

# Land reform

## Colonial pasts & democratic futures

Land ownership in South Africa still retains its colonial shape with large farms owned by white farmers while black farmers are restricted to the reserves or former bantustans. However, this can be transformed if government is committed and adopts progressive policies and amends the property clause, writes **Lungisile Ntsebeza**.

William Matjala



I've borrowed the title of this article from the concluding chapter of our edited volume with Fred Hendricks and Kirk Helliker, *The promise of land: Undoing a century of dispossession in South Africa* published by Jacana which we launched on 19 June this year, the date the notorious Natives Land Act was enforced in 1913. The title strikes me as a fitting conversation, which, in my reading of the theme, demands of us not to dwell on the past, but to look ahead – something along the lines of a vision for the future.

Apart from dividing the South African landscape into urban and rural areas, colonialism further divided the rural into commercial farms and reserves, later referred to as bantustans and homelands, with some seeking and being granted independence by their apartheid master. The situation in these former reserves can be summarised as follows. Colonialists established reserves for occupation by the indigenous people following massive and often violent dispossession of the latter's land. In 1913, legislation was promulgated restricting the



*Donkey draught power: Small scale black farmers need more resources.*

indigenous people to a mere 7% of the South African landscape. This percentage was increased to 13% in 1936: a situation that prevailed until the advent of democracy in South Africa in 1994.

The reserves were the bedrock upon which the colonial and apartheid strategies of dividing Africans into imposed 'tribes' rested under the control of imposed and compliant chiefs and headman. In terms of land tenure, most land in the rural areas of the former bantustans was and continues to be legally owned by the state, where the land rights of rural residents are restricted to rights of occupation which are not comparable with the freehold land rights held by their white counterparts in the commercial farming areas.

With respect to agriculture, while massive amounts of subsidies were poured in by the state to prop up white-

dominated commercial agriculture, very little was invested in the development of agriculture and rural development in the former reserves/bantustans. Indeed, active steps were taken to discourage the rise of a class of black farmers that was emerging in the 19th and early part of the 20th centuries. Efforts on the part of these aspirant African farmers to get freehold title deeds were thwarted in the run up to the establishment of the Union of South Africa in 1910. By this time, colonialists had resolved that the role of the reserves would be primarily that of a source of cheap labour to boost commercial agriculture and the development of a racialised form of capitalism in South Africa that was sparked by the mineral industry, particularly gold in the latter part of the 19th century.

This was by and large the situation at the dawn of our democracy in 1994 and not

much has changed. South Africa continues to be marked by the presence of powerful white rural landowners. The fundamental land problem remains the unequal division of land between blacks and whites. Post-1994 plans to deal with the deep inequality have been spectacularly unsuccessful. All the efforts of state policy in the almost two decades since the demise of apartheid are either inappropriate or inadequate. This is despite the mounting challenges facing the country in respect of land. In as much as the cities continue to represent colonial and apartheid divides, the country as a whole remains spatially divided between the white claimed commercial agricultural areas and the bantustans. The apartheid and colonial past continues to cast a long shadow on democratic South Africa and the resultant inequalities are our major concerns.



### WHERE TO FROM HERE?

One of the challenges that any democratic regime faces in South Africa is how to mesh the former reserves/bantustans with the rest of the country and create a unitary approach in respect of land tenure and citizenship across the country. The enduring dualism between white commercial agriculture on freehold land and black small-scale poorly-resourced farming in the communal areas, continues to hamper progress. One of the major challenges is how to break down this dualism in order to integrate the two areas into a coherent agricultural sector. Only a thoroughgoing transformation of the land tenure and local government systems will allow for these areas to realise their underutilised economic potential.

The starting point must be an acknowledgement and recognition that, as already indicated, the former bantustans were established as part of a divide-and-rule strategy to control the indigenous majority and to advance a racialised form of capitalist development. It is hard to imagine an emancipatory project in South Africa that would not make the dismantlement of the former reserves/bantustans its priority. Yet, available evidence shows that the African National Congress (ANC)-led government is not committed to dismantling the former bantustans. On the contrary, there is a perpetuation of this system at both the level of land tenure and governance.

The resolution of the land question by means of radical land redistribution is a necessity for dismantling the former bantustans. The challenging question is how this can be done, particularly given the continued dominance of neo-liberal capitalism at a global level. At the country level, the property clause in the South African Constitution imposes severe constraints to radical land reform.

Be that as it may, I would argue that there is room for manoeuvre. In the short term, expropriation, with compensation, of historically and currently white claimed agricultural land, which is provided for in section 25 of the South African Constitution, is an option around which a civil society-led campaign can be organised alongside a campaign for the amendment of the property clause in the Constitution. A concern that is often raised whenever

be no need to compensate farmers that are in debt. As far as those farms that are under-utilised are concerned, they would be bought, with reconciliation as the guiding principle rather than the dictates of the 'market', including holding back unused land for speculation.

Expropriated land would be used to address land hunger primarily in the former bantustans and for the benefit of farm workers and farm dwellers. With regard to the former bantustans, priority



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*Water is one of the resources needed by small scale farmers.*

the land question in South Africa comes up is that the productive capacity of agriculture will be endangered. But this concern does not take into account the reality that not all of the agricultural land is under production. In this regard, the initial drive would be to target and expropriate unused and under-utilised farms, as well as farms that are in debt. Under these circumstances, expropriation may well lead to an increase in production. With regard to the thorny issue of compensation, there would, in the first instance,

should be given to those who have demonstrated commitment to a land-based lifestyle and are growing crops and fruit in the gardens of their residential plots and keeping stock. Crucially, these individuals should be organised into producer cooperatives in order to avoid monopoly of land by a few individuals. In keeping with the principle of discouraging land monopoly, those who are in possession of fields for cultivation should not be prioritised. They should be given a choice of either holding to their land, or, if they

want new land, of 'trading' their fields and becoming members of cooperatives in the redistributed land.

With less congestion especially in terms of livestock, conditions will be created for the state to promote small-holders inside the former bantustans. The small-scale producers would comprise those who have a residential plot and field for cultivation. These producers should be supported by the state to embark on agricultural production. With growing numbers of stock taken away to new land, grazing land should be decongested, which should make it possible for the quality of the livestock of the small-scale producers to improve.

The most critical support would be the improvement of infrastructure, for example, fencing, water and roads, and encouraging reversion to multi-growing, inter-cropping and organic farming. This would signal agrarian transformation in the former bantustans, where production for the home market and the building of the local economy would be a priority. This would be a bottom-up approach to development where production for export would be lowest on the agenda.

The migration to urban areas does not happen in one direction. There is a tendency on the part of rural residents to move between rural and urban. This is the case too with respect to the beneficiaries of the existing land reform programme, who retain their land and links in the communal areas. There are good reasons why people do not want to abandon their homesteads in the communal area. Beneficiaries argue that the residential land holding in the communal area is a family home, where social services, such as schools and clinics, are available and where cultural activities, rituals and burials take

place. However, for professionals and migrant workers, the former bantustans are becoming places to build holiday and retirement homes.

The most challenging issue in a discussion of the future of the bantustans is what becomes of those who are unemployed and have no interest in making a living out of land. Most of these people cannot in any serious manner be regarded as an industrial reserve army, but as a surplus population that neo-liberal capitalism is not interested in absorbing. It is hard to think of how to deal with this category of rural residents in the short term. But there are possibilities. One such possibility is that some of them will, as has happened in Brazil and Zimbabwe, be drawn into pursuing land-based activities and join producer cooperatives, especially if the latter become successful.

Activities on the newly acquired farms and on the land of small-scale producers might generate job opportunities, even if only on a seasonal basis. Migrant workers and professionals who build houses in the countryside also create domestic type job opportunities. Finally, a successful agrarian transformation is most likely to lead to the development of non-agricultural activities to support the farming communities. These could be in the form of electrical, mechanical and plumbing activities and processing, requiring levels of retraining and reskilling.

The focus on urban areas, which has characterised South African scholarship since the 1970s, has created a gap in our scholarship that needs immediate attention. The assumption that the importance of the countryside will gradually diminish is clearly inaccurate. Scholars know very little about the everyday lives of people living in the countryside, either on farms or in the former

bantustans. Detailed, in-depth research on the countryside thus becomes a precondition for an overhaul of the former bantustans. Linked to this is research on the state of agriculture in South Africa, the main purpose of which would be to identify un- and under-utilised farms, as well as those which are in debt. As indicated above, it is these farms that should be targeted for expropriation so as to put them into production.

## CONCLUSION

Such changes to the South African countryside clearly involve radical agrarian restructuring and might be seen as based on some kind of utopian thinking. But unless such visionary thinking is pursued, the countryside will remain in the hands of white agricultural capital (with all the negative consequences which go with this).

An entirely different approach is required if democracy is to survive in South Africa. There is no magic solution, nor is there any predetermined path to follow. What seems clear though is that as long as black agriculture is confined to the former reserves and white agriculture continues to dominate the commercial farming landscape, the major challenge facing the country of how to integrate these two segregated territories into a unitary geographic, political, social and economic order will continue to haunt us.

In essence, we are dealing with a colonial situation and nothing short of thoroughgoing decolonisation will open up the possibilities for a durable solution. ■

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