
STATEMENT

I, the undersigned,

GRACE MASUKU (ID 3202270260085)

do hereby state –

- 1 I am an adult female, currently a member of the Traditional Healer's Organisation and resident at Moruleng, North West Province.
- 2 The facts contained herein, save where the contrary appears, are within my own personal knowledge and to the best of my belief both true and correct.

PERSONAL BACKGROUND

- 3 I am a traditionalist, environmentalist and community worker and have received the Inyathelo Award for Lifetime Community Philanthropy in 2012 amongst a number of accolades that have been awarded to me by former President Thabo Mbeki and from the United States, honouring me for philanthropical work undertaken by me during my lifetime.

BACKGROUND TO BAKGATLA BAGAFELA :

- 4 I belong to the Bakgatla Bagafela tribe, which is Sepedi by origin, (hereinafter referred to as "the Community") and my people were forcibly removed from their ancestral land ("the land") in Pilanesberg by the Apartheid government. Since then, I have worked tirelessly to preserve the values and knowledge of my people, including establishing the Mphebato Cultural Museum in Saulspoort in the North West province.
- 5 The Community purchased the land for the first time in 1860. The title deed was held in the name of Paul Kruger at the time due to apartheid laws preventing the Community from holding land in its own name. The Community re - purchased the land for the second time in the late 1890's. The land was finally re - purchased in

1955, and the title deed was held in the name of the Community. The Community subsequently purchased various farms ("the farms"). We discovered platinum on the farms, which knowledge was unbeknown to us at the time of purchasing the farms. The Community purchased land for the sole purpose of ensuring that its people had land upon which they could build homes. The Community is comprised of approximately 400 000 people across 32 villages. As a means of ensuring the entire Community is enriched by the purchase of the land and farms, we have built schools, a cultural museum containing artefacts from surrounding villages, a stadium and various clinics. We provide bursaries to children for purposes of furthering education. In addition, we regularly assess the needs of the Community and utilise the proceeds received from various mines that lease land from the Community, in order to provide the required funding for developments that cater for the Community's needs. The procedure for this process is listed below -

- 5.1 the Community has a council of elected headmen, which form part of a tribal authority recognised under prevailing traditional legislation. The said headmen provide reports to the council regarding the needs of that particular community; and
- 5.2 the identified needs in each community are prioritised and addressed in accordance with the urgency thereof.
- 6 The Community has offices in Moruleng, which were built for purposes creating awareness around the presence of the Community and further, to encourage passer-by's to stop and enquire about the Community and current developments in the area.

MAMA GRACE'S CONCERNS:

- 7 People all over the world view South Africa as being rich in mineral resources and people are primarily concerned about mining these mineral in order to make profits. Whether or not such mining will have detrimental effects on the needs of African people and their culture is simply disregarded. The South African government should not allow this to happen.
- 8 It is interesting to note that foreign entities that invest in South Africa by means of mining its minerals, often choose to mine on land which contains the seeds of the

ancestor's spirits. In my culture, if a person wants to destroy you, they only need to destroy your roots, and thus in turn, your identity is destroyed. Without your identity, you simply have no value as a person. Once our identity is lost and our ancestors have retreated, we shall no longer enjoy protection by the ancestors as we were previously afforded. This is an extremely frightening possibility. The ancestors will surely not be pleased that their own people agreed to have sacred places destroyed, thus disturbing the ancestor's spirits.

- 9 I wish to protect the African heritage that we have inherited from our ancestors, as handed down for many generations. As an elder, we are charged with the protection of our culture and heritage. If we do not try our best to protect what remains of the culture and heritage we have left, I believe that in a few years' time, many African people will have completely abandoned their roots and heritage. South Africa will no longer be a truly African nation.

MAMA GRACE'S INSIGHT AND UNDERSTANDING OF MADIMATLE MOUNTAIN:

- 10 I believe in the sanctity of certain landscapes which house the ancestor's spirits. There are many aspects to African culture that foreigners are unable to understand. I believe that the Community were able to successfully obtain land through the process of a land claim, only with the blessings and aid of their ancestors.
- 11 I recall an experience in my recent past, where rhinos were being poached. The community of Walgevaar came together to request guidance from their ancestors. In response, the ancestors communicated that they had been removed from their land and had been looking for the people of the community for a number of years. The ancestors thought that the community members had been replaced by animals, due to the fact that the community did not inform the ancestor's that they were "moving out" of their land and further, that they were going to be replaced by animals. As such, the ancestors refused to extend protection over the rhino's. In order to seek forgiveness from the ancestors, I will, together with the Walgevaar community, arrange for a three step ritual for purposes of allowing the ancestors to rest and be at peace. The three step ritual will be conducted as follows -

- 11.1 firstly, the people of Walgevaar will be returned to their rightful place and I will deposit everybody at his/her graveyard, next to their own ancestors. On this day, we will answer any questions that the ancestors may have;
- 11.2 secondly, we will ask for forgiveness from the ancestors by means of an intimate ceremony;
- 11.3 thirdly, we will proceed to search for a sacred tree ("the tree") that was apparently destroyed by elephants and once we have located the tree, will pray at the place where the tree is found or where it was once situated. This tree is significant due to the fact that all the ancestors used to come together as one under this tree. In addition, we will cleanse the whole area and inform the ancestors about the forced removals and that it was out of our hands and further, that animals were placed on the land upon which we previously resided.
- 12 Madimatle/Meletse mountain is known to be the home of ancestor's spirits of African people that died in the Gatkop caves and on Madimatle/Meletse mountain. The place is not sacred purely because it is a mountain, but rather for its rich history.
- 13 If people conduct mining on Madimatle/Meletse mountain without first seeking permission from the ancestors, this will cause havoc. Many people, once they have been made aware of the mine's intentions to conduct mining on Madimatle/Meletse mountain, will certainly pray to the ancestors in order to seek protection for Madimatle/Meletse mountain. Ancestors are easily angered and it is probable, that the ancestors will be very angry when they learn that a mine is mining on Madimatle/Meletse mountain. Again, I re - iterate that this is very frightening as ancestors are known to commonly injure/hurt people when they are disturbed and/or angry. It will not be safe for any person or entity to mine on Madimatle/Meletse mountain.
- 14 I recall a recent incident in Moruleng, involving the building of a dam around a sacred well. When the dam was being constructed, the community informed the construction company, namely Formula 33, that it should construct the dam around the well and refrain from building near the well and entering the well, which was

located at the centre of the dam. Formula 33 ignored this advice and a strange incident occurred shortly thereafter, as described below –

- 14.1 one night whilst the dam was still being constructed, the builders brought new machinery to aid with the construction of the dam and placed the machinery next to the well. The builders had been previously warned to avoid building near the well, due to the fact that the well was a sacred place for the ancestors. The next morning, all the machinery had been dismantled into pieces; and
- 14.2 thereafter, the builders kept away from the well and constructed the dam right around the well. Once the dam was completed, Formula 33 bought a boat for purposes of entertaining tourists on the boat for a fee. The Community warned Formula 33 that this was not a good idea. However, Formula 33 proceeded with taking the tourists for a trip on the boat. Unfortunately, the boat capsized and everybody that was on the boat at the time, drowned. The dead bodies did not surface for three or four days after the tragedy.

CONCLUSION

- 15 I have always known the Madimatle mountain and Gatkop caves to be area which have always been open and accessible to all people, without any fencing, cost or rules of entry.
- 16 If Madimatle mountain and the Gatkop caves are not available for us to use for our ancestral worship and other religious and cultural practices, there is no alternative "venue" that has such meaning for us. The effect of this is that cultural and religious practices can no longer be undertaken, as this particular location is essential to their occurrence.
- 17 I did not know that entry to Madimatle mountain and Gatkop caves has been restricted due to the erection of a fence. I am upset about this because we were not consulted and we most certainly have an interest in Madimatle mountain and the Gatkop caves, as it affects our cultural belief system.
- 18 I believe that we have already witnessed the negative spiritual consequences of the closure of Madimatle mountain and Gatkop caves, as we have had terrible floods

recently in Bela - Bela, in which many lives were lost. I further believe that it is in South Africa's best interests, to protect Madimatle mountain and the Gatkop caves.

This statement was orally translated from English into Sepedi and then signed at

Moruleg on this 17 June 2014

Grace Masuku

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