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COMMISSION ON REGIONS

o REF: 1173 115

UMZIMKULU DELEGATION

04 November 1993

- Sir,

1. We still stand by our original document submitted to the sub-Committee of the Commission at the Kokstad hearing in September 1993.

We submitted a supporting written document to Minister D Schutte at Pietermaritzburg after the recent recommendation of the Commission to demarcate us to the Eastern Cape region.

We appeal to the administration to make available to us the members of the Planning Committee to discuss this very critical issue with us today.

The Community of Umzimkulu is very disturbed by, and reject the recommendation arrived at by the Commission. We further appeal to the Negotiation Council to respect the democratic right expressed by the people of Umzimkulu, by reviewing this unacceptable recommendation and to rather include Umzimkulu with Natal KwaZulu which is the wish of the people of Umzimkulu.

Petition signed by the delegation :

k; Princess T Msingaphantsi

Chief L Baleni  
Chief D Msmgaphmml W  
Chief W Sondzaba

Chief E Radebe  
Chief P Mjoli  
Chief E Mafa  
Chief I Madiba

Chief N Zulu N Ziiiir

Cnllor H Mnguni . 13. Cnllor P Msingaphantsi

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Cnllor S Bengu @ Cnllor S Dada  
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reference given to the Commission by the Negotiating Council.  
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1. Historical Background

11. Administrative Considerations

1. Rationalisation

IV. Costs Ef fectiveness

V. Community Services

VI. Demographic Considerations

VII. Economic Viability

VII 1. Development Potential

IX. Employment & Jjob Opportunities

X. Language & Culture.

MEMORANDUM

TO: The Commission for the Demarcation of Regions  
FROM: The Principal Chiefs, Headmen,  
/ Delimitation of Regions Councillors and Advisors.  
P O Box 307 People of the Umzimkhulu District  
ISANDO TRANSKEI

SUBJECT: Proposals for and evidence in support of:

- 1) The retention of the Mount Currie District (East Griqualand) as part of the Natal / KwaZulu Region.
- 2) The incorporation of the Umzimkhulu district of the present Republic of South Africa into the Natal / KwaZulu Region.

INTRODUCTION

Recommendation 4.4.1 of the first report of the Commission recommends that the Umzimkhulu district of Transkei and the Mount Currie District (East Griqualand) be demarcated as part of the Eastern Cape / Kei region. This recommendation is however qualified by the statement that the Commission is of the opinion that the demarcation of the boundary between KwaZulu / Natal and Eastern Cape / Kei is a highly complex issue which would require further consultation with affected parties. Subsequently the Commission via its Technical Secretary has placed advertisements in the media calling for written submissions on, inter alia, whether the Umzimkhulu and Mount Currie areas should be included in the KwaZulu / Natal Region. This submission, prepared by authority of the Tribal Chief of the Umzimkhulu district of Transkei after extensive consultation with the residents of the district seeks to establish conclusively that the district of Umzimkhulu and Mount Currie satisfy all the criteria necessary for inclusion in Natal / KwaZulu. No evidence or criteria which could lead the Commission to re-affirm its previous recommendation to include the districts concerned in Eastern Cape / Kei could be found.

The submission is prepared in accordance with the terms of reference given to the Commission by the Negotiating Council. These terms of reference lay down the matters which the Commission is required to take into consideration for purposes of its recommendations. These matters are dealt with serially in the following paragraphs.

## 1. HISTORICAL BOUNDARILS

The Umzimkhulu and Mount Currie districts were originally part of Nomansland which was granted to Adam Kok for the settlement of the Griqua people which settlement was completed by May 1863.

The historical, political and legal background as it affects East Griqualand and Umzimkhulu is extensively reported in the " Report of the Committee of enquiry into the possible incorporation of East Griqualand into Natal " dated October 1976 and prepared under the Chairmanship of Mr Justice M. T.

Steyn, and it is recommended that the Commission read this report in order to dispel many misconceptions and incorrect perceptions as to the historical status of the area concerned.

In particular the Commission is requested to study pages 12 to 69 in order to gain a proper historical background.

As this study will show the early history of both the Umzimkhulu and Mount Currie districts is virtually identical and only changes when large tracts of the Umzimkhulu district were identified in terms of the 1936 land Act for acquisition for settlement by black South Africans.

Key historical happenings, with dates, are extracted from the document and illustrate that the districts in question were never Xhosa or Pondo territory during the nineteenth Century. .

1.1 1820 - 1832 The Mpondo Tribe was driven South of the Umtata River by King: Shaka.

1.2 1834 - Paramount Chief of the Mpondo, Faku, offered Piet Uys a "great open tract of land north of Pondoland for white settlement as a buffer between the Zulu and the Mpondo.

1838 - Zulu king Dingane granted trekker leader Piet Retief the area between the Thukela and Umzimvubu river. All of East Griqualand East of the Umzimvubu was included in the original Republic of Natalia.

1811 - Governor Sir George Napier sets out to establish a Pondo state between the Cape Colony and Natal. This was achieved by the 1844 Treaty of Amity between Faku and the Cape Colony which gave Faku paramountcy over the area between the Western branch of the Umzimkhulu river and the Umtata River. This Treaty therefore in effect excised the area between the Umzimkhulu and the Umzimvubu from Natal where it originally belonged. However Faku never physically occupied the original East Griqualand of which the Umzimkhulu and Mount Currie districts were an integral part.

1848 - Sir Harry Smith seeks to settle thousands of Natal Bantu in the area between the Umzimkhulu and Umtamvuna Rivers east of the Ingeli Mountains. Faku consented readily to such re-settlement.

The area referred to in 1.3 above ceded to Natal in 1850, which cession resulted in the annexation of Allred County to Natal in 1866.

1.7 1859 - Due to problems in Griqualand West a Griqua Commission visited Nomansland which included present day Umzimkhulu and Mount Currie districts with a view to settling there. They found vast tracts of unoccupied land.

1.8 1860 - Sir George Grey authorises the settlement of Nomansland between the Umzimvubu and Umzimkhulu rivers by Adam Kok and his followers. ' '

1.9 1860 - Faku objected but eventually relented and accepted the Griqua occupation of Nomansland.

1.10 1863 - Griquas finally settled in East Griqualand.

1.11 1872 - Town of KOKSTAD founded. At this time small groups of Bantu moved in and settled under the Griqua - these were Sotho people from present day Lesotho and Southern Natalians who crossed over the Umzimkhulu river from present day Natal.

1.12 1872 - Sir Henry Barkly appoints a commission to investigate Griqua expansionism. Commission recommends that East Griqualand must be incorporated into Natal.

1.13 1874 - Cape discusses take over of East Griqualand ( inclusive of Umzimkhulu and Mount Currie districts ) by Cape Colony.

1.14 1874 - Governor Sir Henry Barkly annexes East Griqualand to stop the development of a "Greater Natal".

And so both the Umzimkhulu and Mount Currie became part of the Cape Colony, despite the fact that originally and by geographical location the area clearly had greater affinity to Natal and was originally part of both the Zulu kingdom and the Republic of Natalia. In fact the first magistrate of the Umzimkhulu district was a Natal Trader Donald Strachan who became a legend in the development of the Umzimkhulu district and his ancestors only left the district on being expropriated in preparation for the establishment of an independent Transkei. To this day many older Umzimkhulu residents still look upon Donald Strachan as the founding father of the district.

The contention that the Umzimkhulu and Mount Currie districts were always part of the Cape Colony and that these colonial boundaries should form the basis of present day delimitation is therefore challenged and disputed.

Since Union in 1910 further developments affected the East Griqualand area. The Umzimkhulu district was purchased for afforestation and black occupation in terms of the 1936 Land Act. With the move towards self government and ultimate independence for Transkei, Umzimkhulu found itself included in Transkei for no good reason other than that it was a black occupied district in the Cape Province. All the factors which actually prove the districts affinity to Natal were ignored because of the original colonial and subsequent provincial boundaries. These boundaries ignored cultural, ethnic, economic and administrative realities.

With independence of Transkei in 1970 Umizinkhulu found itself part of the Republic of Transkei. The residents and traditional leadership of the Umizinkhulu district confirm that this was done without consultation or their consent and that their interests were not served by inclusion in Transkei.

After an exhaustive investigation by Mr Justice M T, Steyn and his team the remainder of East Griqualand (Mount Currie) was incorporated into Natal in 1978.

The overwhelming evidence based on economic, administrative, social, geographical, historical, and practical factors which held good then still apply today and resulted in the Steyn Committee's strongly motivated and unanimous recommendation of the time. This report is an essential part of the material the commission should study.

Besides the historical issues the other issues of economic and administrative efficiency which influenced the Steyn Committee are just as applicable to the Umizinkhulu district. In some instances factors are even stronger - for example the Umizinkhulu district has no economic links whatsoever with Transkei and the Eastern Cape. It is an island within Natal with all its commercial links with Natal.

## 2. ADMINISTRATIVE CONSIDERATIONS

The Umizinkhulu district is situated less than 100 km's from Pietermaritzburg and 150 km's from Durban, while it is 300 km's from Umtata, 600 km's from East London and 900 km's from Port Elizabeth. That administrative efficiency would be enhanced by incorporation into Natal / KwaZulu

should be self evident.  
Some examples are:

2.1 Judicial and legal  
The seat of the supreme court itself, the master of the supreme court for estate purposes, the deeds office, the surveyor general's office, the regional magistrates courts, top advocates and attorneys etc. would all be less than 100 km's away. Compare this with the distance to Umtata, Grahamstown, East London or Port Elizabeth.

### Fiscal and Financial

Receiver of Revenue offices are in Pietermaritzburg and Durban. Major financial institutions and banks which already deal with Umizinkhulu are based in Natal / KwaZulu. Again compare the distance to the Eastern Cape.

### Health

Umizinkhulu residents already extensively use Natal based health facilities. All specialist services are rendered from Natal, The administration and provision of better health facilities within Umizinkhulu will be far easier done from Natal / KwaZulu.



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The same logic applies as for health - already Umzimkhulu people extensively use secondary and tertiary education facilities in Natal. Administration will be far more efficient from Pietermaritzburg and Durban than from equivalents in Eastern Cape, Border or Transkei. The Department of Education and Training regional office is already based in Pietermaritzburg.

Infrastructure and Development ' .

All major road, rail and cleanliness links are with Natal. The water resources of the Umzimkhulu catchment are vital to Natal and will be best developed by Natal / KwaZulu. Timber products are marketed in Natal - markets for agricultural produce are all in Natal. All private sector goods and services come from Natal and public sector services such as road construction and maintenance, public works and building, environmental health services etc. are more cost effective, efficient and convenient from Natal / KwaZulu.

Defence, Security, Police

All these services can be more easily, more efficiently and more cost effectively be supplied from Natal / KwaZulu.

Transport, Power, Post and Communications

Transnet, Spoornet and Airline and airport services for Umzimkhulu district as well as Eskom offices which serve Umzimkhulu are already based in Natal. Post, phone and fax communication which are presently almost non-existent in the Umzimkhulu district will be greatly enhanced by linking to the Natal system. Electric Power is also supplied from the Natal Grid.

Agriculture, Water Affairs and Veterinary Services

Natal / KwaZulu based Agricultural education, extension and research services are best qualified to develop Umzimkhulu and to train Umzimkhulu farmers. The Umzimkhulu district is ecologically and bio-climatically part of Natal Region. All agricultural and forestry products find markets in Natal / KwaZulu. All catchments and water resources are part of the Natal system. The Natal Agricultural Union is already a non-racial private sector body which will welcome and assist Umzimkhulu farmers. Control of livestock diseases and the spread of rabies is best controlled by Natal based veterinary services and the Allerton Veterinary Laboratories in

Pietermaritzburg,

Regional Development and Planning

Geographically, economically and financially the Umzimkhulu district is already part of Natal /



KwaZulu. The districts' economic and regional development is much more important to Natal / KwaZulu than it is to the Eastern Cape. Natal based development agencies both public and private are better placed to serve Umzimkhulu than their equivalents in the Eastern Cape / KwaZulu.

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#### 2.10 Welfare and Pensions

These services are also best provided [from the better situated more convenient administrative centres in Natal - Private sector welfare and charitable organisations such as Child Welfare, Cancer Association, Leprosy League, Cerebral Palsy Association, Cripple Care and others all already deal with Umzimkhulu as if it is part of the Natal/KwaZulu Region.

#### 2.11 Provincial Services -

Such services, as not already mentioned above, provided by the present Provincial Administrations such as Traffic Police, Motor Licensing, Nature Conservation, would all be more efficiently, more conveniently and more cheaply be provided from headquarters in Natal / KwaZulu.

#### 2.12 Civil Society

Organisations of Civil Society based in Natal such as the Law Society, The Medical Association, The National Medical & Dental Association, Labour Unions, Sports Association, Chamber of Commerce, Professional Engineers and Accountants all already serve or are well placed to serve the Umzimkhulu district. By virtue of ease of communication and short distances this can far easier and more conveniently be done by such bodies based in Natal.

#### 2.13 Correctional & Prison Services

Such services as exist in the Umzimkhulu district are totally isolated from the rest of such services in Eastern Cape / Kei. Logically they would fit in much better with equivalent services in Natal / KwaZulu.

#### 2.14 Seat of Government ;

The Umzimkhulu district will be much more conveniently located in relationships to the future seat of regional government and all regional offices of central government. Distances to Umtata (the nearest) East London, Grahamstown and Port Elizabeth are prohibitive and would not and do not contribute to good government.

### 3. RATIONALISATION OF EXISTING STRUCTURES

The Umzimkhulu district is an island within Natal which has no physical attachment to or attraction towards Eastern Cape / Kei. The inclusion of the Umzimkhulu district in Transkei was as a result of an accident of history, colonial avarice and grand apartheid. It was not the result of rational planning and logic. The solution to the district's constitutional status is to put it back where it belongs - the Natal / KwaZulu region.

### 4. THE NECESSITY TO LIMIT COSTS

All the arguments to be found in paragraph 2 sub paragraphs 1 to 14 above essentially contribute to containment of costs through greater efficiency, easier access, shortening the lines of communication and more cost effective government. This together with cheaper service provision by both p

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private sectors makes it cconomically sensible to incorporate Umzimkhulu into Natal / KwaZu  
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#### 5. MINIMISATION OFF INCONVENIENCL TO THE PEOPLE

This criteria is the most easily satisfied of all. Every conceivable service whether government or private sector in whatever field one would like to mention. whether business or leisure, whether personal or community based is more conveniently provided from Natal / KwaZulu. The greatest single inconvenience to the people of Umzimkhulu is their forced link with Umtata. Nothing could be potentially more inconvenient than to be linked to Eastern Cape / Kei whether in one or two regions.

#### 6. DISLOCATION OF SERVICES

The Umzimkhulu district currently receives certain services from Umtata - all would be more conveniently and more easily obtained from Pietermaritzburg half the distance away. The change over need not dislocate services at all and would be welcomed by the people of Umzimkhulu.

#### 7. DEMOGRAPHIC CONSIDERATIONS

There are no serious or consequential demographic consideration which mitigate against the incorporation of Umzimkhulu into Natal / KwaZulu. On the contrary the population of Umzimkhulu is so akin to their brothers and cousins on the Natal side of the Umzimkhulu river that demographically speaking such incorporation is to be welcomed. The Umzimkhulu district has more than enough economic potential to ensure its population of a secure future so incorporation does not pose a threat to any part of Natal / KwaZulu. :

#### 8. ECONOMIC VIABILITY

The Umzimkhulu district has considerable economic potential in its own right but is neglected and under developed. All its natural economic links are however with Natal / KwaZulu and in an economic sense Umzimkhulu is totally dependant on Natal. Durban and Pietermaritzburg are the dominant economic nodes and the economic gravitation forces which influence Umzimkhulu towards Natal are overwhelming, As stated before, other than certain government services which force a link with Umtata, there is no economic interdependence with Eastern Cape / Kei whatsoever.

If natural economic forces are permitted to freely develop and if the efficiency and convenience

associated with being part of Natal / KwaZulu is given free rein then the Umzimkhulu district will have a bright economic future.

#### 9. DEVELOPMENT POTENTIAL

The Umzimkhulu district has great potential if properly developed. It is particularly rich in agriculture, forestry and water resources all of which are best developed in association with Natal. Infrastructural development is intimately linked with Natal. See Para. 2 sub paragraphs 2.5 and 2.7 on roads, telecommunications, electricity, transport and rail.

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## 10. EMPLOYMENT AND JOB OPPORTUNITIES

Residents and job seekers from Umzimkhulu all look to Natal and further North for employment. They very seldom look South to the Eastern Cape or Border. The vast majority of Umzimkhulu people in formal employment work in Natal. :

## 11. LANGUAGE AND CULTURE

The people of Umzimkhulu wish to explode the myth that they are part of a wider Xhosa cultural tradition. The facts point to exactly the opposite. The people of Umzimkhulu share the same culture, language and traditions as their cousins on the Natal side of the Umzimkhulu river.

The dominant and most populous clans in the Umzimkhulu district are the Dhlamini clan, the Zulu clan and the Sondzaba clan all of whom have direct links with clan members resident in Natal. In fact the head of the Dhlamini house is Prince Lawrence Dhlamini of the Zulu Royal House from the Highflats / St Faiths area of KwaZulu.

The language spoken in the homes of the people is Zulu. Xhosa is however enforced by the Transkei government as the medium of instruction in schools and as the language of Government. Thus the spoken language particularly of the younger people tends to be a mixture of Zulu and Xhosa.

Given free choice and natural development the language used would be Zulu.

## 12. THE POSITION OF MOUNT CURRIE (LAST GRIQUALAND)

The Umzimkhulu and Mount Currie districts are indivisible whether it be in terms of original history or whether it be economic, geographical, developmental, administrative or issues of convenience. In fact all the arguments used to plead for the inclusion of Umzimkhulu district in Natal are equally valid for the retention of the Mount Currie district in Natal / KwaZulu.

It seems clear that the only logic which persuaded the Commission to recommend the inclusion of East Griqualand (Mount Currie) into Eastern Cape was the perceived need to keep Umzimkhulu in Eastern Cape / Kei. This was largely a political decision. Based on the criteria given as terms of reference to the commission by the Negotiating Council there is not one factor amongst the ten which honestly and objectively favours the inclusion of Mount Currie in Eastern Cape / Kei.

The Commission is urged to carefully study the report of the Steyn Commission dealing with the original incorporation of East Griqualand into Natal - the facts have not changed. The Umzimkhulu people also wish to express strong support for the document prepared by the East Griqualand Regional Development Association entitled "Motivation why Last Griqualand should remain part of Natal" and it express solidarity with the views expressed therein, as well as representations made by organised Agriculture, Commerce, the Professions and the Association of Joint Service Boards for Umzimkhulu and Mount Currie to be part of Natal and KwaZulu.



### 13. RECOMMENDATIONS

The traditional leaders of the Umzimkhulu district having held in-depth meetings with all the people of the district and having received a mandate from the people therefore recommend that:+

12.1 The Umzimkhulu district currently part of the republic of Transkei be demarcated as part of the region Natal / KwaZulu. '

The Umzimkhulu district and the Mount Currie district are in every respect indivisible and every argument valid for Umzimkhulu is also valid for Mount Currie. Together these districts form the old Freetown Griqualand. y

Accordingly therefore the existing boundary between Natal KwaZulu and the main section of Transkei should be retained as the boundary between Natal / KwaZulu and the proposed Eastern Cape / Kei or Border / Kei region as the case might be. '

The people of Umzimkhulu are not opposed to other communities in Northern Transkei / Pondoland making representations that they too should be incorporated in Natal / KwaZulu. The Umzimkhulu district however has no mandate in this regard.

The commission should be aware of the marked difference of opinion between the genuine residents of the Umzimkhulu district and opinions expressed by civil servants and others who work in Umzimkhulu but who do not reside permanently in the District.

Finally, should the Commission decide to re-affirm its previous stated view that Umzimkhulu and Mount Currie be incorporated into an Eastern Cape / Kei region then the people of Umzimkhulu demand that a referendum be held to determine the wishes of the people.

The Commission is asked to pay particular attention to the arguments based on the specific terms of reference given to the Commission by the negotiating council and to note the contents of paragraph 1 b dealing with cultural, ethnic and language issues.

With reference to the statement on page 36 of the Commission's original report that the proposed Eastern Cape / Kei region exhibits an "overall regional sense of identity within the larger area" the people of Umzimkhulu state that as far as their district is concerned nothing could be further from the truth. The people of Umzimkhulu neither now, or at any time in the past, have identified in anyway whatsoever with the Eastern Cape / Kei.



14. CONCLUSION - .

The Chiefs, Headmen, Councillors and advisors of the people of Umzimkhulu have held widespread consultation with the entire population including the rural residents, the business sector, civil servants, teachers, students and the youth. The evidence presented above is mandated by the people through their leadership.

The leadership have in turn mandated the undersigned to prepare the written submission has been

approved by the leadership.

The leadership will attend the sittings of the Commission and will confirm the above statements.

Signed this day 01 September 1993,

P M MILLER / . S DADA