resident families on the farm at the time. There are 14 now – none of them the original residents.

The situation could be fraught with potential conflict. There are other role players too however. The communities living on the boundary, both Mtembu and Mcunu, have claim to the farm as a resource centre which provides them with grazing, gardens, firewood and browse.

In August Majozi accompanied the Mcunu and Mtembu chiefs, together with KwaZulu officials, on a helicopter inspection of existing tribal boundaries. From the air they saw cattleowners driving stock onto the farm. An official queried what appeared to be deliberate trespass, and asked if Mdukatshani was one of the farms that was to be claimed back.

“No people can claim it,” replied a chief,” because it is already used by everybody in sight.

### **LAND CLAIM PROGRAMME**

During the year, land claims intensified. Many local labourers and labour tenants became accomplished conference delegates, less wary at each meeting of speaking their minds. CAP took part in events which included a march on the World Trade Centre, a National Land Conference in Bloemfontein, and – in January – yet another strike in Weenen.

One consequence of strike action has been the formation of a conflict resolution committee, consisting of Chief Ngoza Mtembu, local farmers, police, community and farm workers. CAP staff serve on a watchdog committee.

The problem of the Mngwenya Valley and resultant tent towns moved closer to resolution with the passing of the Provision of Certain Land for Resettlement Act 113 of 1993. In terms of the Act, black landowners will be able to acquire land with the aid of a government grant. Three farms in Weenen have been put up for acquisition, with a proposed 150 families as settlers. CAP continues to question the viability of amassing people on farm land of low production potential.

### **BIOSPHERE PARK**

In June CAP was invited to view the release of six baby elephant on a Weenen farm that falls within the boundary of a new “Biosphere Park”. The Park plans to attract tourist to the area with all the “big five”. CAP has found itself in opposition to the proposal because there was no consultation with local black communities before the scheme was announced. It is seen, by whites and blacks alike, as a move to secure land from future black land claims.

Mdukatshani's Learning Centre has once again been a venue on debates on the issue between Biosphere officials, and affected communities.

## **CLC – AND VOTER EDUCATION**

Together with CLC (Community Law Center), CAP has set up voter education facilities, and training plans, in the event of Inkatha agreeing to enter the elections. The chiefs in the area have given their mandate to the process – but await a go-ahead from Ulundi.

At Waayhoek Resettlement Village, one of CAP's project areas, hundreds of people attended a voter education workshop run by Charles Ndlovu, CLC lawyer and a member of CAP's Management Committee.

The CLC office continues to work closely with CAP on matters of mutual concern, such as the legalities involved in land claims etc. People queuing at the CLC office at the Learning Centre are a familiar sight, obtaining assistance from the paralegal on anything from pensions to pound fees.

## **GARDENS**

A sure sign of a tough year has been the sudden expansion of dagga (marijuana) gardens from the KwaZulu banks of the Tugela, onto the white man's side of the river. The gardens appeared almost overnight, as massive joblessness forced people to turn to the land to supplement income.

The blatant display of the illegal crop eventually forced the police to take action. Twice they moved in with helicopters to spray the crops from the air.

Legal gardens faced better prospects. In July two officials from IDT (Independent Development Trust) paid a visit to Mdukatshani to confirm a generous three year grant for the existing farm gardens, as well as the development of another two projects, Bahahiya and Mbulwana. The first instalment, which arrived in September, enabled fencing to be completed. Bahahiya, with a perimeter fence 1000 metres in length, plus 500metres in riverfront, was ploughed with spans of donkeys, and planted to a summer crop of maize. At Mbulwana new beds are ready for seedlings.

## **AN EVALUATION**

In April CAP was extremely fortunate in having an evaluation by John Pape of the Swaziland Farmers Development Foundation. Mr Pape cast a critical and experienced eye on our agriculture activities, and offered a verdict more favourable than we expected. He covered his cost himself, as an extraordinary "free gift."

## **VIOLENCE**

Although the most prevalent cause of weekend funerals in the valley has been political violence in the cities, CAP has been affected by intermittent incidents which have included a woman being hacked to death while collecting wood on the farm, an armed hold-up of the bus at the farm gate, several ambushes on the road, and the death of four cattle rustlers in a vigilante action against stocktheft.

## **LITERACY**

An unexpected grant from IDT has enabled CAP to expand its one-week-a-month literacy programme into a full-time activity. Olga Miya, our teacher, has just completed a "Breakthrough to Literacy" training, and is handling classes of adults and children, who rotate, a week at a time. Most of the children have lost their fathers to local violence, and are wage-earners, doing tough labour on local farms. They spend a week a month away from the fields, attending class. All the children also have a garden plot on Mdukatshani – the entrance qualification for schooling.

## **CRAFTS**

After a lean start to the year, bead women were working flat out over Christmas to meet American orders for new year trade fairs. The project is now 26 years old, and some of the women who started work as young brides are now in need of reading glasses. Roxanna Earle continued to administer the project on a voluntary basis – an invaluable help to CAP.

## **DROUGHT**

Despite heavy rains in March and October, the year was again a hard one, with total rainfall of 550,75 mm still below the average of 600mm.

## **OUTSIDE LINKS**

CAP continues to sit on a number of bodies and forums, including the executive of MIDNET, and works with the National Economics Forum on its public works programme.

## **TRUSTEES REPORT** **FOR THE YEAR ENDED 29 FEBRUARY 1995**

### **A VOTE OF TRUST**

In March 1995 President Nelson Mandela paid an unexpected visit to Weenen officially launch the Pilot Land Reform Programme. Because of short notice, muddy roads, and the taxi war, the crowd was a small one. The visit had an impact, however. This was the only land reform programme in the country to be launched by the President – and the only programme to be led at a grassroots level.

Without CAP's involvement it is probable the Pilot would have been located elsewhere. After 21 years in a notoriously closed society, CAP has played a multiplicity of roles at every level of the process of land restitution, providing links between tribal authorities, land-claiming communities, government officials and consultants.

As development accelerated during the year, staff were fully extended as interpreters mediators and facilitators, identifying and inspecting farms, negotiating purchase, organising workshops, providing background, challenging policy decisions. A venues as diverse as classrooms the taxi rank, the Town Hall, Learning Centre, and trees in the veld, the concept of Trusts has been introduced and argued, as well as the problem of defining a family unit.

When CAP celebrated its coming-of-age at Mdukatshani in January, its unique position in the district was marked by the fact that not only is it the only property -owner in the Pilot to face no land claims, it is also the only property-owner to be elected to the Trusts of the new communities that will settle the farms adjoining Mdukatshani. As Trustee CAP will have a chance to share its knowledge of resource management, while helping to maintain the integrity of its boundaries.

A grant from InterFund is covering the costs of CAP's involvement in the land programme.

### **MEDIATION**

In November staff member Rauri Alcock was selected to the National Land Mediation Panel under the directorship of IMSA. He is now on call to mediate land disputes in any part of South Africa.

### **HEY PRESTO 1**

In July, 1985, a wobbly line of rocks was laid as a trial stonepack in a bars little camp called Class 1. Ten years later – hey presto 1 – in the middle of a drought, cattle grazed kneedeep in grass. While the pace of recovery is variable, all our reclamation areas show signs of thickening grass.

### **DROUGHT AND FLOOD**

In a year of extremes, Mdukatshani suffered both drought and flood. Before the first rains arrived in December, so many cattle had died on the farm, that the paths were littered with bones. Desperate owners pushed cattle onto the farm illegally, and left them unclaimed when they died. Neither ravens nor dogs could cope with harvest, and carcasses were left to dry out in the sun. In January, however, the situation was **ravaread**. Upcountry rains brought rivers down in flood, and the village of Weenen was swamped in the night. Police station, bank, post office were submerged. At Mdukatshani the damage was less serious. When the alarm was given at 4 a.m. the vehicles were windowdeep in water. They were moved higher ground without ill effect, but the fireproof storeroom was immersed by a tide that left files and beads buried in mud.

Total rainfall: 804,25 mm (more than half falling in January and February)

### **BEADWORK**

Necessary repairs to the bead storage room, delayed the resumption of beadwork. Contracted to a local builder, aptly named Never-Never Dumakude, the work took months instead of weeks. A large order for beaded copper eggs required the input of a paid instructor. Learning was slow and many women dropped out. Those who persevered were well-rewarded. Work was again suspended in January because of flood damage to the beads.

### **COMMUNITY GARDENS**

At the end of April CAP staff attended a “garden party” in the Nkomane gardens to celebrate the harvest, and the presence of a python – which remained undisturbed in a pool near the pump when a conflict between wards brought gardening to a standstill soon afterwards. Warned that all access roads were dangerous, CAP had to suspend its weekly visits. Once the all-clear was given, however, gardeners worked hard to make up lost time.

While the Nkomane and Waayhoek gardens are moving towards independence. CAP has been approached by government to help develop a large communal garden on a farm adjoining Mdukatshani which is part of the Pilot Land Reform Programme.

### **THE LEARNING CENTRE**

... continued to provide space for a clinic, literacy classes, a paralegal office, craftwork, and the innumerable meetings of the Pilot Land Reform Programme.

### **PATCHWORK BAKKIES**

Gearbox, engine, chassis, cab, diff, doors ... CAP's ageing bakkies have been kept on the road by scrounging the scrapheaps of Msinga. While the training has been invaluable, so many parts have been added and subtracted that a journey is a test of the patchwork artist's skill. CAP was therefore very grateful to the British Consul, Durban, for the grant of a new Toyota Hi-Lux diesel bakkie. No more running repairs along the road.

### **RADIO AND TV**

After 18 months of negotiation, Radio Zulu finally agreed to a weekly development slot, which was officially launched in July. CAP staff worked on the content of the programmes, and **aloostok** part in broadcasts. CAP's work and ideas were also featured in three television documentaries.

## **TRUSTEES REPORT FOR THE YEAR ENDED 29 FEBRUARY 1996**

It wasn't a flagpole Nkanyakhe Dladla was ramming onto a lodge on the slope of the hill. Yet the distant thump of hammering had the sound of conquest. The unthinkable had happened. A black man was back. The first settler was reoccupying the lost lands of Weenen.

By Christmas the historic wattlepols had helped to hoist a roof, a hot tin roof that blinked like a neon light, beckoning with promise of good things to come. Wood, grass, water- a room with a view. Passersby stopped and marvelled. Who was the adventurer? How long would he last? And why had he chosen that position? If he was a squatter he was taking a chance. One, two, three ... he couldn't mask the brightness. The sparkle of his roofs was visible from the road.

Dladla has nothing to hide, however. He is rebuilding while he watches over two hillside farms, an unpaid caretaker for the government. At the moment the land lies in limbo, caught between purchase and transfer to a Trust. Until formalities are complete, he has the farms to himself. "I'm home," he says, standing on the terrace from which his family was evicted in 1969.

He was a boy when he left, running in the dark.

"The police came at night while we were sleeping," he said. "They started at the top of the hill. We heard them and ran and hid in the bush. All night they were going from house to house, burning. The mountains were glowing with fire." Nobody counted how many homes were gutted. The farms were deserted in the morning.

Xranszkop, Retreat – two hillside farms, of no real value to a farmer. They were always too small to find a buyer on their own, and had to be combined as a unit. In a war over space was this conflict worth fighting? The land remained vacant when the people had gone. What could a white man do with the space? The farms were too small, too arid, too precipitous. Combined they total 908 hectares – well below the economic minimum for beef.

Dladla has no cattle so he won't be ranching beef. His concern is a need for flat land to plough. He is a quirt man, accustomed to authority, with a faction fighting record that commands respect. Already he is eyeing the river lands nextdoor. Another empty farm, lying in limbo ... Could CAP approach the government and negotiate a lease? Not just for himself, for the 55 families who are scheduled to join him as settlers-to-be.

When the wrongs of the past have been righted, difficult questions remain. Can the land withstand the impact of resettlement? At the moment Dladla controls 908 hectares. Next year his share will be a meagre 16. He is back on a farm with wonderful views, but a limited capacity for production. While there's government grant to resettle his family – can the planners strike dreams out of rock?

The land obeys no laws of civil liberties, oblivious to claims of rights or wrong. Its rules are older – its penalties implacable.

Rules as well as rights form part of CAP's vocabulary, an ongoing debate over 21 years. It's a debate that can't be settled in argument. It will finally be settled on the ground. Twenty years from now will the land be more productive, or dream-worn into rubble and dust?

**God will not ask thy race**

**Nor will he ask thy creed**

**Alone will he ask of thee**

**"What did thou do with the land I gave thee?"**

The words that were translated for CAP's first barefoot lectures, lie in wait for all the new beginnings now.

## **TRUSTEES REPORT** **FOR THE YEAR ENDED 28 FEBRUARY, 1997**

### **THE INVISIBLE LINES**

Weenen is the only district in South Africa where the government has twice considered a "ward system" - giving white farms a tribal identity. In 1928, and again in 1949, farmers, officials, chiefs and followers formally agreed on detailed plans that would recognize the tribal boundaries that criss-cross the farms. The control of tribal conflict would then fall to the chiefs.

Although Pretoria rejected the plans, the boundaries remain, making land reform a minefield for the unwary. Mdukatshani, for example, is divided into Mchunu and Mthembu territory, while recently, in response to the return of black settlers, the Mthembu chief ruled that a contentious clan boundary ran just beyond the Learning Centre, past the community tap. CAP may be the landowner, and neutral, but if there's a war between wards, will staff be allowed to and fro?

It is difficult in the space of an annual report to do justice to CAP's function in the land reform programme in what must be the most difficult district in the country. Through its fieldworkers, it has provided both groundwork and momentum, access and insight, stability and continuity, clearing obstacles from the paths of planners, addressing the problems of new settlers, and successfully lobbying for police changes that will have far-reaching consequences, provincially and nationally.

When the government's pilot land reform programme drew to a close at the end of the period under review, three farms had been bought for resettlement (two adjoining Mdukatshani); six were in the planning and negotiation stage, and 400 family grants had been approved by government.

Were the grants adequate, however? In February consultants threw a tea-and-snacks party at the Mdukatshani Learning Centre to mark the completion of the Ncunjane Community Trust. The land had been transferred to 15 families. Planning was complete. Now there were on their own.

Ncunjane's problems may just be starting, however on an eroded farm the government has set a stock limit of 40 livestock units, while the basic family needs grant of R7 500 per household has to stretch to cover survey costs of R5 000 each.

Who is responsible for "after-care" - the current term for longterm responsibility for land reform projects? With no back-up for the new landowners, are they being pushed into poverty-traps?

While CAP continues to fight for an amendment to legislation that will allow community land purchases to be VAT-exempt and transfer-duty-free, it is also dealing with the crucial question of follow-up: What happens to the land and the new settlers after the formalities are through?

### **LABOUR TENANTS**

Ever since the forced removals of 1969, when more than 25 000 people were evicted from farms, evictions have been a source of bitterness in the district. CAP therefore watched the passage of the Labour Tenants Act through Parliament with a sigh of relief. The relief turned to despair, however, as months went by and local evictions continued to be a problem.

After presenting a report on labour tenancy to a government task team in Pretoria, CAP was approached to set up and run a workshop on the new Act which was well-attended and extremely informative. Because the Act is uncharted terrain, however, CAP has since initiated a test case, piloting the claims of the Nkaseni farm labour tenants through the largely unknown process, and setting a precedent for the inevitable flood of cases that will follow.

### **LAND INVASIONS**

because it is government policy to suspend or withdraw work in an area where invasions have taken place, CAP worked hard to help resolve two invasions, where squatters agreed to move off the land to allow proper procedures to be followed a third invasion is still being mediated, while a fourth has become the subject of a government fraud inquiry.

### **THE NUMBERS GAME**

Five families per farm - that was the law. As a result families crammed together, a large conglomeration under a single household head. Would the new government perpetuate the past? How should "family" be defined? Would the



beneficiaries of land grants be restricted to that household head, or would the government recognize the claims of the newly-declared tenants? At the request of several labour tenants communities CAP made a written submission to the Department of Land Affairs which has been accepted as government policy.

### **BAMBATHA'S PEOPLE**

The Bambatha's Rebellion of 1906 altered the political landscape of Natal. Bambatha's people, the small Zondi tribe, remained landless, however, most of them tenants on white labour farms. When at last the Department of Land Affairs and the Zondi Tribal Authority began to negotiate the purchase of land, however, a dispute arose over who would own the land: The chief, or beneficiaries with private title.

CAP was glad to be involved in mediation, helping to access land for this historic tribe.

### **FENCING**

At the request of government, CAP's fencing team was diverted to help fence the new and mutual boundaries brought about by land reform purchases. The fencing materials was provided by government, the labour by our staff.

mashi, epureli, meyi ...

Olga Miya's literacy classes came to an end in December, the results evident in the rough cardboard labels the beadwomen attach to their work at the request of customers such as Liberty's of London. If the work looks too sophisticated to be classified as craft, the handwritten label says the maker is authentic.

Of the underprivileged children who attended the daily classes, 12% now stay home, 40%, having tasted education, are now enrolled at local schools, while 60% continue to work as togt labourers, some as far away from home as Wartburg. Girls like Nesheli Mvelase (12), have turned into the local scribe, writing and translating letters for the neighbourhood.

The literacy classes helped to give staff confidence in simple record-keeping. mashi, epureli, meyi... March, April, May.

### **COMMUNITY GARDENS**

Although the January floods damaged pumps and irrigation equipment, and were a setback for summer crops, unusual winter rains helped to bring the annual total to 944,75 mm, which set clear water running in dry gullies, and brought great benefits to the gardens.

In November a new community garden, Ndlela, was added to the other three serviced by CAP when a letter was drawn up for Chief Mthembu to sign, ceding land to his people for us as community gardens.

### **THE OLD BLUE TRUNK**

CAP has never had an office, nor a fulltime clerk. It possesses no cupboard, no desk, no table, no chairs. The accounts are kept in an old blue trunk, handled by staff who until recently boasted a top qualification of Std 4.

Bhekuyise Ngxongo, CAP's manager, has no education at all (together with most of the 22 staff). If people .If people seek assistance, he sits them down the shade of a tree – and they talk. How does one define the talking time? As administration. The word is too static and officebound, however, to convey the method of getting things done in the valley. So we have a book entry called “administration”, but cheques are dealt with two days a month when the old blue trunk yields up its papers.

### **LAST WORD**

“None of us in this world is perfect. Number of consultants come and go, but we are still unmoved. With our mission to work for justice still in place...” excerpt from CAP staff report.

### **NOTES ON CAP'S CALL ACCOUNTS**

#### **1) Small Farmers' Trust - R16 716**

In July 1977 CAP launched an appeal for funds to establish a Small Farmers' Trust to advance loans for fencing and seed to members of the small farmers' co-operatives that were evolving out of community work projects. All wire was regarded as a longterm loan, to be repaid gradually as gardens became productive, but two years after the Trust had

been established, drought set in, streams dried up, and furrows, pipes and reservoirs lay empty.

Five years later the work of the Trust was reviewed. Donor grants had totalled R28 000; of which R20 947 had been advanced as loans, and an amount of R 10 944 repaid, but 181 of the 221 co-op members still owed a total of R 9 871, most of it for fencing.

Conflict has since scattered the communities that formed the separate co-ops, and the emphasis has changed from individual to community gardens. Although a few relic gardens remain fenced with the old wire, the CAP directors long ago wrote off the outstanding debt. The reserve in the Trust account has meanwhile accumulated, and has been used for emergencies from time to time.

## **2) Independent Development Trust Literacy Programme R 6 132**

In 1994 the Independent Development Trust granted R35 000 for a three year literacy programme, the entire payment made in advance, and drawn as required.

## **3) Harry Brunskill Charitable and Educational Trust – R 5 495**

Because of delays caused by flood damage, a grant from the Trust earmarked for reclamation and childrens' gardens was placed in a call account until the project could be resumed.

## **4) Home Industries R 99 557**

The large stock of beads held by the home industries (R 86 435) and the total held in call accounts needs a note of explanation. During the apartheid years the cost and difficulties of obtaining beads in the face of trade bans forced several large wholesalers to give up the business. In 1990 CAP was preferred the entire stock of Greenstein and Rosen at a price of R 40 a kg instead of the usual R 120 a kg. We accepted the offer, despite the fact that some of the colours would have to be regarded as “dead stock”. (Recent flood damage puts the total value of dead stock art about R 11 180).

Colour is crucial in a fashion industry and demand changes seasonally. For this reason we not only draw on bulk stocks, but have to buy beads at retail prices during the year – while continuing to import beads not stocked locally. In minimum quantities of 50 kgs per colour. Orders can take up to six years to arrive, and the cost of a crate can vary from R 8 000 to R 12 000.

The home industries call accounts hold money earmarked for orders. The interest provides a Christmas bonus for the beads women, and if necessary, insurance against fire and flood, as CAP has been refused insurance as “ a high risk area”.

## **TRUSTEES REPORT**

### **FOR THE ENDED YEAR ENDED 28 FEBRUARY 1998**

#### **A REBELLIOUS COMMUNITY**

Nkaseni has a long history of controversial evictions – and tenants willing to fight them – so who expected the last lap to be so easy? After more than 80 years of legal wrangling, petitions and protests, Nkaseni's “troublesome Natives” won title to their land in South Africa's first locally-negotiated agreement under the Labour Tenants' Act.

The photograph says it all: A group of smiling faces outside the Land Claims Court in Johannesburg. White farmer. Black tenants, CAP staff and Department of Land Affairs officials – between them they had pulled off the impossible: an amicable agreement hammered out on the farmer's stoep in a spirit of trust and good neighbourliness. CAP's role was pivotal. When two Land Court judges, Mr Justice Dodson, and Mr. Justice Moloto, visited the area in October for an on-site conference on road, furrow and dam servitudes, the day ended with an after-dark meeting at the Mdukatshani Learning Centre.

The Surveyor-General was there, looking bemused. The farmers was there, his bakkie loaded with carrots, ready for the morning market. And the Nkaseni women were there, loaded up dusty after hoeing in the fields. Their supper fires had been left untended, but who cared? This was no ordinary day.

The judges did most of the talking. Old laws had been ousted by the new law, which had yet to be translated by the court. This was uncharted territory, beset by pitfalls. (The Appeal Court would later describe the Act as “a sloppy piece of bad legislation”). Nkaseni had set a precedent, but there are still some legal difficulties ahead, throwing up questions that will have wide-ranging consequences.

If the judges were serious, the women got the mood right, raising their voices loud in ululation as the convoy made its way into a starry summer night.

#### **AN “ALMOST PERFECT” SYSTEM**

In May, Mdukatshani had a visit from a team of international academics looking at systems of sustainable land use. They were impressed. “The excellent condition of the basal grass cover is evident”, wrote Noel Oettle in a report for a seminar on “Sustainable land management approaches and technologies.”

Oettle continued: “Officials of the Department of Agriculture confirm that the system is 'almost perfect' for the improvement and maintenance of the veld. It is highly significant that in this conflict-ridden environment the resources-sharing arrangements of Mdukatshani are not only respected but vigorously defended by the tribal authorities.”

#### **ENDS AND BEGINNINGS**

It was a year of achievement – when the money ran out. Staff were warned of the possibility of retrenchment early in the year, and at the end of October eleven staff with an average long-service record of 17 years had to be paid off. Wages for the remaining eight were covered by grants for land reform and community gardens. This money, too, was due to come to an end in mid-1998.

With the government's Pilot Land Reform programme also at an end, it was a time for review and questioning, and staff participated in several workshops at the Learning Centre.

In November an official evaluation of the project was on behalf of the Group Chairman s Fund of Anglo-American. This was supervised by Dr. Mrk Marais of the Umzinyanathi Research Group, with a fieldwork questionnaire survey undertaken by Mr Thabane Twala.

#### **A NEW PARALEGAL**

In April more than 20 hopefuls arrived at Mdukatshani in response to the news the Community Law Centre was looking for a new paralegal. Zondani Mthalane (21) was eventually selected for training in Durban, and in September started work on Mdukatshani. One of her first tasks was dealing with her aftermath of a tractor-trailor accident at Wartburg in which one local girl was killed, and many injured.

#### **BEADS**

Continued training and strict discipline gradually transformed the beaded copper eggs into an item in such demand that

by the end of the year we were looking for funds to double the workforce.

In September Roxanna Earle handed over the bead accounts – a job she has handled voluntarily for almost eight years. After two farms attacks, and the death of her husband in a car accident, her own life has been disrupted, but “we will miss” her wise counsel. Because of her business acumen, the bead account has accumulated the reserves to cope with bulk buying of stock.

### **THE GARDENS – GOING IT ALONE**

With the IDT grant for community gardens almost at an end, gardeners were faced with the need to produce a surplus for sale to cover pumping costs.

At Mdukatshani this meant increasing the size of domestic plots to beds 1 000m<sup>2</sup> – something the valley declared impossible. There were too many rocks, too many trees to make space for a plough. With the help of a children's garden group, however, the first beds were cleared for Blawu Dladla's span of donkeys in mid-November.

In January Dr. Zweli Mkhize, the MEC for Health, paid a visit to the gardens and suggested CAP apply to his department's Poverty Relief Programme for the cost of expansion and development.

At Ndlela, near Tugela Ferry, the problem wasn't – it was a pump. On its own initiative the community had already fenced a large area on the banks of the Tugela River, and had bought a small petrol pump to try and grow vegetables. The little pump lasted a month at a time before needing serious repairs.

Through DED, the German Government's development fund, CAP obtained funds for a diesel pump and piping. The next step was designing a trailer that could move the engine to the tune of a flood. A pushmi-pullyu that would need to be dragged by the gardeners themselves. With the help of the do -it yourself Mazambican mechanics at the Tugela Ferry scrapyard, a combi chassis was converted to do the job.

### **MCIJENI MCUNU**

Mcijeni Mcunu lived on Mdukatshani's top farm, an outpost on a frontier of footpaths, gorge and bush. The track to his far corner is rutted and slow. There are no telephones, no schools – and little water. Why did people choose to live there? Because there was nowhere else? The homes seem hidden, as they were meant to be. This is a community that crept on illegally. Living as a law unto itself?

Or so it has seemed to an outsider. In the past 20 years the hidden settlement in the hills has had more than its fair share of war and murder. Yet it was not entirely lawless. That tree below the terrace of Mcunu's yard was a tribal court for the Ncunjane ward ( a tribal area made up of white farms). Under this tree Mcunu sat as magistrate, hearing the complaints of a fractious ward. Minor cases he settle himself. Serious offences went to the chief's court.

When Mcijeni was murdered in May, he left a leadership vacuum that will be hard fill. CAP lost a member of its Management Committee, and the tribe lost a valued induna.

### **CROCODILES**

In November crocodiles were sighted on the river so regularly that the Natal Parks Board zone officer was asked to come to the farm to lecture on the danger of the reptiles. According to Dr. George Hughes, the Director of the Board there is “a crocodile problem on the Tugela”, with crocodiles shot in highveld areas as unlikely as Winterton.

### **RAINFALL**

Cattle – and the veld – continued to benefit from unusually heavy rains that totalled 840 mm for the year under review.

## **TRUSTEES REPORT** **FOR THE YEAR ENDED 28 FEBRUARY 1999**

### **A HARD YEAR**

It was a year of small victories, notched against odds that made defeat seem very close at times.

When funds for the land reform programme came to an end in June, staff had to fend for themselves, “ghost-workers” in demand in the ongoing process of land reform, but unpaid or self-funding. It wasn't the time to abdicate. While there had been gains in the previous three years, many questions hovered around the fate of the farms being purchased for resettlement.

Would the new settlers be agriculturally viable? Could they sustain themselves? Would their resources be treasured and guarded? And the community trusts set up to run the farms – would they be able to discipline their members?.

Encouraged by donor interest in these questions, CAP submitted applications, and waited. Experience said it would be a long wait, and by the end of the year our ghost staff were still hanging on for a verdict. Their skills had meanwhile been harnessed in a number of short-term contracts for the Department of Land Affairs, doing facilitations and research.

One looming deadline of concern to our land reform team was the December 31 deadline for all labour tenant claims ( a deadline subsequently moved forward to March 2000). While CAP's top farm resident community were not strictly labour tenants, to enable them to obtain financial assistance for the purchase of their section of Mdukatshani, CAP facilitated contact between the residents and the DLA, with a claim based on long residence.

### **A DESERT AUDIT**

In March CAP had a brief visit from Dr. Timm Hoffman, who is in charge of South Africa's research into the problem of desertification. He was in the district in the course of a national assessment, or audit, of land degradation a project which falls under South Africa's obligations to the UN Convention to Combat Desertification.

Although Weenen continues to make the shortlist of “the most degraded magisterial districts in South Africa”, it was looking its best for this inspection. After three of the wettest years this century the grass was high, and the bare spaces hidden.

Mdukatshani's reclamation camps certainly showed the benefits of the rains – yet despite interventions, some camps remain damaged, so slow to recover that stony rubble marks the efforts of the past 20 years.

Land degradation and land reform – are they separate issues, or cause and effect? CAP's interest has involved it in both spheres, with the experience to judge both the risks and the potential.

### **CHILDRENS' GARDEN GROUPS**

In April the first newly-cleared-and-ploughed beds in the gardens were given over to children's garden groups – 50 Saturday children, and 10 weekday children. Supervised by five local women, the children hoed, weeded and – eventually – reaped cabbages, spinach and onions.

A factor which gave urgency to the work were AIDS projections of thousands of orphans in the next five years.

In May one of the garden teachers, Thunyiwe Duma, was selected for a terminal home care course at the Church of Scotland Hospital at Tugela Ferry, where she graduated as the star pupil. Not only was she the only pupil on the course to arrange follow-up meetings on AIDS in her home community, but she helps the increasing number of local people afflicted with AIDS, or AIDS-related illness. While she wins accolades – this is unpaid work, done on a voluntary basis.

Like the other garden teacher, her wage has been dependent on grants from the Harry Brunskill Educational and Charitable Trust, the G. Raimondo Trust, and St. Catherine's Anglican Church, Canada.

These three donors sustained most of the work of the year, covering pump and ploughing costs for the gardens, and the hedge-planting that followed large-scale theft from the gardens in September.

Theft is so widespread that large areas of arable land are no longer used in Weenen Msinga. Because a 24-hour-guard was impossible, the Mdukatshani gardens set about planting a manproof yukka hedge to enclose the six hectares of gardens, a thankless task in the summer heat, and exacerbated by vandals who uprooted an entire section.

Although the Department of Health grant for expansion of the gardens was approved, funds had yet to arrive at year-end. As a result summer crops were planted by hand, and on New Year's night wiped out by hail.

### **EVALUATION**

In August Dr. Mark Marais of the Umzinyatha Research Group completed an evaluation of the project, and the final report was submitted to the Chairman's Fund, which had commissioned the study.

### **BEADS**

The demand for beaded copper eggs continued to outstrip supply, and an updated application for funds for training was prepared for donors.

Although the beadswomens' earnings increased steadily during the year, CAP staff tempted ambush carrying cash from the bank to the farm. From November the women took taxis Weenen with personal cheques which they cashed themselves, an innovation which gave them entry a sophisticated world.

The bank itself had security problems, and after two attacks on the FNB official running the Weenen agency, the bank closed its doors for two weeks. Bead women were at the Town Hall to attend a public meeting which discussed bank security and new opening hours: Three hours a day, three days a week.

### **CLC OFFICE**

Because of the success of our system, sending the paralegal to work at "outstations", the CLC trained a second paralegal, Sibonisiso Lamula, to permanently man the CLC office at Tugela Estate, where he is assisted on a weekly basis by the Mdukatshani paralegal, Zondani Mthlane.

### **THE LEARNING CENTRE**

Continued to host huge crowds who chipped in to install a satellite dish to enable them to watch the World Cup. The yells that greeted a goal lifted the roof, and registered at least a kilometre away.

### **A FERRYBOAT**

In May CAP delivered a ferryboat to the Nomoya Community Trust, and for the first time in years there was open traffic between the two banks of the Tugela during the summer floods. While locals cm long was complained that the fare was excessive (R6 return,) the boat was a safe alternative to wading in a river where crocodiles continue to be sighted regularly. In November a dead croc 245 cm long was washed up on Mdukatshani.

### **RAINFALL**

Declined to normal levels again, and total for the year was 665,5 mm, close to the average of 600 mm.

## **TRUSTEES REPORT** **FOR THE YEAR ENDED 28 FEBRUARY 2001**

### **CRAFTS**

Women danced until dusk to celebrate the graduation of the first 30 craft students after a six months training funded by the Masibambane Trust. The benefits were visible in fine work, produced on deadline, and sales which more than doubled in the year from R241,588 to R525,153. Wages more than doubled too, from R142,757 to R327,953, making a real impact on the local economy.

As frugal management had kept part of the Masibambane grant intact, a second intake of students began training in February.

### **LAND REFORM**

The year saw a huge shift in land reform policy as Minister Thoko Didiza assumed the dual portfolio of Land Affairs and Agriculture, and decided facilitating the emergence of small black farmers in commercial agriculture would now be a priority.

At the same time political change saw local government being given more power and autonomy than provincial government – change which meant many decisions on land reform now fell to the regional municipalities, the local people with whom CAPFARM already has strong links.

In order to play its own role, lobbying for an environment that will be supportive of land reform communities and emerging farmers, CAPFARM has developed new working relationships with a range of government departments and structures.

Misereor has continued to fund CAPFARM's land reform work, and as a condition of the grant, CAPFARM provides separate report and audits on these activities.

### **CAPFARM LAND**

The issue of the long term future of the land held in trust by CAPFARM has been the subject of ongoing discussions between CAPFARM trustees, tribal authorities and communities, and the Department of Land Affairs. Although the farm was empty when CAPFARM arrived in 1975, it has a tribal history of land use that has complicated decisions on the future. In the past year finality was reached on CAPFARM's donation of the section of the south-western boundary of the farm to fifteen families who have been settled there for various lengths of time under various casual agreements, and who consider themselves members of the Ncunjane ward of the Mchunu tribe. (The ward lies entirely on farmland and includes two neighbouring land reform farms.)

Ceding the land has involved CAPFARM in twists and turns, as the families concerned did not fall into the category of labour tenant, who had a rightful claim on the land. A compromise was fought out with the Department of Land Affairs which will provide the families with household grants to develop the land by recognizing their status as "occupiers" under ESTA, the Establishment of Security of Tenure Act for farmworkers.

### **GARDENS**

Despite continuing problems with the Department of Health, the garden team finished destumping the garden area, erected a porcupine-proof fence around the cleared fields, and planted a barrier of yukka plants. Although the Secretary of Health had promised that all our outstanding correspondence would be attended to, queries and claims remained unanswered, and by the end of the year the project had come to a standstill, and the fifteen men, women and childrens who had spent two years destumping the fields and digging up rocks were taken on as trainee crafters.

### **RAPE CASE**

CAPFARM staff and Deborah Ewing of Children First continued to attend the trial of Siphon Gift Khanyile, accused of raping two twelve year olds from our childrens' groups in September 1998. Children First is preparing a dossier on the case as a study of child rape in rural areas.

### **THE END OF AN ERA**

The funeral of Mankomaan Mabaso (84) marked the end of an era at Msinga. Because a new age had ushered in the possibility of a licensed gun for a black man, there was no longer a need for the skills of the old gunsmith who had been fixing the illegal guns of the tribes for almost fifty years.

Ever since about 1869 when work on the diamond mines was rewarded partly in guns, the valleys of Msinga have stored hidden weapons. Although the district is remote from the cities, it would become the centre of the gun trade in South Africa. In 1955, the police established a temporary Firearm Squad at Tugela Ferry with the intention of “clearing out the guns”. It was the only firearm squad in the country – and it would remain at Msinga until April 2001, when the familiar camp on the river bank finally disappeared.

Mabaso was “the factory” a factory with simple tools based in the shade of a thorn tree, the ground littered with the scrap he applied to his craft. In another age, with the chance of education, he might have been an engineer. Instead his innovative mind made him lonely, and the loneliness increased in his crippled old age.

He never did find a successor. Guns were his vocation, his calling in life – and he honoured that calling with skill and integrity. In a district where not much is legal, he was regarded with trust and respect. Yet the moral questions rankled at his funeral. Msinga was a hard place, speakers reminded God, and a man had to defend his home and family. Mabaso had given them the means of defence. Fixing guns should not deprive a man of heaven.

### **RAINFALL**

Rainfall for the period under review totalled 602mm



## **TRUSTEES REPORT – for the year ended February 28, 2002**

### **LAND REFORM**

In March Rauri Alcock attended a conference on Access to Land. Innovative Agrarian Reforms for Sustainability and Poverty Reduction, held in Bonn, Germany. Unfortunately post-land reform issues of interest to CAP did not take up much of the debate, the focus being on World Bank policies, and how to pressure governments to take these policies forward. Although the South Africans present forged links around common issues they were dealing with at home, CAP opposed suggestions that the expropriation of land would speed up land reform.

After the conference useful discussions on CAP's land reform programme were held with Misereor in Aachen.

In June an internal evaluation of the land reform programme was conducted by Tessa Cousins, Nondu Mqadi and Dr. Peter Gilles, who together worked closely with Mdukatshani staff to ensure a transfer of ideas between consultants and staff.

One of the recommendations since implemented was the appointment of Thelma Trench as a resource person to assist and guide Mdukatshani staff on strategic planning over the next three years. Thelma has extensive experience in agricultural development, and her input has already made a difference.

Another recommendation has led to the establishment of an advisory committee whose task it is to provide direction around strategic issues the project is facing, and to work through questions of development technique. This committee includes directors and trustees.

In August, at the suggestion of Misereor, a partner-to-partner visit was set up between Mdukatshani, Marianhall and Valley Trust to enable staff to visit a project in Nankuru, Kenya. The group looked at farmers innovation, development techniques, and development practice which is being discussed in South Africa, but not yet implemented.

### **CAPLAND**

Attempts to sort out an agreement ceding the south-eastern boundary of the farm have stalled after neither Mthembu nor Mchunu tribal representatives could agree on old tribal boundaries, nor old ward boundaries. This has left the land as a kind of no-man's-land, heavily utilized for firewood and grazing, but unguarded.

Attempts to cede a portion of the north-eastern boundary to the Mashunka ward of the Mthembu tribe has also run into difficulties. The Mashunka community would like to use the section as a residential area for building, but have no legal claims in terms of existing legislation. Nor do they qualify for assistance under LRAD (the government's land reform for agricultural development programme) as the area is stoney, with eroded soils, and low agricultural potential. As a compromise government has suggested CAP accept the community does have rights to the land, which will then allow the state to purchase the land for them.

### **CRAFTS**

It was another good year for crafts, with sales increasing to R ..... and wages to R..... In May our copper bowls were exhibited at "Bowled Over", an exhibition at the OXO Gallery, London, as part of the "Celebrate South Africa Festival", and the bowls were subsequently purchased for permanent display at South Africa House.

In July Ricca Turgel came to work on new designs with the Nhlawe group, and some of the new beaded basins were in a shop on the ground floor of the World Trade Centre when it collapsed on September 11. It gave the crafters a very strong sense of connection to the events of the outside world.

In October the second intake of students completed their training, and started to work from their homes at Ncunjane, an isolated community up in the hills. Their final lesson – learning to queue at the bank in Weenen to cash their wages – told them they had joined a wider world.

In order to accommodate the growth of the rafts, new storage bins were built at the Learning Centre, and windows installed to give more light.

### **CHILDREN**

The childrens' craft group made progress, and Jobe Sithole (12) was one of those who had his work exhibited in London in May. At the beginning of June, 32 children travelled to Durban-Port Shepstone for an unforgettable weekend organised by CHILDREN FIRST as part of International Childrens' Day – a trip that keep them starry-eyed for weeks.

The two girls involved in the Khanyile rape trial were among the group – both girls gradually acquiring a little confidence as the trial drags into its fourth year, and the court corridor becomes a familiar place. CAP staff and CHILDREN FIRST have continued to attend every hearing, together providing a range of back-up services that have included legal support, transport, and the tracking down of witnesses, and regular reports to the tribal and school authorities.

### **TRIBAL HUNT**

After the Mashunka and Nomoya wards of the Mthembu tribe approached CAP for a communal hunt on the farm, it was agreed that a hunt could take place, but on condition no firearms were used. About 100 men took part with their dogs, and a few small animals were killed.

### **GARDENS**

Faced with an ongoing silence from the Department of Health over its grant for the development of the gardens and the purchase of irrigation equipment – CAP agreed to a request from the Mashunka community to use garden beds which had been fallow for two years and were being re-infested with thorn scrub.

Using a hired tractor and “borrowed” donkeys the area was ploughed, and thanks to good December rains, produced crops of maize and melons.

### **THE DAGGA CROP**

Ever since democracy arrived in 1994, the district's dagga gardens have been steadily expanding in area, and the crop is now grown openly in full view of the district roads. With a strong lobby working to legalize marijuana, its status has changed, and although it remains illegal, it has ceased to be a police priority. It was therefore a shock to local growers when two police helicopters arrived in February, and the crop was systematically destroyed by spraying.

Although the gardens are small, and nobody gets rich on the crop, with increasing unemployment and the rocketing price of maize meal more and more local families have been turning to dagga to supplement their incomes.

**RAINFALL** for the period under review was 736 mm.

## **TRUSTEES REPORT for the year ended February 28, 2003**

### **LAND REFORM**

Change continued to be part of the land reform scene, with new legislation on the way which will affect farm workers (Extension of Security of Tenure Act) and tribal communities (Community Land Right Bill).

In April Mdukatshani had a visit from two Misereor staff members: Dorothee Zimmerman, who is desk officer for southern Africa, and Sabine Dorchler – Fulzer, an agricultural and technical expert. Prior to a decision on further funding they had discussions with staff, and visited local communities with whom CAP is involved.

In June Misereor approved a new three year grant based on a proposal that will see CAP move in a broad new direction, doing less work on land reform, and more work on sustainable land use. Mdukatshani plans to develop qualitatively different relations with its partners, inside and outside Msinga – working intensively with individual landholders to develop examples of growing and marketing crops, range management, and household use of available natural resources.

### **CRAFTS**

Once again the Mdukatshani crafters distinguished themselves with record sales of R ....., an increase of % over the previous years. Although wages did not keep pace with the rising price of mealie meal, a total of R..... was paid out during the year, making a real difference to local families.

Mdukatshani's work was featured in two books on South African crafts published during the year, and was selected for the "Beautiful Things Exhibition" set up as part of the World Earth Summit in Johannesburg in July. The Exhibition has since become a permanent part of a Craft Council initiative established in the old Bus Factory, Newtown, Johannesburg.

Despite record Christmas sales, the threat of war in Iraq led to cancelled orders in January, and the outlook for the new year was not encouraging.

At the end of February a large stock of beaded eggs was stolen from the Learning Centre in a break-in at night. Because the eggs had not yet been valued for stocktake, we can only guess at the extent of the loss, which must run into thousands of rands. As the culprit tried to sell the eggs at the taxi rank in Weenen, it didn't take much deduction to out who was responsible – but the youth has since fled, and no eggs were recovered.

### **A CONVICTION**

In January, four years and four months after Siphon Gift Khanyile raped two 12-year-old girls not far from Mdukatshani, he was finally sentenced to life imprisonment in the Supreme Court, Pietermaritzburg. Because both girls had been members of our childrens' gardening groups, CAP staff and Deborah Ewing of CHILDREN FIRST followed the trial through every remand and hearing, and this involvement was probably a factor in the successful outcome of the case, an outcome which made a huge impact on the district. Involvement comes at a cost, however, and CAP's involvement cost an estimated R12 830,00, most of it the mileage costs of our two ageing bakkies, the one now 15 years old, the other eight.

CAP's continued association with CHILDREN FIRST has had numerous benefits for local children, including a combined workshop with two busloads of Port Shepstone children at Mdukatshani in July, and a number of informal workshops with Deborah Ewing in February.

### **PETRUS MAJOZI**

"I feel I have lost myself," Chief Simakade Mchunu said when his chief induna, Petrus Majozi (83) died in August. CAP understood his sense of loss. For more than 27 years Majozi had been involved with CAP as farm committee chairman, director and trustee. A grave, reticent man, he offered wise counsel, and provided a unique link with the innermost workings of the tribe, but it's as a friend we miss him most.

### **ELECTRICITY**

In September ESKOM arrived on Mdukatshani for the preparatory work of laying on electricity to homes in the surrounding hills. The scattered nature of local homesteads would normally make electrification an uneconomic proposition, but the local community is obtaining the benefits as a result of government poverty relief programme launched at Mashunka last year by Prince Gideon Zulu, the MEC for Social Welfare.

**RAINFALL** for the period under review was 553,7mm

## **ANNUAL REPORT 2004-2005**

### **The oldest beads in the world ...**

This was a year when the discovery of perforated mollusk shells at least 75 000 years old made headline around the world.

*Ancient shell jewellery hints at language*, said NEW SCIENTIST.

The shells, uncovered at Blombos in the Cape, provide evidence for the theory that modern human behaviour emerged gradually in Africa between 250 000 and 50 000 years ago. Archaeologists believe that if early humans could string shells together as necklaces and bangles, they had advanced concepts of symbolism and language much earlier than anyone had realised.

The discovery was of little comfort to the modern humans trying to make a living from beads in South Africa in a “hanging on by the teeth” kind of year. With the Iraq War still impacting on the tourist industry, there was a very real sense of hardship everywhere, with crafts making smaller, cheaper items in an attempt to sell anything at all.

Mdukatshani crafters cut down on big glamorous items to make small art deco angels and stars using packets of spillage and dribbles.

They also worked on an order for small beaded ball for the Los Angeles and Washington premiers of “World on a String”, a documentary on the history of beads commissioned by the Bead Society of America. In September the producer, Diane Friedburg, visited the project to film the women for the second documentary in the series.

Films do not bring orders, however, so the crafters were grateful for every order that came their way, in particular the Tatham Art Gallery  
s annual ECHO Bazaar, where they sold almost R25 000,00 worth of bits and pieces.

During the year our beads sold out at both the Ambiente International Craft Exhibition in Frankfurt, Germany, as well as at the opening of a special South African Exhibition at Bochum – SA Craft Council. With more than 100 crafters, however, the project needs volume more than prestige.

### **A little gold bowl**

In June Mzonzima Dladla (19) started weaving a small bowl of real gold wire, a special order commissioned by the CEO of an Australian mining company.

Ignorant of the strict laws on the working of gold, the wire was sent to Natal by ordinary courier, and was woven in the shade of a thorn tree in the sun – the waste snippets licked up on wet fingertips at the end of every afternoon. The gold wire proved to be more difficult to work than copper, and at year end the little bowl remained unfinished, awaiting technical input.

### **PETER BROWN**

When CAP found the farm now known as Mdukatshani in January 1975, Peter Brown drove down immediately to have a look at it, walking its wide, unknown spaces, trudging through the gorge, sleeping among biting ants on the river bank. It was hard country, but he would vote for it, and his vote was a vote that counted%.

His first visit gave him a bad dose of tickbite fever – a gift the farm continues to dole out to its visitors – but he was back ten days later for a director's meeting among the rocks. Disturbed by swarms of biting ants, the directors wasted little time on discussion. They noted to buy the farm – and then ran for their cars to escape the torment.

Peter helped finalize the purchase of the farm less than two months later, and was there through all the years of violence and hardship that followed.

When Peter died on June 28, he left heartache among the many lives he had touched at Msinga. He was a shy, reticent man who did his best to cover up his action, so it was impossible to know the extent of his help. Although he was always read to make a stand on principle, he avoided attention if he could.

In 1961, as chairman of the Liberal Party, he was jailed for six months, and then banned for 10 years – a testimonial to his effectiveness in blocking forced removals. During the long years of his ban, which restricted him to the magisterial district of Pietermaritzburg, he was a listening post for all CAP's problems, and soon after his ban was lifted drove to Maria Ratschitz Mission with his wife, Phoebe – the start of an involvement that would continue until he died, more than 30 years later.

How does one ever say thank you for all he brought to the project? He would appear unexpectedly at moments of need, the most steadfast of friends, but never uncritical. When Neil Alcock died Peter and Elliot Mngadi began monthly visits to the farm to discuss the issues of the wider world with the CAP team and tribal leaders, and after Elliot died Peter came alone – his Zulu, but not his humour, faltering, as he tried to answer questions on the intricacies of the tricameral parliament.

He made the world seem a better place – and it's a lesser place without him.

### **Bhekuyise Ngxongo**

Ngxongo was chief induna of the Mthembu tribe when he first became involved with CAP in 1981, at the start of the drought years. A tribal man with no education, he had worked as a nightsoil carrier in Kimberly before he retired and came home to take up the job of chief induna. What he lacked in education he made up in authority, commanding respect in a tribe fiercely divided by interclan feuds.

When Ngxongo retired as chief induna in 1986, he started to work for CAP fulltime as manager, providing a sheltering presence for the refugee women and children who lived on Mdakatshani after their homes were burnt out by rival impis at Msusampi in 1987 a director of CAP who could neither read nor write, he added immeasurably to our growth, providing insights on the inner workings of the tribe – and a wit he offered deadpan. Leaving laughter in his wake.

He was ill with cancer months before doctors diagnosed what was wrong, and died on a short visit home from hospital on November 29.

### **Robert Morthe**

Robert Morthe was naked, bound hand and foot with wire, when he became a CAP problem in early 1965. at the time he was living on an Anglican mission near Piet Retief, on the Swaziland border – and nobody wanted him. He was raving mad and dangerous.

The solution seemed easy. At the time about 75% of the patients at the Pretoria Mental Hospital were pellagras. Good food and a Vitamin B injection would steady him. No hospital would admit him, however, and so for almost 40 years Robert became CAP's responsibility. A huge man who hurled rocks when he was violent, he won a place in the hearts of the hospital staff who gave him his medication, and the Koornliver community, adjoining Mdukatshani where he became a familiar sight, strolling up down the hill, calling his cracked voice calling out greetings to the women who teased him, calling him “Hub”. They teased with affection, and prepared his body for burial in tears. “Who is going to tease us now?” they asked.

Robert died after a stroke in June, and even in frail old age was huge. He was carried to his grave on the back of a bakkie, surrounded by a community that had made him one of their own. Whatever his disabilities, Robert Morthe had been loved.

### **Rainfall**

January to December 2003:	302,5 mm
January to December 2004:	722,25 mm

After the devastating drought of 2003, which killed thousands of cattle and goats at Msinga, late rains at the end of summer transformed the bush. Trees like *Pappea capensis* which had not fruited in 30 years, produced branched shiny with red fruit, while sacks of sweet, green *pumbulu* fruits were carted to taxi ranks in bags to be sold as a delicacy. (*Mpumbulu* is a Tugela endemic, *Vitellariopsis dispar*).

On the veld mats of starry yellow flowers stretched to the horizon like alpine meadows. The flowers belonged to the aptly named Devilthorn, or *Tribulus terrestris*, with such terrible thorns that even walking in shoes was difficult. Animals suffered, and although cattle ate the leaves for lack of any other green stuff, their dung was so full of thorns that it became impossible to dung floor or plaster mud walls.

A pepper tick infestation had everyone scratching, while termites used the damp of the wet months to forge new entry points under floors and walls, demolishing shelves, files, cushions and packets of beads. Large pythons became a common sight, and several were killed attacking fowls.

Because of the rain the phone was out of order for a total of 26 weeks, the cellar roof collapsed on the storeroom, and the ferryboat overturned twice, in the heavy current, drowning a boy and a woman.

With communication so difficult the craft section was grateful for the e-mail and delivery service provided weekly by Rauri Alcock.

### **Audit Problems**

Because of a four year delay in obtaining an audit, CA had already decided to find new auditors when a Messenger of the Court arrived at Mdukatshani in August to serve a summons on the project for non-completion of VAT and tax forms. Our previous auditors, Douglas and Velcich, admitted that due to an oversight the returns had not been done ... but CAP, not the auditors, had to appear in the Weenen magistrate's court to plead guilty.

It was an unpleasant experience, sharing the dock with men charged with armed robbery and gun offences – and it would be eight months and as many court appearances before the tax paper were finalised – and the charges withdrawn.

The transfer to our new auditors, LMD Africa, produced a series of shocks, including the discovery that CAPFarm Trust had never been registered with the Master of the Supreme Court.

The new auditors were privately scathing about previous audits, and we had to learn new rules we had never been aware of. While every request of LMD is being seen to, the fact we are dealing with a backlog of audits means no improvement will be registered until 2005 – 2006.

The accounting firm, Cawood Accounting Solutions, is putting our handwritten account onto disc in an acceptable form for audit. The initial costs of rectifying the past will be high, however.

## **ANNUAL REPORT 2005-2006**

This was a year for looking back and measuring. It was 30 years since CAP had arrived at Mdukatshani years of drought, flood, and 21 separate inter-clan conflicts. What had changed? What had grown? What had been achieved? The answers were not always to our liking.

When CAP arrived there were no schools, no fences, no taxis, no phones. Gunfire, like birdsong, was a background to the day. The injured and the dying and the dead were carried across the river on an old iron bed that did duty as a stretcher, while rival impis sheltered in our woodland, and for months at a time sections of the farm were out of bounds.

The conflicts eventually petered out, but when a Gun Amnesty was announced, with a deadline of March 31 this year, only token samples of guns were handed over to the police. It might be peacetime, but no community could afford to be unarmed. On deadline day local homes were shut up and deserted in anticipation of ... what? The Amnesty was going to be extended, but by May helicopters were busy on raids in the valley, looking for guns.

It was a wet year (rainfall 756,25 mm), with bridges under water, and the Tugela River in flood – the water bobbing with refuse for the first time, and leaving piles of bottles, shoes, plastic and other junk behind when the water receded.

A new road was built on the hill opposite the farm, opening the valley to the sights and sounds of heavy vehicles, their headlights flashing at night onto the cliffs where the Bald Ibis nest. Although wildlife is being increasingly constricted by human activities, fresh aardvark burrows appeared on the riverbank, in earshot of passing taxis.

Once again the phone was out of order, this time for a total of 22 weeks, partly due to rain, partly due to the continued theft of telephone poles, sawn off at the base, presumably for building purposes.

With the Bushman's River bridge under water, the auditor could not get to the farm to check the stocktake, while the dangerously high level of the Tugela stopped the ferryboat operating, preventing women on the far bank delivering bead orders on time.

### **A Painful Farewell**

In April the old blue Toyota bakkie, NUM 9644, broke down on a track a long way from home, and this time the cost of repairs was beyond us. It had lasted 17 years, a loyal friend working on some of the roughest tracks in the country, and the ailments of its old age had become expensive.

The Chairman's Fund of Anglo American had originally granted the bakkie to the project - a donation made with reluctance contrary to its own policy of refusing vehicles to NGO's. The old blue bakkie had done all it could to justify the Chairman's Fund gift.

In September we were able to buy a secondhand Toyota bakkie for R95 105,00, paying in full with the accumulated savings Roxanna Earle had set aside during the years she had done our accounts. The "new" bakkie will be used as far as possible on trips to town.

### **The Crafters**

Despite some big orders that helped to clear out stock (The Santa Fe Fold Art Festival, and San Francisco's Bridge for Africa), it was a year when work was often scarce, particularly in the winter months, when the women turned to an old standby – mbedizane, or grass bangles. The bangles are woven with *Sporobolus africanus*, which only appears in damp places, and only in wet years, and the women travelled distances of up to 30 km to look for the fine, silky stalks. Small groups did the cutting, and the bundles were shared out at home.

In March the first gold bowl was finally completed, Mzonzima Dladla and Mgongo Ngubane completing the weaving at Global Gold, the Johannesburg factory that makes the wire. It was the boys' first trip to the city, and they came back radiant to report on showers, TV, and a little bowl "as heavy as stone."

In October Mzo, Mgongo and Jobe Sithole spent two months at Global Gold working on a series of gold bowls that are part of an ongoing project in partnership with Julia Meintjies. Meanwhile the Department of Foreign Affairs bought a large copper bowl, woven by Mgongo, as a gift for a foreign head of state.

Once again the bead women had to learn new designs, struggling with unfamiliar concepts and adapting their skills to a jewellery range for customer, Black Dog. Although they usually work from home, they come to the Learning Centre when training is required. They also attend a compulsory once-a-month Bead day, when they share problems, and learn about events in the outside world that affect their bead orders. This year they also learnt about tax, VAT and auditors –

and the need to start “signing” their wage slips, albeit with a cross.

In September work started rethatching the Learning Centre – a disruption that left the bead room in a mess for months. And just after the thatching was completed, there was a break-in that cost the crafts thousands of rands in lost copper scrap and beads.

### **AIDS**

In July Bonginkosi Thusi died at Nhlawe – the first crafter to die of AIDS. It was a year when the reality of the disease hit home, with several crafters losing sons, daughters and in-laws.

Thusi's wife, MaMshibo, also a crafter, was diagnosed HIV positive after CAP had arranged transport to hospital, and tests, and is now on ARV's with a grant and food parcels to help the home.

### **Welfare and Tribal Liaison**

Natty Duma and Zamani Madonsela continue to travel the hills on the countless tasks that fall under this heading. Once a month they take a bakkie load of serious cases to the Church of Scotland Hospital for treatment or investigation, and do home visits to help with all kinds of crises and counselling. They also visit the tribal courts, and the local chiefs and indunas on a monthly basis.

This background enables them to allocate the food parcels and blankets which are a regular gift from St. Agness Church, Kloof. This year they focused on the children, or surviving family members, of “thankathi” or witchcraft attacks.

“Thakathi” is a convenient cover for all kinds of grudges – and it leaves family concerned without any kind of support. Nobody wants to be seen helping a “thakathi” family, and so the children become outcasts without comfort or help. Working, as always, through the local indunas, the CAP team has distributed help on the pretext that it is merely carrying out a task on behalf of Social Welfare at Tugela Ferry.

The Mchunu induna who has been present at each distribution has been a strong, silent supporter, for his own wife was killed when she was accused of “thakathi”

### **The Dagga Crop**

In November four police helicopters arrived at Msinga on a three-week operation to destroy the dagga crop. It was a shock to growers who had become confident that the days of raiding were over. After a 10-year truce they had good reason to think that the authorities had decided to turn a blind eye to an almost-legal activity.

Until 2003 it was a woman's crop, grown in small brushwood gardens that were close enough to water for irrigation. In 2003, however, men and boys became involved, planting large beds inside the government plots near Tugela Ferry.

The police found them all, confiscating the harvest stored in bags at hoe, and then spraying what was left of the crop. “And now we know where you are, we will be back,” they promised.

### **A 60-year rule**

In September the Mchunu chiefs, Nkosi Simakade Mchunu, turned 81 – and celebrated 60 years as chief of the tribe.

It has been a fractious tribe, divided by old quarrels that go back as far as 1909, when the government split the tribe into four. Although the tribe was reunited in 1924, the new chief, Muzocitwayo, had 22 teenage brothers, all with claims or ambitions of their own. When Muzocitwayo died in 1927, after ruling three short years, a civil war broke out over claims to the regency, that kept the tribe in the headlines for years.

The heir, Simakade, grew up away from Msinga, as was customary, and only returned in 1944, when he was 20 – a young man with a sunny spirit, glad to be home. A devout Shembe, loved by his people; he has long wanted to retire, “but the spirits have forbidden it”. Although his son, Gangandhlovu, has taken over many of the ay-to-day tasks of the tribe, his father still gets the royal salute: “Bayede”.

### **A new pump**

After 17 years of heavy duty, our old pump and motor were replaced this year, and treaded in for something smaller, ad mobile, which can be locked away after use, as a precaution against theft and floods. The old three phase pump and motor had become unreliable, and was too expensive for the distance and volume needed since costs had brought irrigation to an end.



## **ANNUAL REPORT 2006-2007**

This was a year when it rained, and rained, and rained, December being the wettest month in 30 years with a total of 201,5 mm. Upriver, crocodiles basked with open jaws in full view of the road, making a claim to their share of the valley. They were here first, precedent counts, and wasn't this the age of restitution?

In October land claims on Mdukatshani moved closer to finality with the visit of Clive Long, a government evaluator. Mdukatshani's 2 543 hectares are made up of three farms – Koornspruit, The Spring, and Loraine, which have always been sold as a block because of lack of water. Long inspected the first two, which have been claimed by the Ncunjane community of the Mchunu tribe.

When CAP arrived at Mdukatshani in 1975, the three farms were empty. In 1969, seven years before, the government had forcibly removed all 146 Mchunu and Mthembu families living on the three farms, and those who began to creep back subsequently came as illegal squatters who formed a small, hidden community on a far corner of the farm.

Over the years CAP did its best to protect them, for they were not labour tenants, they did not work for CAP, and this made them vulnerable to government threats of eviction. Their status has complicated their claim to the land – a claim CAP has helped to steer through official channels as collaborator, rather than defendant.

The problem is one of precedent. Although the Ncunjane community have ancestral links with the farm, they were not original residents. The original residents live outside the farm, mainly at Keates' Drift. Now who has the greater claim to the farms? Those who lived there prior to 1969? or those who have had continuous residence since the mid-1970's?

Eleven of the original families have claimed the farms through the Land Commission, while the resident community applied for transfer of the land under Section 126, which allows CAP to donate the land to them as residents with no particular rights. The Land Claims Commission, however, has granted the claim of the original families. This has meant conflict between insiders and outsiders, and although Cap has twice arranged for the tribal authorities to get both groups together to iron out their differences, the Land Claims Commission and Department of Land Affairs have yet to reach common ground on what to do.

The Loraine deal has been more informal.

After discussion with Mthembu tribal leaders, CAP offered to donate its north-eastern boundary to the neighbouring community of Mashunka. The Department of Land Affairs, however, refused to accept the donation as it did not fall into any pre-defined category. CAP had either to accept new residents as labour tenants, or else sell the farm to the Department of Land Affairs. CAP agreed to sell, but after six long years of official inertia, agreed as an interim measure to allow ten families to build on Loraine's eastern boundary.

Two grey-haired brothers, Swayidi and Dhayimani Dhladla, were the first to move, their chosen sites being ratified by the Mashunka induna, Khonzokwakhe Mvelase. Other families have since followed.

### **Lines of authority**

With change in the air, the Loraine boundary fences started to disappear, and in October a CAP team began to dismantle the fences that remained. They had lasted well. The lifespan of a fence is estimated at 12 to 15 years. These fences had been erected with grants from donors more than 25 years ago.

As the fences went, so did green trees on the hills. The lines of authority were no longer clear, and it was open season for wood-cutters who chopped for home fuel, as well as sale. Several huge woodpiles of the rare Cassine transvaalensis were confiscated before they could be sold, but with no fences to mark our boundaries, and no staff to patrol, it is almost impossible to protect the woodland that remains on CAP land. Periodically, when the ground is wet and there is time, we are doing what we can to mark boundaries by planting hedges of yukka, which can become almost impenetrable.

Because it is so easy to pretend there are no boundaries, in April a large area of bush on our western boundary was cleared for dagga gardens. CAP staff removed the brushwood fences, and made it widely known that this was still CAP land. Almost immediately new gardens appeared on the far side of our now-invisible boundary, and CAP established friendly relations with the owners. The new gardens soon attracted the attention of the police, however, who warned CAP it would be charged for allowing dagga to be grown on its property. After checking the boundary line, the police exonerated CAP – and destroyed the new gardens.

The expansion of the dagga gardens was a response to the rains but it was a disappointing year for growers, with police once again spraying the crops in special helicopter operations in both September and January.

Mabela farmers had a better year, reaping record crops, which were threshed in little brushwood circles in the age-old Biblical manner.

## **CRAFTS**

It was a good year for orders, although the price of copper rose 81% leaving us with little margin to operate. There was no way craft prices could absorb the increase in such a basic material, and although we pushed up prices by between 3% and 8%, it remained more important to sell, than to attempt to sell profitably.

We were grateful for bulk orders from several customers, including an inexplicable order for 300 beaded African huts for a Standard Bank conference in Shanghai!

In September Mgongo Ngubane had a woven copper bowl selected for the Jabulisa Exhibition, which will tour South African galleries for the next two years, and with companion crafters attended his first-ever gallery opening, with wine, snacks, and a speech from the mayor.

Mgongo, Mzonzima Dladla, and Jobe Sithole had to sit with one of the bead women, Ntombizini Mbatha, to learn to do intricate beading for large bowls ordered for Oprah Winfrey's School for Girls which opened with much fanfare in Johannesburg in January. Although the boys had never heard of Oprah, they were impressed that their bowls were visible behind her when she was interviewed on BBC TV.

In June- July about a third of the crafters asked for time off to go to the highveld to cut grass for thatch. The good rains meant that thatch was abundant and this was a year to consider repairing the leaks in their roofs.

With the river so often in flood, beads were delivered by boys who swam across the torrent pushing buckets in front of them. We were grateful they took the risk.

In September we stopped sending work to the seven Nhlawe crafters when we discovered that a government-sponsored craft group nearby was copying our designs. Copying is a common problem, and while we understand how difficult it was for Nhlawe to hide their work when neighbours stroll in for a visit – they should have alerted us to the problem. We have maintained friendly contact, however.

## **Welfare and Tribal Liaison**

Natty Duma turned 70 this year – an age when her children feel she ought to retire. She continues to work at Mdukatshani two weeks a month, however, organizing the hospital shuttle, arranging AIDS test for those who need it, distributing blankets and food from St. Agnes Church, Kloof, providing wise counsel, and maintaining close links with the Mthembu and Mchunu chiefs and indunas.

This year she arranged help and support for the families of three bead women who died: Tshitshi Mchunu, Regina Thusi, and Ntoza Ndimande. Although none of the women died of AIDS, “the young people's “diseases” continues to take its toll, often, unnecessarily because of resistance to being tested. One of Natty's job is getting the unwilling to hospital, where a positive HIV test results in immediate benefits.

## **Paperwork**

CAP's voluntary and untrained bookkeeper had to cope with an increased load of paperwork during the year as a result of strict new demands from the auditors, LMD Africa. She was therefore grateful when accountant Carol Cawood offered to provide simple bookkeeping training for a local woman, Siyephi Mbhele, Siyephi's increasing bookkeeping competence made this year's audit an almost painless experience, although accounting and audit fees remain high.

Because CAP's legal status is not yet resolved, donations to the project are not tax-free, and as a result the Raimondo Trust decided to withhold its generous grant of R2000,00 a month until we could resolve the issue of a welfare number.

This has left the project in a position where it has to fund itself at a time when the margin on craft sales barely covers the cost of the operation we were therefore very grateful for a grant of R6500.00 from the Harry Brunskill Trust, which has been steadily supported of the project from many years.

## **“Staff”**

Although the word “staff” is used in this report, nobody attached to CAPFARM TRUST draws a salary. Every one is regarded as a casual worker, and paid piecemeal for individual tasks.

Cost covered by the Trust include the maintenance of roads, remaining fences, building, pumps and watertanks and electricity, as well as they spraying of alien and invasive plants.

Total rainfall for the year 2006: 910,25mm

## **ANNUAL REPORT 2007-2008**

### **AN ARISTOCRAT**

Nguni they called the new bull. One of ancient stock. An aristocrat. He arrived with a singular disability, however. He had no horns. The difficulties showed themselves immediately. He had to curb his instincts, surrounded as he was by local bulls and oxen, all fully armed with fine sets of horns.

Nguni had no defences. After a few tests of strength he hung his head low and accepted his place as an outsider. A demure bull? Local cattlemen were disappointed. What use was a bull that couldn't get near the cows?

Nguni might be an aristocrat, but he'd grown up in the confines of a research station where all cattle were dehorned as a matter of course. He arrived at Mdukatshani as a gift, a contribution from the Department of Agriculture which was keen to upgrade local herds with a strong dose of indigenous characteristics.

In time Nguni solved the problem his own way. He learnt to operate at night in the privacy of the kraal.

It was hardly ideal for a cattle breeding experiment, and when, by request, the Department delivered a second bull to Mdukatshani in January, it arrived with its horns intact. Sulumlomo it's been called. Wipe your mouth. (It has a marking like a rim of beer froth on its face).

### **APRIL FOOL'S DAY**

There is still no finality on the contested claims to the farms Koornspruit and The Spring, which are owned by CAP. On April, 2007, the Commission on the Restitution of Land Rights wrote to CAP with an offer to buy the farms for R86600,00. The Commission has since admitted it has no copy of this correspondence.

While CAP has never stood in the way of, and claims, and has in fact collaborated with claimants to push the transfer through – the future ownership of the land is highly controversial. There are two sets of claimants, both members of the Mchunu tribe. The government appears to favour a Keates' Drift community, which was forcibly removed from the farm 38 years ago – while the Ncunjane community has actually live on the land for 30 years.

On April 28 CAP staff and members of the Ncunjane community visited the Commission to discuss the difficulties – but there has been silence from the Commission ever since.

### **BATTLE LINES**

In 1944 6000 men from the Mthembu and Mchunu tribes clashed over a contested tribal boundary on what is now Mdukatshani land. Previous reports have described the tensions that continue to surround this boundary.

Since 1919 the government has attempted to settle the dispute with surveys and beacons, and as a necessary preliminary to land restitution, yet another survey has established the boundary.? Indunas from both sides were present at the survey – but on separate occasions.

Meanwhile in December Nkosi Simakade Mchunu asked Mthembu families affected by the 1944 battle to join him in prayers for peace close to the boundary.

### **CLARA**

Can a single woman obtain a field at Msinga?

Can a widow?

Can a woman who is separated and divorced?

For some years CAP has been looking at womens' access to resources in tribal areas, working in partnership with LEAP (Learning and Action Project). For CAP the questions have been more than theoretical, for so-called Zulu customary rules can be used to block development. CAP has hoped that the work with LEAP would show how traditional systems can adapt and change to cope with developments such as AIDS, child support grants, land reform etc.

This year LEAP funded a collaborative research project on women's land rights at Msinga, using the different skills of CAP staff, working under the direction of Professor Ben Cousins of PLAAS (Institute for Poverty, Land and Agrarian Studies at the University of Western Cape).

Although the research touches on sensitive issues, it has had the approval of the Mchunu and Mthembu amakhosi and Traditional Councils. This year fieldwork concentrated on the Mchunu area. Next year the focus will be on the Mthembu area.

Underlying Ben's interest in the research is CLARA – the Communal Land Rights Act – which will have far-reaching effects on the lives of rural people if it ever comes into operation. Although it was signed in 2004 it has remained dormant, awaiting an appeal to the Constitutional Court.

Detailed reports on the Msinga research will eventually become available.

### **CARNAGE ON THE MARKETS**

Crafters have learnt that their work can be affected by distant events, so they listened intently to a simplified account of the sub-prime crisis looming in the USA. What was a mortgage? A life time debt on our house? They had reason to be grateful for their simple mud walls.

Although crafters have since tried to follow radio reports on the ups and downs of the economy, they have found the language confusing. Does “carnage on the markets” mean bloodshed in the streets?

The downturn in the USA had an immediate effect on volume, and while orders continued to come in, none of them offered fulltime work for the women.

The year was not without highlights. Our beadwork made an appearance at SA Fashion Week, while our wireworkers started weaving in combinations of brass, copper, silver and gold. Once again we worked closely with Julia Meintjies Fine Art doing special orders for Stellenbosch University and celebrity clients.

In November Barbara Lindop staged a successful exhibition in Johannesburg, and was able to sell all our beaded bowls. Barbara has been a consistent supporter of the project, and has ordered really BIG bowls for an exhibition that will mark the opening of the New Turbine Hall in Johannesburg next year.

### **AIDS**

AIDS has continued to hit crafters and their families, although denial continues to be a problem, and we attend far too many unnecessary funerals. In February Kwenza Thusi died, aged just 30. Kwenza lives at Nhlawe, about 20 km away, and acted as courier for the Nhlawe group's work. A tall, polite young man, he seemed hardly out of boyhood when he died.

He was a naturally talented weaver, and he leaves us with grief at the promise of a life unfulfilled.

### **A FIXTURE**

Natty Duma has become something of a fixture at the Church of Scotland Hospital at Tugela Ferry, acting as a mouthpiece for the serious patients we send down once a month, and driving apprehensive men, women and children down the corridors to the HIV testing centre. (“You're sick – have a test – you can go to the doctor afterwards.”)

In November she acquired a new role as theatre assistant, donning mask, gown and booties to talk elderly patients through their cataract operations. The operation is performed under local anaesthetic, so the patient is conscious throughout, and an instinctive nervous jerk of the head can ruin the operation.

Natty was there at the request of the surgeon, who had already used her to calm patients whose blood pressure soars with the tension of the preliminary examinations. Patients with high blood pressure have to be turned away, and one of our crafters, Majhophla Dladla, has spent three years getting to the “finals”, only to be disqualified on the last lap to the theatre. Her BP continues to be erratic, but she has enough sight in her once good eye to go on producing fine beadwork.

In June hospital staff at Tugela Ferry joined a nationwide strike. Nurses pushed patients into the road in their pyjamas, and then sang and danced outside the hospital gates. Two women in labour were turned away, and were able to get a lift in our bakkie. The one had waded the river to get to hospital – and between contractions she waded back. She subsequently lost the child.

## **WORKSHOPS AND MEETINGS**

The Mdukatshani Learning Centre was the venue for many meetings and workshops during the year – among them two workshops for local children who help with agricultural tasks at home. The workshops were led by Deborah Ewing and Makhosi Mweli, and were aimed at finding out how much the youth are involved in agriculture, how to value their knowledge, and how to give them support. (A proposal for a support programme has been submitted to donors).

In February goatowners gathered at the Learning Centre to hear Professor Peter Scoggings and Dr. Brigid Letty report back on a study that looked at the potential of a commercial market for goats at Msinga. The study was commissioned by the Department of Economic Affairs, and considered the benefits of setting up a central stockyard at Tugela Ferry – an idea that got little support from the

Msinga has more goats than any other district in Natal – which suggests there is a surplus for sale. There are few large flocks, however, and if you want to buy a goat you climb the hills looking for an owner willing to sell. It's an informal system, built on experience, and it works because it takes account of hard realities.

The goatowners listed some of those realities in the discussion offering insights on the problems they anticipated from a stockyard:

- At the moment all goats are sold from home, not along the roadside – a safeguard against theft. If a goat is suspected of being stolen, you trace it back to the seller's home. At a stockyard goats will become anonymous. Thieves will be able to sell animals, no questions asked – while anyone found in the possession of a stolen goat will be able to claim it was bought at the stockyard.
- A central stockyard might be central – but it will be a distance from most local homes. So what happens to animals unsold at the end of the day? Will they be kraaled overnight, a security risk, or have to be sold off cheaply?

(CAP's expanding work with emerging farmers is covered in detail in separate reports and presentation).

## **DISTURBANCES**

In May two men were hijacked on the causeway near Mdukatshani. After being tied up on the back of their vehicle, they managed to roll off, and when a CAP staff member found them, they were shivering and bleeding on the side of the road. The men had become familiar figures on district roads, two Ethiopians who made a living selling pots and blankets. The bakkie was later recovered, without the goods, and the men have not been back.

In December there was early morning gunfire near the Mdukatshani farm gate where rocks had been placed across a corner of the road to ambush passing vehicles. Nobody was hurt, and the rocks were removed.

This year saw the end of the ferryboat, which was sabotaged after a quarrel between the owner and the oarsmen. The lack of a ferry has created real difficulties during the summer months when the river is high, and crafters on the far bank use their sons to swim their work across, pushing buckets in front of them an enterprising tube owner has started to offer his tube as a ferry, at a cost of R5.00 a swirl.

## **REVD. DALE WHITE**

Dale White was in a wheelchair when he went to the Union Buildings in April to be presented with South Africa's highest awards, the Order of the Baobab. He was frail – and yet he twinkled. There was always a radiance about Dale, an openness and readiness for laughter that made him lighthearted in the face of defeat.

Dale first dropped in on Mdukatshani in 1983 – a brief visit to discuss his growing interest in the problems of rural areas. He returned with his wife Tish soon after Neil Alcock died – this time to ask if there was anything they could do to help. For the next 20 years they picked up threads, closed gaps found markets for our crafts, trained our staff, and connected us to donors. The help was practical – explaining example – something only Dale would attempt.

“He was a man who listened,” said Mphethi Masondo.

Dale listened with an inner quietness, an acuity that led him past the obstructions of dissent. He had grown up in St. George's Home orphanage, and decided on a life in the church long before he wrote matric. Soon after Theological College he was placed in Sophiatown, and for the rest of his life he would be involved with trouble spots and troublemakers.

He was going to need his humour, and his irrepressible wit, to deal with the interminable sounds of conflict. You had to work alongside Dale to get a glimpse of the worlds he inhabited – and even then you could only guess at his influence, for he was reticent about his achievements.

“Dale has never sought the limelight,” said Dr Mamphela Ramphele, when she nominated him for the Baobab Award. “He has been a mover and a shaker at critical stages of our history without drawing attention to himself ... He is trusted because he is open to all people, and he brings out the best in the people he encounters.”

CAP changed in the long years Dale acted as Chairman of the Board of Directors. Development was becoming a professional discipline, and he drew CAP gently into the networks and demands of the wider development community. When multiple strokes left him too frail to drive, he had himself driven to our meetings, still bubbling with new ideas, and the wit that turned discussion to laughter.

When Dale died in October, the tributes that flooded in gave an indication of the immense ground he had covered in his lifetime. One tribute came from a man he had fired, and perhaps that is a measure of Dale's influence. He was always just, even in opposition, and for the justice in his spirit men loved him.

### **FORMALITIES**

In January TELKOM confirmed that it would no longer attempt to fix our landline because of continuing theft of poles and cable. Although the project had been without a phone for seven months, the announcement came as a shock. As Mdukatshani is out of range for cellphones, it is now necessary to drive up into the hills to make a call.

In February our town-going bakkie was involved in a head-on collision near Tugela Ferry. Nobody was seriously hurt, but both vehicles were a write-off. Because of the economic downturn we decided to bank the insurance money, rather than replace the vehicle. Our 12-year-old farm bakkie has been doing all the transport since.

### **RAINFALL**

It was a hot, dry year, and in February the thorn trees had already dropped their leaves. The total rainfall for the period March 2007 to February 2008 was 576,00 mm.

## ANNUAL REPORT 2008-2009

### A RUSTY MECHANISM

Qondisani Mtshali (18) was looking for a missing cow when he climbed the hills one morning in May. The cow had wandered far from home, and he had crossed the Mthembu-Mchunu boundary before he found her grazing among other cattle in the Sibiya area.

It is difficult to separate a single animal from a herd, and he was driving the cow with other cattle when he was stopped and surrounded. He was an Mthembu boy. A stranger. What was he doing driving Mchunu cattle?  
“One is ours,” he replied. The others he would leave at the top of the ridge when he drove the cow down into the valley.

What happened next is not clear. There is a protocol around missing stock. You report that you are searching as you pass local homes. Had Qondisani done so? Probably not. He was a truculent boy with a difficult personality, and he never had much time for caution.

The questioning got rowdy. There were homes teads nearby, and a crowd came running. Could he vouch for himself he provided cellphone numbers that rang without reply. Sticks were produced. “Don't hit me,” he pleaded. “Call the police.”

He was going to take a long time to die, beaten, hanged, then set alight, burning slowly above a wood fire.

The repercussions were immediate. Before nightfall tribal officials had helped the police arrest three men and one woman. When they were subsequently released without charges, three amakhosi, two regents and supporting indunas met at Tugela Ferry to protest to the police. The charges were re-instated.

The courts could take care of one aspect of the case. But there were deeper, older questions. The Mchunus had taken a life. The Mthembus had lost one. There would have to be payment, in blood or compensation.

The possibility of violence was real. Although the tribes are allies they have bitter memories of clashed in the past. In 1944 more than 6 000 men had fought over the boundary that runs across Mdukatshani, and as recently as December 2007 the Mchunu Nkosi, Simakade, led prayers for peace close to the contested line. A hidden line, somewhere underfoot. Approximate and uncertain.

Qondisani's scorched body was still at the mortuary when three huts were set alight on the Mchunu side of the boundary. The news spread fast. Hut burning was always a prelude to war. The Mthembu had started reprisals.

The Mchunu Nkosi was dismissive. He had the intuitive knowledge of a long reign. The cause of this trouble lay closer to home. “The people who burnt the houses are from our place,” he told a meeting at the Mchunu court. The men raised their hands in assent. Bayede! Bayede! Bayede! Bayede! The salute was repeated for emphasis.

There was nothing random about the arson. When Qondisani was dying, a local woman gave him water, and it was her home that was set alight and burnt to the ground.

Stocktheft is traditionally a capital crime, and CAP has lost count of the men – and women – shot as stockthieves in the vicinity of the farm. (One suspect was shot and thrown into the gorge on Mdukatshani. “A beautiful young insizwa,” said the men who recovered his body).

Private execution may be common at Msinga – but the accused are shot, not hanged and burnt. Qondisani's death was different. An import from the city? The Mchunu Nkosi was heartsick when he summoned the Sibiya men to court for discussions on compensation. The boy had died in the Sibiya area. Sibiya would be liable for costs.

The matter was debated at length in the months that followed. Compensation was a mechanism to prevent recurring violence – but how did you put a value on a human soul? There were practical considerations. Funeral cost. The return-of-the-spirit ceremony. A cleansing of the earth where the boy had died. The costs were added up in cattle, but would be paid in notes

In February eight Mchunu indunas formally visited the Mthembu court at Tugela Ferry to hand over R 5 000,00 – a first instalment to the Mtshali family to cover the cost of the funeral. The indunas conveyed the regret of the tribe, and the heartache of the Mchunu Nkosi. Further instalments would follow.

NB: The rusty mechanism of compensation was last invoked 30 years ago when the Mchunus claimed



compensation from the Mthembus following the death of Nkwanayana Mchunu – a CAP committee member. This claim has never been settled.

## **DISCORDANT NOTES**

It was a year with discordant notes of violence.

At Mdukatshani sporadic gunfire at night signalled the return of arguments over a boundary across the river. In July two people died a shoot-out at the SPAR at Tugela Ferry, while fighting in the Nxongeni – Ndlela area made CAP staff cautious at times about using the main road between Tugela Ferry and the farm.

In one incident attackers shot mourners at a funeral, killing two and injuring others. Soon afterwards the driver of the government water tanker was shot delivering water at dusk, although he managed to drive himself to help. Two days later Khamkhulu Mbatha (50) was killed on his tractor on the way to the fields at Ndlela

The ongoing violence affected one research project in which CAP was involved. In August Barbara Tapela of PLAAS arrived to do in-depth interviews with ten successful farmers on the irrigation plots near Tugela Ferry. Her visit was part of a nationwide study, and the farmers had been selected on a range of criteria. Because tension made some interviews impossible, and because she had doubts about her personal safety, Barbara curtailed her visit after two days. Gugu Mbatha on the CAP staff subsequently completed the interviews.

In September the Mthembu regent, Ndaba Mvelase, was returning to his home at Tugela Ferry at night when a gunman opened fire at his gate. Ndaba escaped injury but his wife, Rita, spent several weeks in hospital recovering from bullet wounds. (Police made an arrest in connection with the incident).

In January Nkosi Zondi was killed while on a visit to Durban – a case that made headline news across the country. Although police have made arrests the motive for the murder is unknown.

Attacks on pensioners at pay-out points increased during the year, and in October six men robbed pensioners and hawkers at Kumalo's Store, the nearest pay-out point to Mdukatshani. One man was killed in the police follow-up operation.

## **LEAP**

This year the LEAP project focused on the Mthembu tribal area, and after introductory meetings with the Mthembu regent and his council, CAP staff began interviews in the Ngubo and Nkaseni areas. Once again the project was directed by Professor Ben Cousins of PLAAS (Institute of Poverty, Land and Agrarian Studies at the University of Western Cape). Makhosi Mveli was the researcher co-ordinator.

Meanwhile last years' research in the Mchunu area has started to produce results with the Mchunu Traditional Council working on changing rules that prevent women and single men having access to land.

Although LEAP funding is coming to an end with the withdrawal from South Africa of the Rowntree Trust, LEAP covered the cost of building a stone-and-thatch guestroom for the use of researchers visiting Mdukatshani.

## **ROYAL GOATS**

It took a bit of organising, but it was worth the effort. For the first time in the long history of the Royal Show in Peitermaritzburg, there were indigenous goats on display. The premier, Sbu Ndebele, beamed with delight when he saw them. They were the only part of the Show, he said, that had relevance for blacks.

In the background CAP took a bow. Getting the goats to the Show was just another step in CAP's work to recognition for indigenous goats. While CAP did the organising – the Department of Agriculture provided the funds to get the goats and their owners to town. When accommodation failed to materialize, borrowed tents were pitched on the Alcock's lawn.

(The work with goats is just one aspect of CAP's fieldwork with emerging farmers, which is reported in details in separate reports).

## **A QUITE SHELTER**

Buyelele Mchunu could do beads with her eyes shut, or so it seemed if you met her on a footpath, threading beads onto copper as she walked. How did she do it? She was a plain woman who had been widowed twice, and life had made her

tentative. She always stayed at the back of a crowd, quietly merging, easily overlooked.

Her work stood out- but she sheltered behind it. She had never wanted recognition. She needed the quietness she wrapped around herself to keep the world at a distance. When her work faltered we knew she was ill. Flu? A chest complaint? She walked herself to hospital, and walked herself back. It was nothing serious. She shook her head.

In August, without warning, she was sent to to the Richmond TB Hospital, and two weeks later she had died. She left six sons who all bear her likeness. They have the same swept-back head, the same slender face.

We miss her face at the end of the queue, upturned, silent, listening intently. And we miss the radiance she brought to her work.

### **GOLD TURRETS**

The world recession made it a hard year for crafts, and many of our plans were scuttled or shelved. Termites took over the bead room bins, and turned 30 kgs of new gold beads into turrets of dried mud. The turrets were broken down, the beads washed and sifted, but they have lost their lustre. Our gold is dim.

Two exhibitions were delayed indefinitely, while Jablonex, the great Czech bead firm, started shutting down furnaces because of a drop in demand.

Because of the quality of our work, orders continued to come in (we did a single special bangle for Swarovski), but there wasn't the volume to keep crafters busy. Work was shared around, so that everyone had a turn, but earnings were often token.

Because Christmas orders came in late, our production was not affected by the usual winter exodus to the highveld. There is no thatch grass at Msinga, and local women travel more than 200 km to cut grass for their roofs. Between June and September we can lose a third of our crafters to grass-cutting. Thatch is cut on the basis of one bundle for the woman, one for the farmers, and bead money is often used to pay the hired lorries that carry the grass back to the valley.

### **SCRAP FRENZY**

Mdukatshani has always been a dumping ground for stolen cars. Hijacked in the city, they are driven down into the valley to be hlinza'd (skinned), then set alight. The wrecks are an eyesore, but when scrap metal prices soared in July, most of our wrecks disappeared overnight.

Suddenly everybody was collecting scrap. Illegal scrap dealers set up shop on vacant land, and little piles of rusty metal lay waiting for transport on district roads. We helped local women scrounge for scrap on the farm, while professionals with a welding torch removed tons of abandoned pipe on the derelict farm nextdoor.

Sadly the price plummeted before our last wreck was cleared, and before we had got our own copper waste to town. Our craft prices are based on the expected sale of scrap, so sitting with our scrap had been a hardship. (South African scrap metal is shipped to China).

### **DIE-OFFS AND INVADERS**

Thorn trees are considered tough survivors, but in the past five years a slow die-off has been observed in the bush right across Msinga. The symptoms start with a single dead branch, and inevitably the tree soon follows. What's causing the die-off? And is it important? Botanists have started to take an interest in the questions following a similar die-off in Namibia. Our dying thorns are not alone.

Meanwhile huge swathes of grazing and residential land at Msinga is being invaded by the Australian Pest Pear (*Opuntia stricta*) Despite its name this plant comes from Central and Southern America, and in spring its beautiful lotus-like flowers cover the ground with yellow carpets. Although we are trying to spray it to extinction of the farm, it has found footholds on cliff ledges where it continues to seed.

Another invader that seems to be winning is a plant the Zulus call Xhuma – Jump! Well-armed with spine-tipped teeth, *Blepharis natalensis* spreads on bare, hot ground where it appears to inhibit the return of grass, making potential grazing land worthless. We have large areas to work on, and although our experimental hoeing and spraying is producing results, our efforts are limited by funding.

## **THE RESIDENTS**

It was a year when our temperature gauge hit 50 degrees Celsius, and crocodiles became a common sight up and down the river. There were two on the island at Sahlumbe, one near the pump, one below the cliffs, two at the corner of the river, a group on the bank where the cattle graze ...

Their presence did nothing to disturb the humans who swam, waded, washed and collected water nearby. Crocodiles are a curiosity – unlike snakes. The heat suited the cobras and black mambas that were found lying in our houses and our beds. It was a record year for snake bites, and Gosi Lamula, a CAP fieldworker, was one of the victims. Fortunately his denim jeans were partial protection when a cobra in the cattle kraal struck him twice on the leg.

The news was relayed by SMS. “Today Gosi was beaten by a snake.” After a night in hospital he was treated and discharged.

## **FORMALITIES**

CAP's multiple muddled identities came a little closer to resolution with the final cancellation of the mortgage bond in May. The bond was originally intended as a safeguard for the project – a guarantee the farm could not be sold without the consent of the Chairmans' Fund of Anglo American. After more than 30 years, documents lost in fire and flood, and the deaths of directors on both sides – the transfer of title has formalised CAP's ownership of the farm. This is a necessary step in negotiations with the Commission on the Restitution of Land Rights.

Another sign of progress was the signal booster system which VODACOM installed in March. On good days, when there's no wind, it is now possible to make a cellphone call in the immediate vicinity of the Learning Centre.

## **RAINFALL**

A dry autumn, a dry winter and a dry spring brought the smell of death back to the pathways in the bush. Across the river parched dagga gardens were showing signs of stress when police helicopters arrived in October to finish off the crop by spraying. The helicopters were back in January, and this time many growers decided to abandon their gardens, at least until the winter months. (The crop is usually harvested in April and November).

Heavy rains at the end of summer boosted the total for the year to 718,25 mm.

## **ANNUAL REPORT 2009-2010**

### **PAY DAY**

It has always been difficult getting wages to the farm on pay day. Whether the money is drawn from banks in Weenen of Greytown, all the routes home have a history of hold-ups, and the possibility of ambush is real.

In the 1980's, during a period of conflict, the Weenen and Tugela Ferry police took turns escorting Mdukatshani staff to and from the bank, and sat in on the pay-out. In the 1990's Mdukatshani rode to the bank with three gunmen on the bakkie – a token resistance, for an armed man on a vehicle stands little chance against an AK47 blockade on the road (something a neighbour encountered, two kilometre from our gate). There were regular reminders of the dangers of carrying money, living in earshot of gunfire on the causeway, a well-wooded area near our boundary, where one man was killed for his takings, selling milk, and others were shot and injured passing though.

CAP's trips to the bank for wages stopped suddenly in June 1999 after a warning phone call from the Weenen Police. They had received tip-offs, first from informers at a Richard's Bay shebeen, then from farm workers at Eshowe that the Alcocks at Weenen were due to be attacked in a "hit" or armed robbery. The wage money was mentioned as a motive.

For the next ten years crafters collected money themselves, taking it in turns to travel to Weenen by taxi each woman carrying a cash cheque that covered the wages of a group. The women became a familiar sight in the village, sitting patiently in a long queue outside the FNB Agency, which was open three mornings a wee. The bank had its own share of hold-ups, however, and in October announced that the Agency was "not profitable" and would be closed from the end of the year- a decision that affected the little people, like our crafters, who didn't have the taxi fare to Escourt.

In March we covered the extra fares, set some rules on the hazards of town, and saw the first contingent set off for Escourt to cash their cheques without incident. So far, so good.

In May Nyelisile Sithole and Celiwe Kumalo travelled to Escourt together to cash R6 717,00 for their group, and they were walking back to the taxi rank when somebody brushed against Celiwe, leaving a black mark on her arm. But what luck. There were helpers at hand, friendly passerby who said her money had been bewitched, and would have to be cleansed of harmful muthi. And there was a man who knew just what to do. That plainclothes policeman parked at the kerb in a red Venture.

Minutes later the envelopes were empty, an the Venture had gone – together with the friendly helpers.

It would always be a risk, sending the women to collect wages in town. We needed a system that kept them closer to home, at either Weenen or Tugela Ferry, and in July started the long, slow process of opening Mzansi Post Office accounts for every crafter. Mzansi accounts are designed for "small people" who do not have the means to open bank accounts, and while the most diffident crafters have now learnt to withdraw their money on their own – the exercise cost us just over R 10 000,00 in transport, deposits photocopies and food, a cost we could ill afford in a year of recession.

In the longterm the accounts can only be beneficial – assuming the women can learn a little reticence, and not ululate so loudly every time they draw their money that they are openly cheered on the street.

### **The Crafters**

In 2001 and 2002 a grant from the Masibambane Trust enabled us to provide a craft training for 50 local women. None of them had ever been to school, so the training was formal, two-days-a- week for a six months period, and emphasised the discipline of delivery.

We already had 70 crafters at work, some of them mothers of the new intake of makotis, but we were in need of extra hands because of the huge demand for our copper eggs, which were then a novelty on the market. In the years since the eggs have been copied by groups around the country, and while our range of products has diversified, the recession has been hard on our customers, with businesses folding and shop closing down. It is therefore just as well that the craft group is down to 61 crafters, 33 of them widows. What has happened to the rest?

12 have died

5 have married

4 now live in town with their husbands

5 were dismissed for theft (shortages)

1 is in jail for armed robbery

6 fell away for poor quality work

3 are too ill to work (HIV-TB)

Of the 50 trained, 27 are still working and some of them are “stars”. Most of the remainder are veterans with spectacles who have now been doing crafts for 35 years.

### **LEAP ... and CLARA**

The LEAP project moved towards finality this year, with organised training and information sessions, and the analysis and write-up of research data.

As a result of the interest- and questions – aroused by the project, Bongani Khumalo was asked to visit the Mchunu and Mthembu Traditional Councils to provide training on a number of legal issues affecting tribal areas, including marriage and inheritance laws. Bongani is well qualified to help. He comes from Nqutu, a rural area, and is Manager of the Community Outreach programmes at the Centre of Criminal Justice, which is affiliated to the Law School at the University of Natal.

Bongani and members of the Traditional Councils met up again in October when they attended a workshop on the research findings of the project. A draft report on the land laws of Msinga was present for discussion by researcher Donna Horny, and Professor Ben Cousins of PLAAS (Institute for Poverty, Land and Agrarian Studies at the University of the Western Cape).

One of the underlying reasons for the research was the contested Community Land Rights Act (CLARA) with provisions that will affect the estimated 21 million people living under traditional leadership. There was therefore jubilation when the week after the workshop Judge Aubrey Ledwaba of the Pretoria High Court ruled that sections of the Act were unconstitutional.

The case now moves to the Constitutional Court.

### **A DISTINCTION**

Msinga is the worst local municipality in South Africa, according to a study by independent research group, Empowerdex, released in October. The countrywide assessment included all 231 local municipalities, 46 district municipalities, and six metropolitan municipalities which were scored on provision of housing, water, electricity, waste removal and sanitation.

The rating made Msinga headline news – but was it fair? Msinga is a notoriously difficult area for services, with scattered populations on steep, rocky hillsides. Water has always been a priority, and for the past four years excavators have been at work uprooting trees to clear vast pipelines across the district, while blasters have used dynamite to clear solid rocks on the hills. In July the miracle occurred. Water arrived in the communal taps on Koornliver on our boundary. There have been a few hiccups since. Burst pipes. A dry day. Gradually, however, the miracle has become routine. No longer do you see girls climbing hillpaths before dawn, carrying drums of water on their heads. No longer does our bakkie do duty as a watercarrier, sagging with the weight of drums on the back. We are grateful.

### **A DEATH**

The Nomoya children live more than an hour's walk away from the primary school of Nkaseni. They walk in a group, down hillpaths, and along the well-wooded road near the river. In summer, when it's hot, they lag, hoping for a lift with a passing bakkie. It's a long walk for small children.

Noxolo Xulu (9) lived further away than most, and was climbing the hillpath home one afternoon in May when a snake reared up and bit him on the thigh. Although he managed to reach home, he died before a vehicle could be found to take him to hospital.

His death haunts the valley.

### **THISTLE GARDENS**

In March police helicopters arrived in the valley to spray the dagga crop. Again. It was the fifth spraying operation in three years, and this time discouraged growers made no effort to replant. The summer had been an ordeal, so hot and dry they had had to water by hand, women and children working long after dusk, carrying containers on their heads from the river. Despite the watering, the plants were parched, a shrivelled crop, shrivelled in the heat, soon finished off by the spraying.

“We know where you are,” the police had repeated six months before. The gardens were certainly not hidden. They stretch in an almost continuous line along both banks of the Tugela River. Many are openly visible from the road, terraced beds, inside palisade fences, this year abandoned to thistles. Have the growers given up? Or are they a rest?

The helicopters were back in September, for more than a week nosing the hills, but this time in search of stolen cattle.

### **A STAMPEDE**

It was election year, and before voting in April, president-elect, Jacob Zuma, paid several goodwill visits to Msinga to distribute food to the disabled, widows and orphans.

His visit were little publicized, but word spread fast, and there was a large crowd waiting at Kumalo's Store, Jolwayo, when he arrived a little late to sing *Umshini wami*. (Bring my machine gun). Two lorries has already offloaded mealie meal, rice, sugar and tinned fish, which, Zuma explained, hadn't come from government funds “but out my own pocket”.

After a short speech he departed fro another distribution in the Bomvu area – and the crowd moved in on the food. Khalisile Mvelase was there with her cripple daughter, Dinqo, and when she saw the trouble coming, she ran. “I could see my daughter was going to get hurt,” she said.

They got out just in time. In the stamped that followed the old and frail were knocked down and trampled as fights erupted over food. Soon the ground was covered with the contents of spilt packets, and mealie meal rose like dust in the air. Khalisile would giggle, describing the debacle afterwards. They hadn't got food, but they hadn't got hurt, unlike her two widowed sisters-in-law, who were among those treated in hospital for their injuries.

### **A FAMILY SPLIT**

*For when, about AD 1550, the Nguni moved south-eastwards from the Transvaal region, the Thembu clan divided itself into two sections...*

(A.T. Bryant: The Zulu People).

While the one section of the Mthembus moved to the Cape, the other section stayed in KwaZulu Natal, settling in the area now knows as Msinga.

In August, about 450 years after the divide, the Cape and KwaZulu Mthembus donned their traditional best for a reunion rally in Durban. It was a happy celebration with singing, dancing and plates of good food – widely publicized in the press on TV. Opinion remains divided on the purpose of the gathering. Was this a first step towards appointing a paramount who would rule over both the Cape and the Zulu Mthembus? And what did this say about the position of the Zulu King?

“We couldn't always hear what they were saying,” admitted one of the crafters who paid R100,00 to attend. She was among the many from Msinga who strained to understand the Xhosa speakers. They might all be cousins, but they spoke different dialects, which made most of the speeches impenetrable to their ears.

### **THE POTTERS**

More than 1,000 years ago, Early Iron Age potters were working with clay to produce pots with distinctive decorations. You can pick up the shards today, tiny fragments of a forgotten past that keep archaeologists guessing. What influenced the minds of the potters to conform to the designs of the age? And why did the Later Iron Age potters show “a complete break in ceramic tradition”?

There are several Early Age sites on Mdukatshani – and there are local potter families still modelling clay, making a living out of traditional clay pots. The continuity of tradition was of special interest to three Canadian researchers who used Mdukatshani as a base in June, while they worked with, and observed our local potters at work.

Ken Fowler has been researching the ceramics of the Tugela Valley since 1997, when he was a student working on excavations at the ninth century AD site, Ndongondwane, on the lower Tugela. Now assistant professor of anthropology at the University of Manitoba, he is looking at the development of agricultural societies and social complexity – with Nguni ceramics a large part of his work. His two companions on the June trip were Emma Middleton, a post-grad university colleague, and P.J. Anderson, a professional ceramicist on her first visit to Africa.

The team followed the potters through the manufacturing process, from the journeys to fetch clay, to the firing in open

pits – a method that has hardly changed in the past 1,000 years. The potter families enjoyed the attention, and have glossy albums of photographs to remember the visit, and to record every detail of their work.

### **Bridging a Distance**

There is a vast distance between the hills of Msinga, and Parliament's corridors of power – distance Mdukatshani tries to bridge through collaborative partnerships with outside groups who have influence closer to Cape Town. While we have continued to work closely with PLAAS, this year partnerships were extended to CASE, the Community Agency for Social Enquiry, and the Law, Race and Gender Unit at the University of Cape Town.

- **A 1,000 Household Survey**

In May Aninka Claassens, Sibongile Mgweba, and Delanie Williams visited Mdukatshani to discuss the details of a questionnaire survey aimed at the many questions around women's access to land. CASE was planning three surveys nationwide, one at Msinga, one at Keiskammahoek in the Eastern Cape, and one in the North West province, each survey to cover a sample of 1,000 households.

After Mdukatshani had introduced CASE to the Mthembu and Mchunu traditional councils, Sibongile spent a month selecting and training 40 local fieldworkers – and by September the survey was done. When all the results have been collated, and analysed, there will be a published report.

- **How to Register a Customary Marriage**

It ought to be easy to register a “customary marriage.” In reality, however, officials at the Department of Home Affairs have not been willing to follow the provisions of the 1998 Recognition of Customary Marriages Act which was supposed to make it easier for rural women, like the majority living at Msinga.

Women from the Mchunu Traditional Council had already approached Mdukatshani for help with their difficulties when, in May, the Department published a draft bill that contained restrictive new amendments, contrary to the spirit and intention of the Act.

Mdukatshani approached LRG for advice, and in July Diane Bailey arrived at Msinga to record the case histories of three Mchunu women. Diane was already familiar with the law around customary marriage after doing research on the Act for LRG, where she was working as an intern from Stanford University in the USA. Diane's reports on the interviews are being used in efforts to have the new provisions amended or withdrawn before the draft bill is tabled in Parliament.

- **Tribal Court**

In September Sindiso Mnisi met Mdukatshani staff to discuss her interest in studying the work of traditional courts at Msinga. Sindiso had recently returned from Oxford, where she had completed a doctorate on the interface between living customary law and South African state law – a subject that affects the lives of millions of rural South Africans who take their grievances to tribal courts.

Her interest was more than academic. Currently employed as a senior researcher at the Law, Race and Gender Unit at the University of Cape Town, she is among the critics of the controversial Traditional Courts Bill, which is considered a threat to the rights of women. Although the Bill arrived in Parliament in 2008, there has never been due consultation, and the LRG is among many groups pushing for public hearings, particularly in areas accessible to rural people.

### **What makes a chicken walk backwards?**

Deborah Ewing has been part of the lives of local children ever since early 1998 when she helped to initiate and run a series of workshops for “children's voice” at Mdukatshani.

Her contact since has been almost continuous. In September 1998, soon after the workshops ended, two 11-year-old girls were raped at gunpoint coming back from school, and for the next four years Deborah sat alongside them, following the case through the courts until the rapist was sentenced to life. (Her dossier on the case, “Stolen Childhood – Rape and the Justice System” was published by Children First in 2003).

In 2006 she was back at Msinga to do the fieldwork for a study on the causes, conditions and consequences of children

working in agriculture. The study was prepared for the Human Sciences Research Council, and involved children aged 12 to 16. (A report on the study was published in 2007)

Deborah has drawn on this background for her latest collaborative project with Mdukatshani – an animal health programme for 90 Grade 5 learners at the Mathinta and Ncunjane Primary schools. A born storyteller, and author of six childrens' books, Deborah has devised a series of interactive lessons that provide support, training – and fun. The adventures of Siphos and Nosiphos affirm and value what the children already know, while giving them a manual to deal with the livestock problems which are part of the daily routine of the home. Funds for the projects have come from the Belgian Organisation, Broedelijk Delen, and copies of the course are available on request from Mdukatshani.

Oh yes – and what makes a chicken walk backwards? It's one of the symptoms of Newcastle disease.

### **Night Calls**

Mqithi Mbatha was not at home when her phone rang in the dark. She fumbled to find it, half asleep. Who would phone in the middle of the night? She was in a room full of mourners, keeping vigil at the body of a boy who had died in a car crash that week. She listened to her phone, confused. What she heard didn't make sense.

She handed her phone to her daughter. The call had been disconnected, but a man laughed when the girl rang back. "Come home," he said, "and tell your mother to bring a blanket."

A blanket covers a body that is dead. The two women walked home alone in the dark to find Mabele Mbatha (50) had not died alone. Five young men had died with him: Thengakuhle Mbatha (20), Senzo Mbatha (21), Thembisos Mbatha (29), Mandlawapheli Mbatha (25), and Bongani Sokhela (24).

The story made headlines across South Africa. Police superintendent, Henry Budham, said unknown gunmen had arrived at the homestead about midnight, and after forcing entry "ordered their victims out of the hut and instructed them to lie on the ground next to each other, before being shot execution style."

Although there have been arrests, the case has yet to get to court.

Mxolisi Majola was visiting his girlfriend one night in September when his phone rang at about 10 p.m. "My friends are here – they're calling me," he said as he walked outside into volleys of gunfire that gave the valley a wakeful night. The details of the story remain unclear. Majola came from the Mhlangane areas, and although he had family near Mdukatshani, he was not a local man. His friends took the dying man to hospital. There have been no arrests.

### **A Hold-up**

In January at about 3 pm, four armed men stopped a vehicle on the road between Mdukatshani and Tugela Ferry. Nobuhle Sithole, and Mdukatshani fieldworker, was one of the passengers who was relieved of cellphones, bank cards and cash. Nobody expects trouble on an open road on a sunny afternoon. Nobuhle is still in a state of shock.

### **Our Principal**

Ngakelephi Mkhize was short and round – and had an affinity for metal. It was a gift she discovered in middle age. She could ease kinks, straighten bumps, and make hard wire fluid. The gift surprised her, and she used it well. She had never had a chance to use her mind, and now she applied it to questions of precision, and her need to make the world immaculate. It was a strange need, if you considered her lethargy. She was heavy and slow and prone to depression, lying slumped in her shabby hut where the light slanted in through a hole in the roof that she never got around to fixing. Was she aware of her own contradictions. The artistry of a critical mind – the sloth and the defeat?

Her woven copper bowls were flawless, and even her bundles of copper scrap were tied and trimmed with such an eye for perfection, they couldn't be consigned as scrap. "Our principal" the crafters called her. She was a reference point. A judge. Long before a crafter brought her work to the scale, it was offered to MaMkhize for a verdict. Her verdicts were sharp and dismissive. Shoddy work implied you hadn't consulted her – which she considered a personal affront.

She probably guessed she was HIV positive when eruptions started on her face. She was a pretty woman, and she dreaded the disfigurement, checking her appearance in a piece of broken mirror she kept tucked in the folds of her *bhayi*. She needed the pretence of dignity, and when she started treatment, she tried to keep it hidden, refusing to acknowledge she had picked up the infection in a period of longing that had followed her husband's death.

She died quite suddenly in December, an unexpected death when she had completed Christmas orders, and we thought



at last she seemed to be getting well. We hope she was in earshot of the crafters who spoke at her funeral, women in tears, who had had no ability, until she had guided the work in their hands. She was at her best as a teacher – serene, gentle, patient, kind, lit up with the confidence of knowing she was needed – as she is needed now, every day, when there is nobody here to replace her.

### **Three Kudu**

In June a kudu bull crashed through the garden with a pack of dogs on its flanks. It plunged into the river and submerged, only its head visible above the water. A lossoo was fetched, and it was pulled to shore, where it rested in the sun, covered in a blanket, while we phoned around for advice on what to do to help. The answers were not hopeful. Kudu are extremely sensitive to shock, and although our kudu stumbled towards the cliffs, it never recovered, and the following afternoon died.

It was the first of three kudu chased into the river in the weeks that followed. One drowned at Sahlumbe, just upriver from the farm, the other drowned in a pool in front of the house after a chase on the far bank. We have never seen kudu in our bush before. Did their appearance have something to do with drought? An increase in the population of kudu? An increase in the population of dogs?

It was a hard year for cattle as well as wildlife. Rain was scarce, grass shrivelled, and with nothing in the fields, the reedbeds were grazed on stalks. Rainfall from March 2009 to February 2010 was 414,60 mm – well below average.

## **ANNUAL REPORT 2010-2011**

### **THE MTHEMBU GIRL**

The hills were leafless when the Mchunu queen died in November. It had been a hard year. Another drought Red dusts blowing. Thin cows dying of exhaustion as they calved.

She had watched through the doorway of her round thatched room. For months her strength had been ebbing away, but she never lost touch with the world of the tribe. A small world, with questions of infinity all around her. Outside was the palisade of the royal cattle kraal, curving around a bare, hot yard. It was going to seem empty without her. Listless goats waited in the heat where once her long skirts had swept the ground as she lived barefoot among the spirits of the kings.

#### *Ntombizethu. Our girl*

She had grown up as a daughter of the Mchunu royal house, learning the old traditions of respect that would keep her constant during rough years of change. She made few public appearances. She lived with simplicity, out of sight, a reticent woman with a quiet heart who followed the faith of Shembe.

"I'm better," she insisted in the weeks before she died. "Much better. A little better". Her concern was for the Nkosi. They had both been ill, but he was the one that mattered. At 86 he was still a big man, his mind clear, and impatient of his frailty. He had handed his duties to his son, Gangandhlovu, and after 65 years was ready to retire. He was not allowed to abdicate. He was still the spiritual head of the tribe, but he had been released to follow his own interests. He could have time off – if he was well enough, not coping with the growing infirmities of age.

"Inkosi S.O. Mchunu is trying to be better," Nokulunga Mchunu, the tribal secretary, reported in October. "On 17/10/2010 the appointed izinduna as well as members of the Mchunu Traditional Council was a meeting between them and Inkosi. They request him to go back to hospital." The tribe had collected R50 000,00 to cover hospital fees and private doctors." Finally the meeting was so successfully and Inkosi accept the requestion. We hope our Inkosi will be recovered soon."

He was not a willing patient.

"Have you ever been stung a scorpion?" he asked. He felt as if his body had been stung all over. He leaned on his stick, exasperated. He would abscond from hospital when it suited him. He was tired of lying down.

He was back at home at the royal kraal when the Indlunkulu took a turn for the worse. She had been much better in the weeks before she died, surrounded by a clarity of light that made her light-hearted with the friends who came to visit, although nothing had changed in the world outside. The bush shimmered in the heat haze, while faltering cattle dropped and died and were left unclaimed to rot in the sun.

The rain started falling with the first prayer at her funeral, drenching the gravediggers out on the veld. The mourners pressed a little closer. They had been streaming in barefoot since early morning, many in the white robes of Shembe, sitting on the ground among fallen jacaranda flowers. The Nkosi loved the jackarandas. He had had them planted in among the thorns, and watched them endure the long years of aridity. They were part of the spirit of his royal kraal. Nhlalakahle. Live well. The hope had been implicit during conflict and hardship. Even in drought years his jacarandas flowered.

He wouldn't be present at the funeral. He was in seclusion at his birthplace, Zondehleka, observing the traditional that keep the king away from death. His indunas would tell him about the funeral, about the squalls of rain that blotted out the hills, and the tents that dripped, and the candle on the floor of the round, thatched room, close to the body of the Mthembu girl, who would go to her grave wrapped in a blanket.

She was younger than the Nkosi, and he'd proposed five times before she accepted him – a fact that brought a moment of laughter to the crowd.

It was never going to be easy. She had come as a stranger into the tribe, an unknown girl, who would conform to tradition, finding her place among older wives.

"Do you love the Nkosi?" she was asked on her wedding day. Did she love the man watching her? She wouldn't say. The question was repeated in front of the regiments. She dropped her head, refusing to reply. "Makoti, this the last I'm asking," the chief induna warned her. "If you don't answer now your father will have to pay three cattle. In front of the Mchunu nation I ask: Do you love ..."

She raised her spear.

They had been married 48 years when she died, sharing a belief in the reality of the spirit, and the need for a life guided by prayer. If there were no clear answers, there was faith. A higher power ordered events, like the showers of rain that pelted down on the mourners as they watched wet earth being shovelled on her grave. The women sang softly, legs tucked under them, felling the cold seep from the ground.

*Ashes to ashes.*

*Dust to dust.*

A few white-robed women stood up quietly and disappeared across the veld. Had the cold got to them? They returned with pale yellow wildflowers, scented armfuls that were passed among the crowd. *Bulbine* were the daffodils of Msinga, sturdy perennials, rooted in hardship, growing unnoticed on barren ground these were the flowers of the last rites. The rites of spring?

When the grave had been completed the women formed a line, wet skirts clinging, single flowers in their hands. They circled the grave, dancing slowly. It was common ground, this road to eternity, and some went ahead, and some stayed behind, and all you had for tenure was gratitude and love, and wildflowers for light along the journey.

(The Mchunu Tribal Court was closed for two months to mark the official period of mourning).

## **HEARTACHES**

Our local community will remember the year for the tragic deaths of Sthembiso Zwane (12), who hanged himself in November, Sifiso (Skomfaaan) Kunene, who drowned when the bakkie he was driving was washed off the Skehlinge causeway by floodwaters, and Mpumelelo Dladla (10) who died after colliding with a rock a bicycle without brakes. Hloniphani Mbatha (12), spent several weeks in hospital after being bitten by a cobra, and although recovery has been slow, he is gradually getting better.

## **A NEW IDENTITY**

In the 45 years since Church Agricultural Projects started work on mission farms, there have been changes of locality, identity and law. The result has been a legal nightmare, formally resolved with the creation of two new trusts – the Mdukatshani Rural Development Trust, and the Mdukatshani Craft and Welfare Trust. The same trustees serve on both trusts, which run different programmes, but share space, time and services.

## **THE GOLD BOWL EXHIBITION**

There was a moment of panic before the opening. Gcinani Duma and Ntombizini Mbatha studied themselves in the mirrors of the Gold Museum, Cape Town. Their ochre cheaddresses looked plain. Unadorned. They had borrowed finery, just in case, and spilt out the contents of a plastic bag. Christmas tinsel, plastic bauble ... They started to attach them to the ochre. No? No.

They gave a tug to their goat leather skirts, and adjusted their silver leggings. Upstairs there were photographs of leggings like theirs, made of gold wire, wound around a core. The design hadn't changed in a thousand years. Did that make them old-fashion? They were suddenly insecure.

It was easier for their colleague, Zamani Madonsela. All he had to do was decide on his cap. On or off? He was sensitive about his baldness. At an evening function the cap should come off, but he wanted to cover his head.

They would laugh at themselves afterwards, when they were back in the valley, under the thorn trees, telling the craft group about their 12 days away. The words came in a rush, out of sequence. They had been stopped in the street, and photographed by strangers, and caught the wrong train, but found their way back. Up in a plane the cars looked like small bicycles, and the sea went on forever, not like a dam. And they had been in the streets for the opening of Parliament, and had taps with hot water, and wonderful food. And they'd worn their purple bhayis when they went on TV because the camera man said stripes would spoil the cameras. ("It's a feel-good story," said the eTV presenter, and the interview was aired again and again).

The Gold of Africa Museum was a wonderful venue for the exhibition, which had been in the planning stage for months. For years? It was a collaborative venture between Mdukatshani and Julia Meintjes, who guided the project with imagination and love. Nothing would have happened without her. She was involved in every stage of production – the design of the bowls, the manufacture of the wire, and the technical problems of weaving with gold. It was a difficult medium but she loved the possibilities, gradually adding silver and shakudo to a range that started with copper and

brass. She extended the skills of the weavers – and that  
s where her heart lay, close to their lives.

This was a profit-sharing venture, and she watched them gain in confidence, closing her eyes to the cost of their mistakes. The weavers needed the encouragement, working in isolation, far from idea, in a year when crafters everywhere were sitting without work. “It was the hardest retails year ever”, said one of our customers, who had made large orders in anticipation of World Cup tourists, and at Christmas, like many others, was sitting with unsold stock. American orders dried up, several local suppliers closed shop, and we struggled to find essential items like thread for the beads.

Total craft sales for the year were R431 522,00 of which R 272 439,00 was paid in wages. Average earnings for the year were R4 402,00 per crafter, although one woman earned R 10 078,00 for her work. (Exhibition sales are not included in this financial year).

### **NATTY'S ROUND-UPS**

When Natty collapsed with “a cardiac condition” in November, one of the doctor brought his chair to her bedside at night. She hadn't finished her job, he told her. There were so many people really ill with AIDS, but too afraid to be tested. If she didn't get better, who would bring them in? She was making a difference with her round-ups – a familiar figure in the hospital corridors, limping heavily, leaning on her stick, accompanying another scared group to be tested. Young men and women, husbands and wives, widows with their children ... she arrived at their homes, loaded them up, and then regularly checked on their treatments.

It would be awhile before she was back on her stick, a little frail, but ready for battle. Were her patients still taking their treatments? In February she returned to work, riding the hills in our ageing bakkie, busy on another round-up.

### **WOMEN, LAND AND CUSTOMARY LAW**

Msinga has a high rate of marriage – and cohabitation is almost non-existent. Not unexpectedly this was one of the finding of the 1 000 house hold survey published in February by CASE, the Community Agency for Social Enquiry.

The survey was launched to investigate women's land rights in three rural ex-homeland areas: Msinga, Ramatlabama (North West Province), and Keiskammahoek (Eastern Cape, and results from Msinga showed higher rates of marriage, larger homestead size (8,8 members), and the lowest level of education. More than half the Msinga women surveyed reported they had no formal education, a quarter had some primary schooling, while only 1% had post school qualifications. The solidity of traditional marriage was reflected in the number homesteads containing men, women and children - - 83% at Msinga, compared to 65% at Keiskammahoek, and 60% at Ramatlabama. Woman-only households accounted for only 1% at Msinga. (Copies of the report can be obtained from CASE, 31 Oxford Road, Forest Town, Johannesburg).

### **CLARA**

In May the Constitutional Court declared the Communal Land Rights Act (CLARA) “unconstitutional in its entirety”, a decision that was hailed by the rural communities that had challenged the Act. Originally enacted in 2004, the Act had provisions that would affect estimated 21 million people living under traditional leadership. Government did not defend the Act, as shortly before the case was head the Minister of Rural Development and Land Reform, Mr Gugile Nkwinti, informed the court that his department intended to repeal the law as it was inconsistent with government policy. One of the objections to CLARA was the lack of consultation with rural communities, and NGO's are hoping no new legislation will be drafted until there has been a proper consultative process.

### **RESEARCHES**

During the year Mdukatshani continued to provide a base for researchers, including Professor Ben Cousins of PLAAS, University of Western Cape, Aninka Claassens and Sindiso Mnisi Weekes of the Law, Race and Gender Unity, University of Cape Town, and Brigid Letty of the Institute for Natural Resources.

### **KWAMAKHONYA**

A new voter registration station appeared on Electoral Commission maps this year – the Mdukatshani Learning Centre, officially named, without his knowledge, KwaMakhonya (Rauri's Zulu name). Registration took place in February, despite the fact there was no telephone communication with the outside world. “**Do you know I can't SMS here?**” an

**official demanded in agitation. He had never been without reception,** and had to drive a few kilometres down the road to pick up a signal. Like the rest of us.

### NW 1540

After 16 years of mainly off-road travel, our turquoise-green bakkie is showing its age. The local mechanic who has nursed it through many ailments, has a simple diagnosis: “**Bad roads**”.

No roads at all, most of the time. The valley is hard on vehicles, and our distinctive bakkie does most of its work on illegible tracks and a district road eroded to bedrock. While efforts are underway to improve local roads, a better surface won't answer the needs of our vehicle, which cost R 24 456,95 in repairs this year – half the insured value of R 49 000,00.

“Upgrade”, says our mechanic, trying to patch another worn part. Few NGO's can match our record of vehicle longevity. Our last bakkie lasted 17 years, while NW 1540, bought with a grant from the British Embassy in 1995, is almost as old. We make our bakkie last and last ... but have to acknowledge that with the cost of repairs, there's no way to save for an upgrade.

### A LINE IN THE DUST

If you are trying to make contact with somebody avoiding you – try leaving a note in the middle of the path. The idea wasn't ours, but it proved useful when we found a new dagga garden inside the farm. Who was the owner? - Did anyone know? It was an isolated area, near the big Tree Fuschia – but not out of reach of the police. They had been there before, checking on the crop, and then dropped in to say they would have to prosecute. It wasn't our dagga, but we were the landowners, and we couldn't have an illegal crop on the farm.

On? *Outside*. Just outside. Since the fences were removed, the boundary has been invisible although everyone observes the invisible line. Or they had done until the new garden appeared. The matter was settled with a note under a stone. *Umncele*, it said, indicating the boundary, and by the end of the day the garden had been removed. It was another bad year for the crop, however, and by September the growers had given up watering, leaving their plants to wither in the heat.

### A PRISON SENTENCE

In April three Mchunu men were sentenced to six years imprisonment for their role in the death of an Mthembu youth, Qondisani Mtshali. (*A Rusty Mechanism*, Annual Report 2008-2009).

Mtshali was beaten, hanged and set alight while looking for a cow across a tribal boundary. A Greytown regional court magistrate found Xolani Mchunu, Nqabayeza Sibiya and Zaka Sibiya guilty of culpable homicide, while the case against Nonhlanhla Sibiya was withdrawn.

### HANNAH

Forty years ago Douglas Blausten arrived on the night train at Wasbank station. “n Nare plek,” the conductor called it. A dreary place. It wasn't where Douglas wanted to be. He was a radical young British university student who had intended to spend his summer holidays doing something useful in Africa. But not South Africa. Definitely not South Africa. He came to us reluctantly. He'd been waiting for a visa that hadn't come through, watching the holidays slipping away, and there were no options left when mutual friends asked if we would agree to take him. Just for a month. As a favour. For there was reluctance on both sides. We had stopped taking volunteers when Doug arrived like a force of nature – tireless, critical, questioning, invigorating. He made heated debates out of every mealtime, organised revolts, challenged our defences, laughed at the setbacks, and was there with support in the moment of defeat.

Doug was eighteen when he arrived on the night train to work with CAP, and his daughter Hannah was almost the same age when she arrived at Mdukatshani in March to do some volunteer work in her gap year. One of the results of her stay is a website for the crafts. A sign we are moving into the electronic age? The website has already drawn new customers – who assume that we will respond at the touch of a button. Unfortunately we continue to struggle with communication we have no landline. Emails are delivered once a week. Post is a two hour driver away, and we are out of range for mobiles. (To check our website see [www.mdukatshani.com](http://www.mdukatshani.com))

### THE DROUGHT

The Tugela River valley was not the only part of KwaZulu-Natal afflicted by drought. When Msinga's thatch-cutters set off for the highveld on their annual winter exodus in search of grass, they were soon back empty-handed. There was no thatch anywhere, which has meant unfinished roofs and leaky huts.

Only Devil Thorns flourish in drought, and they appeared from nowhere to cover bare spaces with starry yellow flowers and spiny thorns. Aptly named *Tribulus terrestris*, the thorns are really hard on the hooves of livestock, and make our walking uncomfortable, even in boots. Because of the death of thousands of cattle, many traditional ceremonies had to be curtailed, while lobola payments were put on hold.

Another two kudu bulls died this winter when they were chased into the river by packs of dogs. One kudu leapt off the top of the cliffs, and was killed on impact on the rocks below, followed by one of its pursuers. This makes a total of five kudu bulls killed at the river in the course of a year.

In January heavy rains flooded the streets of Ladysmith, bringing into floodwaters rushing past our terraces – and leaving litter hanging in our trees. It took weeks to clear up the mess. Sack after sack was filled with the rubbish Plastic, paper, shoes, bottles, deodorants, cooking pots – and a purple plastic toilet seat.

Despite the heavy rains in January, rainfall for the year was again below average, and in February thorn trees were leafless, the grass shrivelled, and for the second year no reeds flowered on the river banks. As the Tugela River receded, the Sahlumbue island was left high and dry, depriving the crocodiles of a favourite basking area. They had to move downriver to deeper pools, where they were regularly sighted by passerby.

Rainfall from March 2010- February 2011: 431,5 mm