

ECONOMIC APARTHEID LIVES ON

South Africa's lands must be shared

The return of land to black South Africans, 'expropriation without compensation', is once again a crucial issue for the government. There have been proposals for transfers, and a few actual transfers, for 25 years, but now there is strong pressure, with threats of action, from the radical left

Cédric Gouverneur | Translated by George Miller



Loaded: livestock feed is readied for shipping on the Ehlerskroon farm in Mpumalanga province

ASHANTYTOWN of cob and corrugated iron has grown up between the sugar cane and elegant homes in the fertile countryside of KwaZulu-Natal. The families who live there work for Afrikaner farmers for 1,500-3,000 rand (\$100-200) a month, less than the minimum salary, which has been 3,500 rand (\$240) since this January. Most are Zulus, though there are also some Xhosa from neighbouring Eastern Cape province who followed their employer to Natal in 1981.

The landowner retired in 2016 and sold his property to another white farmer. 'And that one wants us to leave,' said David T, a Zulu. The new owner and his lawyer 'offered 50,000 rand [\$3,400] to each family to leave. Only two have accepted so far.' Later the new owner threatened to knock their homes down. 'This is our place,' David said. 'Our ancestors are buried here.' He pointed to a graveyard. 'We don't have access: the white farmer forbids it. He removed the crosses.'

There is no running water; twice weekly a municipal truck replenishes a tank. A mobile health unit visits periodically. Why do they stay? 'Where else could we go? To a township, controlled by gangs?' asked Boniswa B, a Xhosa grandmother. 'We would have even less rights than here. We've been here for 40 years. We have rights here.' Children have to travel to school in a taxi. Boniswa said, 'The ANC [the ruling African National Congress] promised a school bus just before the election. We take a taxi to Howick to go shopping [20km away]. Sometimes we hitchhike.'

Some seasonal workers paid with food

Almost 75% of the 37 million hectares of privately owned land in South Africa belongs to whites, according to a government audit.¹ 30,000 commercial farms employ around 840,000 workers.² Laurel Oettle, director of the Association for Rural Advancement, based in Pietermaritzburg, which has supported black agricultural workers since 1979, said, 'Seasonal workers have had no income for months. Some are still paid with food.' Oettle, who is white, also promotes gender equality: 'Sexual abuses are numerous. There are many conflicts over access to ancestors' graves.' The mechanisation of agriculture has made the situation worse, according to Professor Ben Cousins of the University of the Western Cape: 'There was one worker per hectare in 1994, but nowadays only one per two hectares.'

Land seizures began as soon as Boer colonists arrived in the 17th century, and were institutionalised after the second Boer war (1899-1902), when the two sides were reconciled and joined in exploiting the black population, later becoming comrades-in-arms in the first world war.³ The 1913 Natives Land Act limited the property rights of the indigenous population to 7% of the territory (extended to 13% in 1936), dispossessing four million people. 'The trick was to obtain a cheap labour force,' said Tseliso Thipanyane, head of the South African Human Rights Commission. 'Black farm-owners were forced to become tenants or miners. My family was from Kroonstad [Orange Free State]; they were evicted from their land. Imagine how we feel when we drive across the country and see all these lands.'

In 1912 the ANC was set up partly in response to the Natives Land Act, which was then being debated, among other discriminatory measures that included reserving certain mining sector jobs for whites. In 1955 the ANC's core principles, set out in the Freedom Charter, included the demand that 'the land shall be shared among all those who work it'. But by the 1990s the ANC, like many other political parties, had swapped socialism for neoliberalism to secure the goodwill of international financial institutions and reach a compromise with the last president of the apartheid era, FW De Klerk.

My family was from Kroonstad; they were evicted from their land. Imagine how we feel when we drive across the country and see all these lands

Tseliso Thipanyane

In 1996 the government promised to redistribute 30% of land within five years on a voluntary basis. The Labour Tenants Act of 1996 and the Extension of Security of Tenure Act of 1997 were supposed to protect tenants from eviction and enable them to claim some of the land they lived on. But because of neoliberalism's attachment to private property, these laws had their limits: in 2006 only 3.1% of the 87 million hectares concerned had been redistributed.⁴ In 2009 Jacob Zuma's government⁵ prioritised the issue and created the Department of Rural Development and Land Reform, but the sums allocated to it have never reached 1% of the national budget.

'Elite capture'

Claimants must submit an application for a specific piece of land and then clear bureaucratic hurdles involving five different agencies before their claim can be accepted and a landowner's compensation price set by the state. Without a fixed price per hectare, this case-by-case approach makes the process prone to corruption and cronyism. Professor Ruth Hall of the University of the Western Cape calls it 'elite capture': 'In many cases, transfers of lands were not achieved in the interests of the people in need, but those of well-connected people.'

In December 2017 the ANC passed a resolution demanding expropriation without compensation (EWC). Urged on by supporters of President

Zuma, who was forced to stand down in February 2018, this resolution aimed to curb the growing support for the far-left Economic Freedom Fighters (EFF) and limit the room for manoeuvre of the new president, Cyril Ramaphosa.

The private sector was at first reassured by Ramaphosa's attitude. 'Zuma's faction within the ANC wants to implement EWC, but the president will do it as lightly as possible,' said John Purchase, CEO of Agbiz, South Africa's agricultural business chamber, in January. Agbiz members include cooperatives as well as banks and agri-food giants. But as the May 2019 general election approached, the president took a more robust stance: in March at Ebenhaeser, Western Cape, he officially restituted 1,566 hectares to the Khoi and Griqua communities dispossessed in the 1920s. Their compensation claim had taken two decades and cost the state 362m rand (\$25m). Ramaphosa said that 'the restitution of land to its rightful owners, its time is now' and warned white farmers, 'This is a programme you cannot stop, that you cannot resist. Please come work with us. This is land that we must all share.' Acknowledging that corruption had affected previous land claims, he added, 'We must be able to account for every cent.'

According to Ben Cousins, 'In 22 years, land reform has barely altered the agrarian structure of South Africa and has had only minor impacts on rural livelihoods. Around 8-9% of farmland has been transferred through restitution and redistribution, and many settled restitution claims have not been fully implemented.'⁸ Political will is lacking: once in power, demographic logic meant the ANC was unlikely to be unseated, so it has shown little interest in the rural poor and has focused on the growing black urban middle class.

The agrarian question comes around with each electoral cycle, but it is currently very evident because of the advance of the radical black nationalist left, which supports nationalisation and whose rhetoric is vehemently anti-white. The EFF, founded in 2013 by Julius Malema, former head of the ANC's youth league, is South Africa's third-largest political party; it won 44 seats in the May 2019 election, up from 25. The ANC holds 230 out of 400 seats, the centre-right Democratic Alliance 84, the Inkatha Freedom Party (IFP) 14, and the white conservative Freedom Front Plus (FF+) 10. In 2016 former EFF parliamentarian Andile Mngxitama launched an even more radical movement, Black First Land First (BLF).

'If our land is taken, we'll leave'

Tensions within the ANC add more pressure. In December 2017 Zuma cynically provoked hatred against white farmers to divert attention from his own corruption scandal, and hired a British PR firm to flood social networks with the hashtag #WhiteMonopolyCapital. Rossouw Cillie, a South African farmer, said, 'No one knows what the government will do. If our land is taken, we won't stay, we will leave. Many South Africans have moved to Australia since 1994.' He has 700 full-time workers and a thousand more seasonal workers, and says 'they are worried too.'

Cillie, a descendant of French Huguenots who arrived in the 17th century, owns the Laastedrif estate (seven farms, around 20,000 hectares) producing fruit and vegetables for the domestic and export markets. He told me, 'If you take out intellectual capital, everything collapses. Look at Zimbabwe.' After the late President Robert Mugabe awarded white-owned farms in Zimbabwe to veterans of the war of independence and those with links to the regime, production collapsed and hyperinflation set in. Most farms soon went bust. Farmers and the authorities in South Africa use this as a deterrent, and an argument for keeping tenants in inequality.

Implementing EWC will entail amending section 25 of the 1996 constitution, which prevents

the state expropriating property for the public good without 'just and equitable' compensation. Such an amendment requires a two-thirds majority in parliament, and therefore the support of Julius Malema's EFF. 'The ANC have no choice,' said Ruth Hall. 'They have sat on this problem for 25 years; now they are forced to address it.'

Annelize Crosby, policy head at Agri SA in Pretoria, whose members include the largest agricultural exporters, said, 'It's bad to undermine fundamental rights and modify the constitution just for electoral gain.' She emphasised that 25 years of broken promises have dangerously fuelled discontent. 'We have to address the problem or we will face land invasions. So we fully support a land reform.'

'Investment is decreasing'

Agri SA opposes EWC and would prefer to see public-private partnerships: neoliberals love these though they have proved costly and ineffective. South African landowners, already facing one of the worst droughts in their history,⁹ fear that EWC will have further damaging effects on their businesses. Even if the most fertile land is not involved – Ramaphosa has excluded it to protect food security – macro-farms (15%) produce 80% of South Africa's food, and targeting them will have an impact on food security and the value chain. Agri SA fears knock-on effects, with lower land prices leading to reduced production, higher food prices and banks recalculating loan risks, pushing up interest rates. Crosby said, 'Uncertainty already has an impact: investment is decreasing in that sector.'

Though Ramaphosa hopes to attract \$100bn in foreign direct investment over the next five years, the economy has been slowing since 2013. 'Confidence is at its lowest for 10 years,' said John Purchase of Agbiz; there are uncertainties not only over the land, but also over the drought and even Brexit. 'South Africans prefer to invest in Zambia. If even locals do not invest in the country, why should foreign investors? Farmers' debt is now over 200bn rand [\$13.7bn]; 77% of that debt is the value of the land.' He thinks by reducing its value, EWC could undermine the South African banking system.

Mngxitama of the BLF met me in a house in a comfortable Pretoria suburb; the gates stood open, the swimming pool was empty, and the water and electricity were turned off. He explained, 'The Boer owner of this house moved abroad three years ago, so we took the opportunity to occupy the place.' (The BLF is putting its slogan, 'White Monopoly Capital, we are coming for you!' into practice.) 'I grew up on a Boer farm. When I was 12, the white farmer ran after me with a stick because I refused to call him *baas* [boss]. I left the

EFF because they went rightwing. That EWC is a joke; Ramaphosa says they will expropriate only unused lands. It's not real expropriation, just a rhetorical trick to win votes without compensation, so the elite's project can continue.'

He dismissed the suggestion that expropriation will lead to a crisis: 'Don't talk to black people about economic Armageddon [in the event of EWC]: we already live in a permanent economic Armageddon.' A few days after this interview, a BLF spokesman caused outrage by mocking on Twitter the deaths of four white children when their school collapsed.¹⁰

An emotional issue

'Land is an emotional issue,' said Professor William Gumede of the University of Witwatersrand in Johannesburg, executive director of the Democracy Works Foundation thinktank. He is critical of those who risk damaging commercial agriculture for the sake of justice for ancestors deprived of their land. 'I take the land of this white farmer. I get my revenge. And then I will be hungry because we will need to import food.' Neo Masithela, president of the powerful African Farmers' Association of South Africa, with 300,000 members, favours EWC and is working with the authorities on implementation. He told me, 'South Africa is not Zimbabwe, South Africa is a democracy under the rule of law. The land issue is a ticking bomb.' He is adamant that EWC will be carried out within the law, without illegal occupations. The situation will be under control. We will avoid panic and capital flight, as we did in '94 [during the democratic transition].'

Another factor complicates the situation: what to do about the Zulu lands. Between 1986 and 1994, violence between the ANC and the IFP (led by Prince Mangosuthu Buthelezi, chief of KwaZulu Bantustan and ally of the apartheid regime) killed thousands. Three days before the first multi-racial elections in April 1994, the Zulu king, Buthelezi's nephew Goodwill Zwelithini kaBhekuzulu secured the creation of the Ingonyama Trust, run by the Ingonyama Trust Board (ITB).

The ITB manages a 2.8 million-hectare territory that is home to 4.5 million people. People told me of many abuses. In a tiny settlement near Ulundi in Inkatha territory, where seven families live without electricity or water, Thokozani Ndawo told me that his family worked for Boer farmers under apartheid and were forcibly evicted. In 1997, when they were about to reclaim their land, the ITB appropriated it and set up a nature reserve without consultation.

'They threatened us with lions'

His cattle now share the land with wildlife introduced by the trust. 'They introduced pythons. They even threatened to introduce lions. But we were born here. If we moved, we could not claim any land rights in a new place. We have stronger rights here than in any other place.' His situation is like that of white tenant farmers: 'We fully support EWC because we are the legitimate owners of this land.'

Retired police officer Bongani Zikhali signed over his family land to the ITB at the insistence of his village's traditional chief. 'I thought [the trust] was for our king and for tribal affairs.' The trust then demanded annual rent of 3,000 rand (\$200). Zikhali said only fear makes Zulus pay. Edward Mpeko owned a lodge on the coast, but after a dispute with the local chief his property was ransacked: 'The ITB wanted my business. And I am not Zulu, but Sotho.' The court found in his favour, but he got no compensation.

Near Eshowe, residents described having to defend their land, which had been signed over to an Indian mining group without local consultation: land is supposed to belong to the community, but in fact the chief makes the decisions. One resident spoke admiringly of the French revolution.

The Ingonyama Trust, based in Pietermaritzburg, did not respond to my interview requests. In 2017, after dozens of similar reports from witnesses, a commission of inquiry led by Kgalema Motlanthe, South Africa's president 2008-09, declared the Ingonyama Trust Act unconstitutional and recommended its dissolution. Inkatha, whose activists often demonstrate armed with spears, responded with threats. King Zwelithini said, 'Some close to me were ready for war, but I said no, the government doesn't know how many fires I have to put out in this nation that is ready to burst into flames.'¹¹

An expert who requested anonymity for his safety told me, 'The government won't dismantle this medieval trust, this state-within-the-state, because they don't want civil war.' The creation of the trust was part of the great compromise of 1994. For the same reason, the state tolerates Orania and Vanderkloof, autonomous enclaves that are home to heavily armed Boer extremists nostalgic for the apartheid era.¹² Zwelithini has received support from AfriForum, a Boer rights defence organisation which claims it has 200,000 members. Its president, Ernst Roets, says 'We have a common stance against EWC.' Ruth Hall is not surprised at this alliance: 'AfriForum and the Zulu king are both conservative; and they have no regard for people's individual rights' ●

South Africans prefer to invest in Zambia. If even locals do not invest in the country, why should foreign investors?

John Purchase

¹ Land audit report 2017, Department of Rural Development and Land Reform, Pretoria, 5 February 2018. ² Ben Cousins, Amelia Genis and Jeanette Clarke, 'The potential of agriculture and land reform to create jobs', Institute for Poverty, Land and Agrarian Studies (PLAAS), University of the Western Cape, Cape Town, October 2018. ³ Martin Bossenbroek, *The Boer War*, Seven Stories Press, New York, 2018. ⁴ Ward Anseu and Chris Alden, 'From Freedom Charter to cautious land reform – Politics of land in South Africa', University of Pretoria, October 2011. ⁵ See Sabine Cessou, 'Ramaphosa at last in power', *Le Monde Diplomatique*, English edition, March 2018. ⁶ Ruth Hall and Tembela Kepe, 'Elite capture and state neglect: new evidence on South Africa's land reform', *Review of African Political Economy*, Cape Town, 2017. ⁷ Thabo Mokone, 'Land reform can no longer be resisted – Ramaphosa', *Sunday Times*, Johannesburg, 23 March 2019. ⁸ Ben Cousins, 'Land reform in South Africa is sinking', PLAAS, for the Nelson Mandela Foundation, May 2016. ⁹ In Cape province, this drought may have reduced agricultural output by 20% and cost the economy 5.9bn rand (\$400m) (Bureau for Food and Agricultural Policies). ¹⁰ Iwan Pijoes, 'BLF to be reported to Human Rights Commission over racist Hoerskool Drieheek remarks', *Sunday Times*, 3 February 2019. ¹¹ Iwande Bhehenu, 'Zulu King says he prevented war over legal action against Ingonyama Trust', *Sunday Times*, Johannesburg, 14 March 2019. ¹² James Pogue, 'The myth of white genocide', *Harper's Magazine*, New York, March 2019.

On the land: women plant lettuce on leased farmland on the Cape Flats, Cape Town

