GEOGRAPHIES OF LAND RESTITUTION IN NORTHERN LIMPOPO:
PLACE, TERRITORY, AND CLASS

Dissertation

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ABSTRACT

This dissertation is concerned with the politics and geography of land restitution in northern Limpopo province, South Africa. Restitution is one of three main elements in South Africa’s land reform program, which began in the mid 1990s and is still ongoing. There is a dearth of research on how the government has pursued restitution in northern Limpopo. Little is known about how claims for restitution have been completed; how and why those involved – ranging from white farmers and restitution claimants to government officials – have negotiated the program; or what will be the outcomes of restitution in the research area. Geographers, moreover, have contributed very little to the literature on restitution as a whole.

Using qualitative research methods conducted during nine months of fieldwork in northern Limpopo, and examining the program with concepts of place, territory and class in mind, this dissertation addresses some of the shortcomings of the restitution literature. It details three main findings. First, that the government has pursued imaginative, innovative, yet ultimately authoritarian solutions to the challenge of transferring expensive commercial farmland to the rightful owners. The government has drawn upon
the resources and technical expertise of white-owned agribusinesses, whose interest in
restitution, although still unclear, is certainly driven by a desire to profit from the
situation. Second, that many of the white farmers opposing restitution by refusing to sell
their farms, do so as a direct result of their class position; that is, as members of the petty
bourgeois, they experience restitution differently from the agribusinesses allied with the
government. They construct essentialist, racist spatial imaginaries to defend their interests
in staying on the land; explain that restitution is doomed to fail; and affect the overall
process by standing in the way of the government’s plan. Third, members of one of the
‘communities’ claiming land in the area are far from united about how they intend to
share the windfall from restitution. The Ravele claimants are scattered geographically,
which has made their involvement in the political process difficult, and which appears to
mean they will struggle to access their share of the income from restitution.
Dedicated to my parents and to my brother, Gordon Fraser.
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The following dissertation could not have been completed without the loving encouragement of my family. My brother, Gordon Fraser, deserves particular credit for shaping my thinking; I will never approach the ‘organic’ intellectual heights he has reached.

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Of course, I alone am responsible for any errors in what follows.
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CHAPTER 1

INTRODUCTION

1.1 OVERVIEW OF THE RESEARCH

South Africa’s program of land reform is a response to a highly unequal distribution of land along racial lines and an attempt to redress the injustices of forced removals and other dispossessions. Underlining the sheer magnitude of the injustice, whites own over eighty-five percent of the land. The government has set a goal of redistributing thirty percent of total agricultural land by 2014. Two main land reform programs are intended to meet this target.

1 I say ‘main’ because part of the program is aimed at transforming communal tenure systems in the former Bantustans / homelands that were constructed and enforced by pre- and apartheid-era laws; and extending security of tenure to blacks living or working on white-owned farms. Tenure reform has progressed slowly and has been criticized for leading to hundreds of thousands of evictions of blacks from white-owned farms by farmers concerned about having to provide security of tenure. In the former homelands, too, tenure reform has failed to alter very much: millions of Africans, possibly as many as 14 million (Walker, 2003), continue to live under the rule of traditional leaders in the former homeland areas.
The first of these is redistribution. This has had two phases. An initial Settlement/Land Acquisition Grants (SLAG) scheme was aimed at assisting poor households to acquire land via the provision of grants for land acquisition (Hall, 2004). An income ceiling (a monthly household income of R1 500) was intended to ensure that only the poorest people benefited. It was not as successful as the government had hoped, partly because too few potential beneficiaries overcame barriers to participation such as the up-front costs of applying or even the difficulties in knowing how to apply (Zimmerman, 2000). This initial program was amended in the late 1990s and eventually replaced by the Land Redistribution for Agricultural Development (LRAD) program. LRAD targets emergent black commercial farmers rather than the very poor, which has led to criticism from pro-land reform scholars and activists (e.g. see Lahiff, 2001: 5). Neither program has been very successful in altering the distribution of land in South Africa; only 1.3 million hectares of land (or just under 1.5 per cent of the total agricultural land) had been redistributed by July 2005 (Umhlaba Wethu, November 2005).

The second main land reform program is restitution. The Restitution of Land Rights Act 22 of 1994 “gives effect to the constitutional provision that people unfairly dispossessed after 1913 are entitled either to restitution of that property or to compensation” (Hall, 2004: 12). Almost 80,000 claims for restitution were lodged with the Commission on the Restitution of Land Rights, which was established by the Act to “solicit and investigate claims for restitution and to prepare them for settlement” (ibid.). If progress in restitution is measured in terms of the number of claims settled, the pace of
delivery has increased dramatically in recent years. According to Hall, “By the end of August 2004, a cumulative total of 56 650 claims had been settled, resulting in the transfer of 810 292ha of land (just under 1% of all agricultural land in the country) at a cost of abut R1.5 billion”\(^2\) (ibid p.13). Yet, given that “R2.5 billion had been paid out or promised to claimants as cash or other forms of compensation”, and that only 36% of claims have been settled with land (Hall, 2004: 13), restitution has made only very limited strides in undoing the racialized character of land ownership in South Africa.

However, there are now signs that land transfers under restitution are increasingly on the government’s agenda; the 2005 National Budget, for example, allocated greatly increased amounts to restitution over the coming three-year period: R2.71bn in 2005/06, or an increase of 134%, R3.69bn in 2006/07 and R3.83bn in 2007/08 (Umhlaba Wethu, 2005). Although it remains unclear whether a higher proportion of claims will be settled with land, signs are that the government is intending that that should be the case. Before discussing how my research has investigated land reform, I briefly describe how land reform was designed.

### 1.1.2 Designing the land reform agenda

It was far from clear what form land reform would take when constitutional negotiations between the outgoing whites-only government and the ANC began in 1992 (Walker, 2005). Although many in the liberation movement supported a radical land reform program involving widespread expropriation of white-owned land, agreeing to such a

\(^2\) US$1 = approximately R6.2.
scenario was politically unacceptable for the National Party, which “spoke for both rural and urban propertied classes” (ibid. p.813) in the negotiations process. A compromise over the land issue became even more likely as negotiations proceeded and as the ANC “turned its attention from fighting a liberation struggle towards fashioning substantive economic policies” (ibid. p.812). As Patrick Bond (2000) has noted, the ANC needed, and was beginning to receive, support from domestic capital and from international lenders, to which group the late apartheid state was heavily indebted, and to which the ANC would have to repay much of the apartheid debt. A radical land reform agenda, which obviously was not in the interests of domestic capital, nor the sort of policy lenders and their watchdogs were likely to support, therefore dropped off the ANC’s negotiating agenda. Land reform was never going to get in the way of the more important negotiations in which the ANC was involved; land therefore “became an issue for strategic compromise [between the NP and ANC] early on” in the constitutional negotiations (Walker, 2005: 812).

Although a radical land reform was out of the question, ANC negotiators strongly pursued a restitution program, against the wishes of the NP. The issue was not resolved until quite late in the negotiations, by which time the NP was “prepared to negotiate a trade-off between a land claims process for those who had lost formal land rights in the past and guarantees for existing property rights (Walker, 2005: 813). Restitution was on the cards. Even still, mechanisms towards achieving restitution had to be worked out.
One issue was the cutoff date for restitution claims. A “pragmatic but appropriate
cutoff point of 1913” (Walker, 2004: 3) – ‘pragmatic’ because documenting earlier
dispossessions would prove difficult at best – was eventually selected, even though
“extensive dispossession had already taken place by then” (Hall, 2003: 4). Another issue
was the process of adjudicating land claims. The Land Claims Working Group (LCWG),
which consisted of individuals from NGOs and some of their lawyers, initially
recommended a “rights-driven, court-overseen” (Walker, 2005: 814) process. The NP
adopted this proposal, even as the LCWG realized it would favor landowners rather than
claimants. The NP succeeded in having claims adjudicated in the Land Claims Court until
a 1998 review of the land reform process recommended “an administrative route for
settling uncontested claims” (Walker, 2005: 817).

Then there was the issue of compensation for landowners. As noted above,
expropriation was not possible. The state therefore had to provide some level of
compensation. The 1993 Interim Constitution, which protected private property rights,
made “provision for land expropriation for undefined ‘public purposes’, subject to the
payment of ‘just and equitable compensation’” (Walker, 2005: 815). Market value and
other considerations would determine what was ‘just and equitable’ compensation. Land
reform was not included in the public interest until the 1996 Constitution was enacted.
Although this gave the state a green light to embark upon an expropriation program and
advance land reform, it steered well clear of that option. Rather, the government
published the White Paper on South African Land Policy in 1997, which stated that land
policy would not follow expropriation except in exceptional circumstances. It noted that:
“The government is committed to a land reform programme that will take place on a willing-seller willing-buyer basis where possible. However, where this is not possible, the state must be able to expropriate land required in the public interest. The new Bill of Rights expressly recognises that the public interest includes ‘the nation's commitment to land reform’” (DLA, 1997).

This was the first time the government mentioned its commitment to the willing-seller willing-buyer (WSWB) principle (Lahiff, 2005), although the concept “entered the discourse around land reform in South Africa gradually during the period 1993-1996” (Lahiff, 2005: 1). The White Paper justified this commitment in the following way:

“There are those who demand that land should be taken from those who have too much of it and that it should be distributed free to the landless. They favour drastic state intervention to redistribute land. There are others who insist that land should be allocated only to those who can prove that they can use it productively and that, in any case, private land is sacrosanct and land should only be transferred on the basis of willing-buyer and willing-seller. Government has studied the above arguments, as well as attempts at land reform in other countries. The challenge is to find a way of redistributing land to the needy, and at the same time maintaining public confidence in the land market” (DLA, 1997).

Thus land acquisition under restitution and other land reform programs was destined to occur under the terms of a principle, which “fully protects the interests of existing landowners, as it neither compels them to sell against their will nor at a price with which they are not fully satisfied” (Lahiff, 2005: 2). Although the WSWB principle has maintained confidence in the land market, it has “granted enormous power [no doubt far beyond what the NP anticipated during the negotiations] to landowners to influence the pace and direction of land in South Africa, tantamount to a veto over the land reform process” (ibid.). Its adoption by the ANC has clearly and fundamentally shaped the
present configuration of forces; a configuration, moreover, that I have been researching for this dissertation. I now turn to introduce the area of South Africa in which I conducted the research.

1.1.3 Restitution in Northern Limpopo

One area of the country in which numerous claims for restitution have been lodged and yet remain largely unsettled is in the far north of Limpopo province (see Figure 1.1). Limpopo province has a population of 5.635 million people (Statistics South Africa, 2005a); almost half of the labor force of around 1.3m people is unemployed. Just over 3 000 white farmers own farms outside of the densely populated former homeland areas; they employ around 75 000 workers (Statistics South Africa, 2005b).

Many of these white-owned farms are subject to claims for restitution. According to Hall (2004), 5 809 restitution claims for land in Limpopo were lodged by 1998. Of these, around two thousand remain unsettled, which reflects: resistance by white farmers who refuse to sell the land in question to the government; the caution with which provincial government officials have approached land restitution; and more general problems in delivery. The slow pace has been frustrating for all involved: while claimants obviously want and deserve to have their land back as soon as possible, white farmers have had to operate under quite severe uncertainty. It has been especially

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3 Hall (2004) has highlighted problems of retaining staff, weak institutional capacity, and limited budgets that help explain the slow pace of delivery. Personal interviews conducted by the author with government officials in Limpopo also raised issues of caution about transferring land without requisite planning.
frustrating for the small number of farmers prepared to sell, who would like to see the process, as it affects them, brought to fruition so that they can take their money and get on with their lives.

Figure 1.1: Limpopo province, South Africa
My research was primarily interested in restitution claims lodged by people (or their descendants) dispossessed from 1913 onwards of their land in the vicinity of the Soutpansberg Mountains (see Figure 1.2). Restitution is an issue of significant magnitude in northern Limpopo. It raises questions about: the history of European settlement and African dispossession; who have rights to land, even rights to remain in South Africa; the future of commercial agriculture, which is a major source of employment in the area; and the government’s capacity to deliver change. Conducting research on restitution, then, and as I discuss again below, required a fair degree of sensitivity.
Figure 1.2: The fieldwork area
Most of the claims for restitution refer to land on which white farmers, with far-reaching assistance from successive whites-only governments, have created profitable, intensive, export-oriented farm businesses. A case in point is the group of claims for restitution of land in Levubu, an export-oriented agricultural area of around 10,000 hectares, which employs thousands of workers and for which purchases of supplies and equipment contribute to the economies of nearby towns such as Makhado and Thohoyandou. The government has recognized the validity of seven claims for restitution in Levubu, yet it has been hesitant about settling them and directly transferring the land to the claimants without attaching far-reaching conditions. A major source of the government’s hesitance is the fear that claimants lack the skills and know-how to manage the land and maintain commercial, agricultural enterprises. Experience elsewhere in South Africa, including in Limpopo, has shown that direct transfers without sufficient ‘post-settlement support’ (Jacobs, 2003; Hall, 2004) or ‘after-care’ (Deininger, 1999) can lead to restitution failures that are a source of embarrassment to the government as well as a threat to its visions for development.

The government’s ‘solution’ to this problem in Levubu has been to privatize post-settlement by brokering deals between agribusinesses and claimants that will lead to fifteen-year ‘strategic partnerships’. How these partnership arrangements have emerged,

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4 Bradstock (2004) noted, for example, that “while land reform groups have individuals who have worked on white commercial farms the majority of members have no theoretical or practical knowledge of farming” (p.1); that apartheid denied beneficiaries opportunities to attain skills requisite to intensive commercial agriculture almost goes without saying.
what they entail, and what they mean for the land reform program as a whole is an issue with which my research deals quite closely and is intended to be a major contribution to the literature on land reform in South Africa.

Each of the claimant communities will form a Joint Venture Company [JVC] with one of two Limpopo-based agribusinesses (hereafter referred to as strategic partners [SP]); the JVC will pay an annual lease to its respective community; any profits from the managed land will be divided between the SP and the community; and the SP will launch a skills transfer plan to ensure that members of the community will have the know-how to take control of the land at the end of the fifteen-year period. It is under these conditions that the first 4 000 hectares of land in Levubu acquired by the government from ‘willing sellers’ will be managed.5 The government has insisted that the land will not be transferred to the claimants if they do not agree to enter into partnerships. What is remarkable about the Levubu case, then, is just how far the government has gone to impose on the claimants its ideas about how the land should be used. As with similar restrictions that have been imposed in other parts of the country on how claimants can use transferred land,6 the government is telling the rightful landowners – rightful, that is

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5 It remains unclear whether the government will acquire the remaining 6,000ha via expropriation. There are no indications at the time of writing (January 2006) that the state will exercise its expropriation powers.

6 Claims on national parks, such as the Makuleke claim in Kruger National Park (Ramutsindela, 2002), have been settled without full transfer of ownership rights. Thus, titles have been transferred under strict conditions: some claimants find that “they may not sell, mortgage, lease or lend – nor do they have unfettered scope to use the land themselves” (Hall, 2004: 22).
in terms of the liberation ideology of the ANC – what they can and cannot do. How this has come about and its implications is a major theme explored in this dissertation. How I conducted the research is the focus in the following section of the Chapter.

1.2 RESEARCH STRATEGY

The fieldwork stage of the research for this dissertation was conducted in northern Limpopo province between August 2004 and May 2005. There were three main phases. The first of these occurred in August and September 2004. It was concerned with understanding general issues in the research area with a view to identifying some of the more interesting and potentially rich cases to research in more detail. Towards this, I interviewed some of the white farmers in and around Levubu; some leading members of claimant communities; project officers in Nkuzi Development Association, a land rights non-governmental organization working in the area; and government officials. The research in this phase led me to direct my focus towards two major issues: white farmers’ resistance to land restitution and the internal politics of a claimant community touted to have land rights restored under the strategic partnership approach.

The first issue arose immediately upon beginning the first phase of the research. Numerous white farmers in the area operated agricultural businesses on land claimed under the restitution program. Although there were some, especially in Levubu, who had agreed to sell their land, many more steadfastly refused to do so. Their decision to resist restitution in this way was heightening tensions between the claimants, the government, and the farmers. In meetings between government officials and claimants I attended
alongside project officers from Nkuzi, the farmers were blamed by officials for slowing down the restitution process by refusing to sell. Why they were refusing to sell was therefore an important question and one that had not been addressed in the literature on land reform or on restitution in particular. Only one published paper (Mayson, et al 2003) had dealt directly with the role of white farmers in land reform, but did not seek to explain why farmers refuse to sell. As I explain in Chapter Four, part of the context for the resistance of some white farmers was the increasingly likely prospect of the government restoring land rights in Levubu as well as in some other areas under the terms of a strategic partnership, in which certain cooperative white farmers would have to play a leading role. Questions about how these partnerships would be structured, or who would be the real beneficiaries – the partners, or the claimants – obviously arose. Also part of the context – and something which immediately became apparent from initial interviews with white farmers – were questions of race, difference, contrasts between white and black, and how those contrasts were used by farmers to justify their stance. It was clear that a major focus for the research had to be on the racial and spatial imaginaries of the white farmers.

A second issue that arose had to do with the internal politics of those expected to work with the partners. The partnership arrangements departed from what had been written in the literature about what to expect from restitution. There were few indications that the government was going to adopt the approach developing in Levubu. But the approach also raised questions about the internal dynamics of restitution ‘communities’.
Would everyone benefit equally; were the internal structures as democratic as the government’s restitution legislation demanded; what would be the role of traditional leaders; why were the claimants willing to enter in these risky ventures?

Given these two interests, I divided the remaining time into two stages. I turned first to the issue of white farmers’ resistance. I focused my efforts between October and December 2004 on white farmers in Levubu, although I also conducted research with white farmers in other areas with a view to understanding whether there were conditions unique to the resistance of those in Levubu. The research entailed one-hour interviews with those who were refusing to sell. I used a list of white farmers in Levubu refusing to sell given to me by a committee member of the Levubu Farmers Association; I was unable to randomly select respondents because I could not acquire a complete list.

I worked my way through this list, first by calling to arrange an interview and, second, traveling to their farms to conduct the interview. I constructed a list of open-ended questions to ask the farmers, but allowed the interviews to be semi-structured such that I could follow up on unexpected themes raised in the interviews. I completed a total of fifteen interviews with farmers refusing to sell. I transcribed each of the interviews while in the field, often in the evening or during down-times.

With a view to understanding contrasts between those refusing to sell and the much smaller number who had by late 2004 agreed to sell, I therefore carried out interviews with a group of sellers. I used a list of twenty-three so-called willing sellers. I interviewed
fifteen of the twenty-three white farmers using an open-ended, semi-structured format. These interviews were also transcribed in the field. Two of the fifteen proved to be particularly willing respondents and so I conducted additional interviews with them.

Following a brief break in the research, I returned to South Africa in January 2005 with a view to conducting research with one of the seven communities claiming land in Levubu, the Ravele claimants living in Mauluma. I had already established fairly decent relations with a leading member of the Ravele claimants during the first phase of the research. My interviews with this person raised interesting questions about why the Ravele claimants were involved in the strategic partnership approach and whether all of the beneficiaries would benefit equally. In deciding to focus in more detail on the Ravele case, then, I hoped to shed more light on the internal politics of the claimants. I had asked the contact in December 2004 to inquire about the possibility of doing research in Mauluma in early 2005. He was obliged to ask the traditional leader for permission. Little did I know that relations between my contact and the traditional leader and his allies were already strained; my interest in doing the research seemed to complicate matters between these key actors among the beneficiaries, hence the process of receiving permission took a lot longer than I expected. It was not until the middle of February that I finally received permission and was able to move to Mauluma. My objective was to conduct interviews with ‘ordinary’ beneficiaries, that is, those not in leading positions on the Ravele Land Claims Committee, as well as with leading members and allies of the traditional leader.

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7 The possibility of conducting research with a second group of claimants was explored but ultimately rejected due to unforeseen complications and delays in receiving permission to conduct research with the Ravele community.
conducted some ‘test’ interviews with some beneficiaries before constructing a detailed questionnaire to guide the research with beneficiaries (See the Appendix to this dissertation). I was able to randomly select respondents, thanks in large part to the kindness of my contact, who gave me a complete list of the registered beneficiaries. I identified all of the beneficiaries living in Mauluma, divided them between the five zones of Mauluma and chose to select thirty respondents from the largest group, that is, the 103 beneficiaries living in Zone Three of Mauluma. I conducted the interviews during all of March and part of April 2005.8 The interviews were conducted either in English, when possible, or in TshiVenda, the first language of most respondents. I was accompanied by an excellent research assistant and translator, (not ideally) assigned to me by the Land Claims Committee and agreed by the traditional leader. I wrote about the results of interviews while in the field and adjusted the questions wherever necessary or possible. In addition to the questionnaire, I conducted interviews with other members of the Ravele Land Claims Committee and with some allies of the traditional leader, including two lengthy and recorded interviews with one person in particular.

The fieldwork stage of the research was wrapped up in late April 2005. After a month off, I returned to Columbus, Ohio in June 2005 and proceeded to conduct analysis of the interviews and other materials (for example, archival evidence collected from the South African National Archives in Pretoria, newspaper cuttings collected during the

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8 Some of the time was lost due to unforeseen circumstances, which required me to twice drive to Gauteng. Other time was lost due to other circumstances, in particular having to connect to the Internet in Makhado to conduct personal and institutional business. Finally, I tried wherever possible to keep up-to-date with the goings-on in Levubu and to conduct research with other claimants outside of Mauluma. All of these matters took me away from Mauluma, which was far from ideal but in almost all cases unavoidable.
whole fieldwork stage, and other materials). I conducted analysis of the materials in conjunction with writing papers for submission to international, peer-reviewed journals. Three papers were written between September 2005 and February 2006, each of which forms the basis for a chapter in this dissertation.

1.3 PLAN OF THE DISSERTATION

Chapter Two of the dissertation explains why there is a land question in South Africa. Noting that the maldistribution of land need not lead to a land question, it explains why one has been constructed in South Africa. Part of this is about the agrarian transition, which refers to the emergence of capitalist agriculture and which involved primitive accumulation. But it is also related to what happened subsequent to dispossession. In this regard, two issues stand out: the migrant labor system and the creation of the native reserves. After explaining these features and their background, I show why they have contributed to the construction of a land question. The Chapter also identifies the major agents in their respective stakes in the land question. A discussion of Africans, white farmers, and the government brings together issues of material interests and identities; questions of what assistance (if any) should be provided land reform beneficiaries by the state or the private sector; and how the state’s interest in accumulation and hegemony has affected the unfolding land reform drama.

Chapter Three turns to the strategic partnership approach to restitution in Levubu. Market-Led Agrarian Reform (MLAR), which is advocated by the World Bank and is being implemented in various contexts around the world, is a more neo-liberal approach
to land reform than what we have seen implemented in the past. MLAR principles have underpinned South Africa’s land reform program, being based on the ‘willing-seller, willing-buyer’ principle, which guarantees market-related prices to sellers. Evidence presented in this Chapter, however, raises serious questions about the extent to which the South African government has held on to MLAR principles. Specifically, the Chapter argues that South Africa’s peculiar geo-historical context has in some instances led the government to fuse market-led approaches with more authoritarian interventions that dictate to land reform beneficiaries how the land will be used. A case in point is the government’s approach to restitution of land rights to communities dispossessed from the Levubu area of Limpopo province. As the Chapter illustrates, the government has imposed on the intended beneficiaries a so-called ‘strategic partnership’ between them and agribusinesses. Although the government touts the approach as a way to protect the commercial viability of the land and to transfer skills from white farmers to the beneficiaries, the terms of the Levubu solution may turn out to be less than favorable for the beneficiaries.

The focus in Chapter Four is on the geographies of white farmers’ resistance to land restitution. As I have noted above, many white farmers, those whose farms are targeted under the restitution program, refuse to sell their land. Why they have chosen this option has not been adequately addressed in the literature on land reform in South Africa. Therefore, this Chapter uses materials drawn from interviews conducted with white farmers in the Levubu area of Limpopo province in 2004 to investigate and explain why farmers refuse to sell. The explanation hinges on understanding that the farmers’
identities and material interests are bound up with Levubu and South Africa as a place. Yet the Chapter also shows that the farmers’ commitments to territory, to staying on the land, make sense in terms of their class position: that is, as petty bourgeois capitalists.

The internal politics of the Ravele claimant community is the focus in Chapter Five. The Chapter presents empirical findings of research conducted on the Ravele claim for restitution of land rights on export-oriented agricultural land in northern Limpopo province, South Africa. The discussion questions notions of, and examines the internal dynamics and geography in, the Ravele restitution ‘community’ living in the former Venda ‘homeland’. Reflecting the government’s reticence about restoring land rights from technically-proficient white farmers to historically disadvantaged groups, the Ravele beneficiaries have been forced to accept highly restrictive terms for restitution to proceed: none of the beneficiaries will re-settle the land; the partnership, which will provide sustained financial income to the beneficiaries, will last fifteen years; and hence the beneficiaries will have to divide financial benefits among themselves. Why the Ravele beneficiaries have given their consent to this plan is at issue here. I introduce material from research into the Ravele ‘community’, which raises serious questions about who among the beneficiaries gave their consent; the role of geography in creating the conditions for a group of “brokers” (James, 2005) to dominate the process; and the seemingly limited extent to which even the excluded beneficiaries are interested in the agricultural promise of restitution. The findings inform the debate about whether the government’s land reform objectives are suited to the current situation in South Africa, and highlight the importance of recognizing the geographies of restitution communities.
Overall, then, the dissertation seeks to insert into the literature a sense of the geographical dimensions to land reform. This objective is achieved in each of the main Chapters. Geography is strongly at issue with respect to the limits and opportunities for government action, white farmers’ resistance to land restitution, and the internal dynamics of restitution ‘communities’. The viewpoint of a geographer and the insights that stem from recognizing spatial relations has been lacking in the literature up till now. A key aim of what follows, therefore, is to illustrate the difference that space makes to the unfolding drama in South Africa.
CHAPTER 2

THE LAND QUESTION IN SOUTH AFRICA

2.1 CONTEXT: THE AGRARIAN QUESTION, THE LAND QUESTION

The context for the discussion in this Chapter and hence for the material presented in the rest of the dissertation are two ‘questions’ typically identified in the land reform literature: the agrarian question and the land question. The classic ‘agrarian question’ focuses on the transformation of property relations with respect to the land and in particular, the process necessary to the emergence of capitalism; i.e. the dispossession of immediate producers. The agrarian question, therefore, has to do with rights of possession in the land and its resolution is an objective process; either the immediate producers are separated or they aren’t. The land question is different. Immediate producers can be separated or their rights of possession attenuated in some way, but whether or not there is a ‘land question’ is a contingent matter. This is because it refers to situations in which the ownership of land is endurably contentious, and is therefore constructed as a problem. In some settings – such as in Latin America in the twentieth
century, certain post-colonial East Asia countries such as Taiwan or South Korea, India, China as well as numerous post-colonial African countries – concentration of land among a small group of landowners has been tackled by government land reform programs; the agrarian and land questions can therefore overlap. Answering why the land question emerged in those or any other setting requires attention to issues such as: why the distribution of rights of ownership might have been constructed as a problem; who are the agents, what are their stakes; and what prospects exist for a ‘successful’ resolution?

Both the agrarian and land questions have applicability in contemporary South Africa. Though the agrarian question for white agriculture has largely been resolved (Bernstein, 1996), the way it was achieved is germane to current issues surrounding the distribution of land in South Africa. Attention to it therefore helps explain why there is a land question, which, as this Chapter and the dissertation as a whole illustrates so clearly, is far from resolved. Questions of the distribution of land between white and black South Africans are of major importance throughout the country. As I will discuss, various forces combined to produce a distribution of land in which black South Africans – around eighty percent of the population – were ‘reserved’ around thirteen percent of the total land area. Slightly less than 46,000 white farmers own most of the remaining land. Undoing this racially skewed distribution of land is at the heart of the land question in South Africa.

In departing from what has already been written about the land question in South Africa and more generally, I should like to draw attention in the following discussion to two critical additions. The first has to do with the quite recent emergence of ‘after-care’ –
support for land reform beneficiaries – in debates about land reform. The second adds on to this by highlighting how land questions involve material interests and identities. I will briefly discuss each before outlining how I bring them together through reference to Bob Jessop’s (2002) notions of ‘accumulation strategies’ and ‘hegemonic projects’, an approach which is a departure from the more general literature on post-apartheid South Africa.

The term ‘after-care’ comes from Deininger (1999). It refers to support given by the state or the private sector to land reform beneficiaries. After-care can entail short- or long-term advice on how to use the land; financial assistance for making improvements or investments on beneficiaries’ land; institutional support such as marketing boards; or protections from the vagaries of the market. After-care has particular resonance in the context of neo-liberalism. Under the terms of so-called market-assisted or market-led land reform, there is pressure on states to harness rather than undermine the market (Deininger & Binswanger, 1999). Land reform should not lead to the collapse of commercially viable farms, hence after-care should be ensured.

The literature on land reform in South Africa has certainly taken note of this issue (e.g. Hall, 2004). There have been widespread and vocal calls for the government to provide what in South Africa is referred to as ‘post-settlement support’. This is most often depicted as an issue of justice for land reform beneficiaries. The claim is that government should not seek to correct the injustices of the past by delivering land alone: much more than land is required. This is particularly the case in the light of the fact that the scope of African agriculture has historically been so restricted. As a result the
intended beneficiaries of land reform often lack the sorts of skills needed to operate commercial farms and maintain production thereon. There have therefore been calls for the state to: help develop the technical and entrepreneurial skills of beneficiaries; provide low-cost inputs to beneficiaries; etc. These calls appeared to fall on deaf ears up until very recently. That the state seems to be moving in the direction of thinking about after-care is a finding discussed in this dissertation. I discuss below why this has come about. Before this, however, I turn briefly to the issue of identities.

I argue there is a need to recognize that the land question is not simply a matter of material interests, but rather has a lot to do with questions of identity. Any consideration of the land question will have to bear in mind questions of material interests. But perhaps less well recognized – and the literature on the South African case is exemplary in this regard – are the various and complex ways that material interests are bound up with questions of identity. Especially in post-colonial settings – that is, settings in which one social group dispossessed another in virtue of a colonial power relation, still reaps the material rewards of that process of dispossession, but is facing political pressure to forego some of its privileges – questions of the distribution of land can be constructed as questions of identity or culture. Cleavages along racial or cultural lines can either emerge organically or be forced into the debate. Examples include: the strong racial character of recent “fast track” (Bernstein, 2005) land reform in Zimbabwe, which was constructed by the ruling Zanu PF as a justifiable assault on white-owned land; the Irish land question, which was constructed as an issue between the Irish peasantry and the English landowners; or pressure for land reform in Brazil, which is very much an issue of class
but which so often is constructed as a question of indigenous rights. Situations can arise in which identities become the basis for broader alliances between the land hungry and urban movements; or, in which an identity politics becomes part of resistance strategies of those whose land is targeted by land reform. Material presented later in this dissertation clearly illustrates how the land question in South Africa is also a question of identities, whether the focus is on the identities of white farmers (as in Chapter Four), those pursuing claims for land reform (as in Chapter Five), or even the identities of policy-makers (a theme in Chapter Three). To take the latter, for example, it is important for understanding the terrain of the present land question that the leading agent, the ANC, is primarily a black party governing a country historically dominated by whites. This dynamic has shaped the response of landowners, who view land reform as doomed to fail, partly because of the race of government officials, in whom they have little faith. It has altered the expectations of international observers, some of whom have at times expressed skepticism about what the ANC’s intentions given events in Zimbabwe. And it has also affected how land reform has unfolded, as the material in Chapter Three on strategic partnerships in Limpopo province illustrates.

In seeking to bring these ideas of after-care and identities together, I argue that both have resonance given the ‘accumulation strategy’ and ‘hegemonic project’ (Jessop, 2002) of the ANC. First, the after-care issue has resonance precisely because of the accumulation strategy of the ANC, which has a strong neo-liberal slant. Viewed in the light of the state’s accumulation strategy, the purpose of after-care seems less to do with justice and far more to do with the interaction of global influences on, and the national
imperatives of, the post-apartheid state. The government runs the risk of land reform failures striking a dissonant chord with, and possibly alarming, observers of South Africa in the international media or institutions such as credit ratings agencies; global influences, then, are part of the context for the state’s growing interest in after-care. But the neo-liberal slant of the post-apartheid state, which places limits on the state’s financial and regulatory capacity to provide after-care, and which directs the state towards private solutions, ultimately requires that land reform does not obstruct accumulation. All of this has further resonance because the South Africa land question has been constructed in a context of historical restrictions on African agriculture, which means that the intended beneficiaries of land reform lack many of the necessary skills to make a success of their newly acquired land; this may not be the case in other settings such as Brazil. The neo-liberal accumulation strategy of the post-apartheid state must therefore be understood as setting limits to and constraints on how the land question is tackled.

I should also like to argue that the importance of identities in the South African land question can be understood with reference to the hegemonic project of the ANC, in particular, the state’s ‘transformation’ agenda – an agenda intended to push South Africa away from a white nationalism and towards a more African nationalism. Part of the ANC’s hegemonic project is the creation of policies designed to *empower* Africans and hence challenge white discourses of the inadequacies of Africans. I argue that the arguments of white farmers, many of whom see themselves in opposition to Africans and as deserving their position of material privilege, can be better understood in the light of
the ANC’s hegemonic project. But so, too, can the state’s interest in seeing the
development of an African agrarian bourgeoisie be understood in this light. The emphasis
on a certain definition of land reform success and failure – a definition which places
limits on how redistributed or restituted land can be used by beneficiaries – is
fundamentally a reflection of the state’s transformation ambitions.

With these introductory remarks having been made, I now briefly outline how the
Chapter is organized. The next section identifies the major actors contesting the land
question in South Africa, what their positions are and why. It discusses: the diverse
interests and capacities of Africans; how the interests and identities of white farmers
affect the land question and its possible resolution; and how the government’s role in the
land question can be understood as involving both an accumulation strategy on the part of
the African National Congress and a related hegemonic project. I then explain why there
is a land question in South Africa; how it, and its various dimensions, came about
historically. I bring together a consideration of the colonial character of the South Africa
state with three critical dimensions of South Africa’s history: primitive accumulation,
migrant labor, and the creation of the native reserves and subsequent policies towards
them. The Chapter then outlines in the concluding section how redefining the land
question in the early years of the land reform program has entailed changes in practice
and developments with respect to the goals of land reform.
2.2 THE AGENTS AND THEIR STAKES

The land question in South Africa is contested by three major actors: Africans, white farmers, and the government. This section of the Chapter discusses and explains their respective positions. It must be noted at this juncture that the agents are considered with respect to redistribution and restitution, which as outlined in Chapter One refer respectively to programs intended to create a new African agrarian bourgeoisie, and restore land rights to those so dispossessed since 1913 by racially discriminatory laws.

2.2.1 Africans

There can be little doubt that land reform has strong material appeal for many Africans. Whether they acquire land via redistribution, or have land rights restored via restitution, their experience of land reform is most definitely expected to return material rewards. Land reform holds out the prospect of having new opportunities to farm – whether commercially or for subsistence purposes – as well as sites on which to construct new housing. Land can also offer an extra possibility in a multiple survivor strategy that includes migrant labor. This is important in a context of high unemployment. Migrant workers remain migrant workers in part because they are insecure in urban labor markets. But they need a secure subsistence base to which to retreat. To be a beneficiary of land reform, then, is to have a shot at establishing a better material standard of living, or at least greater security.
The existence of a land reform program obviously holds out the possibility of increasing the proportion of the land area available to African subsistence agriculture. However, any interest in subsistence agriculture runs against the grain of the government’s land reform objectives, which are strongly in favor of developing an African agrarian bourgeoisie. This interest in creating an African commercial agriculture is a relatively recent one. In its initial guise, the redistribution program of land reform was intended to assist poor households to acquire land via the provision of grants for land acquisition (Hall, 2004). It was oriented more towards subsistence than commercial agriculture. However, that approach was abandoned and replaced in the late 1990s by a new program, Land Redistribution for Agricultural Development (LRAD). LRAD is aimed at nurturing African commercial farming. What LRAD as well as more recent evidence such as the material presented in Chapter Three shows so clearly is that the South African state does not want land reform to disrupt either the magnitude of agricultural production or its dominantly commercial orientation. Consequently, the state is reluctant in the extreme to redistribute commercial land to Africans only to see it used for subsistence purposes. Thus, while Africans’ interest in land reform may often lie with using land for subsistence, the orientation of land reform policy dictates otherwise.

It is in this context that after-care (Deininger, 1999) emerges as a conditioning factor on the interest of Africans in the land question, and has some explanatory power for understanding the state’s increasingly authoritarian stance towards land reform beneficiaries (a theme I explore in Chapter Three). The issue is particularly important in
South Africa not only because of the state’s vision for land reform but also because of the gap that exists between the technical skills and capacities of those selling the land – white farmers – and African land reform beneficiaries. This gap is partly a product of discriminatory education policies under apartheid, which deprived Africans of a decent education while providing whites with widespread support from elementary school to tertiary education institutions; and partly a product of the 1913 Land Act, which destroyed the chances of an African agrarian bourgeoisie developing and hence the opportunity of learning by doing. The shortfall in skills, both technical and entrepreneurial, became apparent very early on as pilot land reform projects were rolled out. There were numerous cases of land reform beneficiaries struggling to use the land in ways that were acceptable to the dominant vision that was then emerging as to how land should be used. At issue was, and remains, the definition of ‘using the land effectively’.

The government holds onto a vision in which land reform is closely mapped onto commercial agriculture; other uses such as a subsistence model are not viewed favorably at all. This should be seen partly in the context of what, from the perspective of the dominant vision for agricultural land, have been termed ‘land reform failures’: cases of farms on redistributed land falling into disrepair, production collapsing, etc.\(^9\) In

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\(^9\) Such cases have played into the hands of white farmers, many of whom argue that Africans are not suited to commercial agriculture and hence the government should stop its land reform program. It is ironic that such complaints have helped give cause for the government to build alliances with some of the more progressive white farmers to form partnerships with beneficiaries over the use of restituted land. As I discuss in detail in Chapter Three, such alliances threaten the survival of the more radical opponents of land reform among the white farming sector.
understanding the interests and stakes of Africans in the land question, then, it is important to recognize the forces pushing towards commercially oriented agricultural production.

The anticipation and interest in seeing that land reform will improve lives must be viewed alongside the more symbolic interest expressed by many land reform beneficiaries – especially those pursuing restitution. The government certainly views land reform as a vehicle to correct the social injustice of land dispossession, whether that occurred before or during apartheid; seeing that those who suffered dispossession get their land back signals that the new democracy was worth fighting for. As Cheryl Walker (2003) has noted, undoing the 87/13 distribution of land between whites and blacks is a ‘herald of democracy’.

Besides the issue of justice, however, there are also numerous cases of individuals and communities pursuing land reform as a means to reconnect with specific pieces of land that have symbolic rather than purely material meaning. Much of this has to do with the spiritual significance of ancestors’ graves, which is common among many Africans, and which requires that such graves be visited and tended. The material presented in Chapter Five highlights this as a motivating factor for some of those claiming back their land in the Levubu area of Limpopo province. The desire to return to specific pieces of land for spiritual reasons was a major concern in other claims in Limpopo; though they were researched during the fieldwork, they are not considered in Chapter Five.
2.2.2 The white farmers

Famously in possession of the vast majority of South African land, the country’s white farmers not unfairly believe that they are targeted by land reform. However, unlike Africans, the intended beneficiaries of land reform, white farmers are targeted because of their privileged position. Land reform entails acquiring and redistributing thirty percent of white-owned land, which means a large number of white farmers will have to sell land if the government is to meet its own targets. Some have obstructed the land reform process through refusing government agencies to perform inspections (*This Day*, 2004; *Soutpansberger*, 2004); others have been accused of manipulating the process to secure private gain (*Business Day*, 2005). Such incidents draw attention to the more negative role that white farmers often play in the attempt to resolve the land question.

Notwithstanding cases such as these, however, white farmers’ interests and stakes in the land question are poorly understood and discussed to only a limited extent in most of the literature on land reform in South Africa. With the pace of land reform moving so slowly and white farmers’ receiving a fair degree of the blame, it is necessary to understand why so many have refused to sell land for redistribution or restitution. The material in Chapter Four aims to go some way to rectifying this lacuna in the literature on the land question in South Africa.

There can be little doubt that many white farmers are reluctant to sell since their land is a necessary condition for their livelihood. Many, if not most, of the remaining 46,000 white farmers in South Africa, a number which has fallen from 58,000 in 1993 (*Statistics South Africa*, 2005b), are full-time farmers who have a strong commitment to
remaining on the land and, no doubt, a number of concerns about finding sufficient employment or entrepreneurial opportunities outside of agriculture. In the latter regard, there should be no doubt that the government’s ‘transformation’ project – which entails an employment-equity program and a Black Economic Empowerment (BEE) scheme intended to benefit South Africa’s historically disadvantaged communities – has further discouraged white farmers from selling. Put simply, and my research supports this claim, many white farmers want to remain in agriculture because they fear for their chances in the non-agricultural labor market.

Yet another concern white farmers have about the land question is the prospect of land reform delivering land to Africans on adjacent properties, though this again needs to be seen in part in terms of white farmer images of African ineptitude and carelessness. Cattle inadequately immunized straying from land that is improperly fenced is one concern for cattle farmers; horticulturalists, too, have concerns that having African neighbors, if not leading to property theft, will reduce the value of their land and make it difficult to sell on the open market or at least reduce the sale price. Related to these concerns are worries about the high rate of so-called ‘farm attacks’. Though they usually entail property theft, which one might imagine would reduce the likelihood of violence, many attacks have been carried out with awful brutality. White farming communities are consequently alert to the comings and goings of strangers, prepared to use firearms, and apprehensive about having African neighbors. Also worth noting are fears about the loss of a – racially structured - social life in farming communities if some white neighbors begin to sell.
Material interests are central to all of these concerns, but it is clear from at least the discussion of white farmers’ fears of having African neighbors that the racial character of social life in South Africa is also at issue. As with the case of Africans’ interest and stake in the land question, material interests and identities quite clearly are at stake for many of the white farmers. Along these lines, it is worth noting that part of the stake white farmers have in the land question has to do with their view of themselves as superior managers of the land for South Africa as a whole. In the terms of classic post-colonial theory (e.g. Said, 1978), the farmers construct a positive image of themselves in contrast to their African ‘other’. Many compare the densely populated and degraded land occupied by Africans to white-owned commercial farms and draw unfavorable contrasts; others find in Africans a lack of interest in commercial farming, in contrast to the work ethic and inherent skills of the white farmer. That this field of contrasts and the interpretive framework of white farmers’ is a product of decades of racially discriminatory and violent policies hardly registers with them. The rare exceptions are more progressive farmers who recognize that history has played a major role in creating the differences between the imagined African and white forms of agriculture and for whom a specifically white identity has increasingly seemed obsolescent. Thus, the image of the invaluable white farmer is closely related to the belief in the inadequacy of Africans.

Needless to say, then, cases of farmers voicing opposition to the state’s land reform approach – for example at the Land Summit in Pretoria August 2005 (Mail & Guardian, 2005b) – have to be viewed in the light of the material interests and identities of the white farmers.
of white farmers. That some have even threatened armed struggle (Mail & Guardian, 2005c) if the government does not heed their determination to remain in agriculture illustrates the strong emotional element in their resistance, albeit one bound up with material interests. It should not be left unsaid, moreover, that white farmers’ resistance to land reform occurs within a broader context of opposition to black majority rule. In some areas of the Orange Free State and the former Transvaal – areas in which support for apartheid was most intense, and in which farming is still predominantly Afrikaner – white farmers are the spearhead of reaction against the ANC. It is significant that the more outspoken farmers’ organization is called the Transvaal Agricultural Union, despite the fact that that place name no longer exists, and for the simple reason that it had such negative valence for Africans.

Also of importance in understanding the role played by white farmers in the land question are changes in the organization of agriculture in South Africa. Mather and Greenberg (2003) have noted that deregulation of agriculture in 1996, which disbanded marketing boards and let market forces rip in that sector, has led to increased differentiation between those who can and cannot take advantage of ‘purer’ market conditions. In their study of the citrus sector in the Cape, they noted that market power has shifted away from small producers to “privately-owned, large citrus enterprises” (Mather & Greenberg, 2003: 411). Increasing differentiation among farmers along class lines affects the positions from which farmers negotiate land reform: there are cases of more progressive white farmers trying to play a more positive role in the land reform drama by becoming share-equity partners, or by providing low-cost consultation services
to land reform beneficiaries (Mayson, 2003); but there are also many more cases of struggling white farmers – squeezed both by buyers and suppliers – nearly going out of business, surviving thanks only to creditors, and yet digging their feet into the ground and refusing to sell to the government. Clearly, the changing circumstances of agriculture in South Africa are affecting how white farmers negotiate land reform. It is to a consideration of the government’s role in land reform, including its decision to deregulate agriculture in 1996 that the discussion now turns.

2.2.3 The government

There can be no question that the government has a large stake in the land question. It is widely stated that peace and stability rely on successful land reform, although it is questionable quite how accurate this depiction is.\textsuperscript{10} Certainly land reform is significant to the electoral claims of the governing ANC. Even if there are more pressing claims on the government for social welfare or urban-based needs such as housing and employment, not addressing the land question is risky for the ANC because an opposition party could hijack it for electoral purposes; that such a party does not exist yet should not rule out the possibility of this developing in the future. What, then, is the significance of the land question for the ANC? Further, how has it pursued land reform and why in that particular way?

\textsuperscript{10} That some commentators claim peace and stability rely on land reform to some extent reflects the experience of the fast-track land reform in Zimbabwe, which has certainly contributed to – if not caused – the economic meltdown there.
Departing from most discussions of the land question in South Africa as well as most commentaries on the post-apartheid state, I should like to view the land question in South Africa as closely bound up with what Jessop (2002) refers to as the accumulation strategies and hegemonic projects of capitalist states. The former involve “efforts to resolve conflicts between the needs of capital in general and particular capitals by constructing an ‘imagined general interest’ that will always and necessarily marginalize some interests” (Jessop, 2002: 30). It is within the context of, and boundaries set by, such strategies that choices are made among economic and social policies. But Jessop is keen to stress that policy decisions are also linked to what he calls hegemonic projects, which link the purposes of the state to a broader “political, intellectual and moral vision of the public interest, the good society” (ibid. p.42). Both accumulation strategies and hegemonic projects involve “attempts to strategically coordinate activities […] to achieve a limited, localized structural coherence in accumulation, state activities and social formations respectively” (ibid. p.50). But they rely on building support and so, in this regard, it is possible to understand why an issue such as the land question can be attractive to some supporters yet highly risky to accumulation as a whole. It is along this fine line that the ANC must carefully tread.

There is agreement in South Africa that the ANC government has followed a strongly neo-liberal path since it came into political office (Bond, 2000). The evidence centers on controversial policies such as water privatization, the deregulation of agriculture – which, as I have discussed, has played a considerable role in the land question – and a generally export- and inward investment-oriented stance. It is therefore
possible to characterize the ANC’s accumulation strategy as a neo-liberal one. Of course, as Harvey (2005) and many others (e.g. Bond, 2000; Stiglitz, 2002; Wade, 2006) have noted, adherence to a neo-liberal path demands that states protect their export bases; focus on earning foreign currency; and minimize expenditures wherever possible.

With respect to land reform policy, then, adherence to a macro-economic neo-liberal model demands that the South African state locate itself towards the commercial end of the commercial / subsistence spectrum of uses on redistributed or restituted land. This is reflected in the decidedly ‘market-friendly’ (Bernstein, 2004) character of land reform policy in South Africa, which is exemplified by: the state’s determination to protect the private property rights of white farmers by means of a ‘willing-seller, willing-buyer’ principle; the state agreeing to pay full market-rated compensation to willing sellers; and the shift away from a subsistence-based model of redistribution in favor of the more commercially-oriented LRAD program. The ANC’s neo-liberal accumulation strategy, then, makes the transfer of land from commercially productive white farmers to Africans who may lack technical and almost certainly lack entrepreneurial skills highly problematic. It is in this context, therefore, that the issue of after-care has resonance. The state must protect foreign currency earnings and avoid embarrassing land reform failures, yet must do so under (self-imposed) strict financial limits and, given the deregulation of agriculture, without the capacity or legitimacy to intervene in the agriculture sector. Further, it must deal with the legacy of colonialism and apartheid, which as has been noted, robbed Africans of agricultural skills.
Furthermore, and notwithstanding evidence of the state shifting towards a more interventionist stance in land reform (a theme taken up in Chapter Three), the accumulation strategy of the post-apartheid state has dictated that land reform not get in the way of the broader agenda. Land reform has been shaped by (self-imposed) limits on the financial capacity of the state to deliver, which is a consequence of the neo-liberal stance and also of the state’s adoption of, and strict adherence to, the willing-seller, willing-buyer policy.\footnote{The slow pace of land reform also reflects the lack of technical capacity within the state.} Also important are broadly global influences such as the close monitoring of credit ratings agencies, potential investors, not to mention the international media, which seems to be endeared to stories of African countries in ruins (consider the generally negative and unforgiving media coverage of Zimbabwe).

That the accumulation strategy of the post-apartheid state has placed limits on land reform certainly does not mean that the government’s vision for altering agrarian relations lacks ambition; rather, and Jessop is helpful here once again, it is possible to view land reform as part of a broader hegemonic project by means of which the ANC intends to undo the colonial character of the country and restore Africans to a dominant role, not just political but also economic and cultural, in the social life of the country, along with redefining what it means to be South African. There are, of course, government-sponsored ‘transformation’ programs such as BEE, as well as the new ‘African renaissance’ discourse promulgated by President Thabo Mbeki and supported by African intellectuals such as Xolela Mangcu. Underlying these programs and discourses are attempts to shift South African identities in an African direction and away from the
white nationalism that applied under apartheid. In this regard, and as has been noted above, the ownership of land has symbolic importance, not just to Africans and white farmers, but to a government that wants to see evidence of land changing hands and the development of a new African commercial sector. Clearly, changing patterns of land ownership are caught up with the goal of undoing the subordination of Africans to whites.

Yet it is increasingly clear that the ANC’s accumulation strategy is placing limits on the goal of empowering Africans, which relies on the success of redistribution. In particular, the deregulation of agriculture and commitments to protect its export base have limited the scope for land reform to empower beneficiaries: on the one hand, the government disbanded its agricultural research facilities at the same time as it pursued the deregulation of agriculture, which has meant that beneficiaries have entered into a severely competitive and largely unsupported regulatory context; on the other hand, the neo-liberal slant of government policy demands that the government imposes severe restrictions on how much land will be redistributed – via redistribution or restitution – and the terms under which Africans lacking agricultural skills will receive land.

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To summarize the argument so far, I have identified the agents and their respective stakes in the land question in South Africa. The land question brings together the competing interests and identities of Africans, white farmers, and the government. I have identified the diverse interests in the land question among Africans and white farmers, and have identified and explained why the ANC government has intervened in
it. I have discussed why the after-care issue has resonance in South Africa, and why it is necessary to view the land question as a matter of material interests as well as identities. My argument is that the general material interests in the land question as well as the more specific issues of after-care and identities can all be understood by positioning them with respect to the neo-liberal accumulation strategy and anti-racist hegemonic project of the ANC. With an understanding of the agents and their stakes in the land question, I now turn to consider why there is a land question in South Africa. As noted in the Introduction to the Chapter, that land is unequally distributed need not lead to a land question developing; rather, such a question must be constructed and must resonate. How and why South Africa meets these conditions is therefore the topic for the remainder of the Chapter.

2.3 CONSTRUCTING THE LAND QUESTION IN SOUTH AFRICA

The land question in South Africa cannot be understood without an understanding of three key aspects of South Africa’s history: its (racially structured) process of primitive accumulation, the migrant labor system, and the creation and expansion of the native reserves. The close interrelations between each of these should not be overlooked; nor should the more abstract determinants at issue be forgotten, that is, that South Africa is a case of capitalist development under colonial conditions.

Briefly, in terms of context for the following discussion, it should be noted that, while the changes referred to here are primarily those occurring in the twentieth century, they have their genesis in the latter half of the nineteenth century. What became South
Africa was at this time in the midst of a battle between Afrikaner settlers and British forces. The British controlled two colonies there – the Cape and Natal – but had an interest in wrestling control over the whole area, including the two Boer republics, Transvaal and the Orange Free State, as well as African areas affected to only a limited extent by the settlers (see Figure 2.1). British claims assumed much greater importance following the discovery of diamonds and gold, but its ambitions were challenged by the Afrikaners. As is well known, the competing interests clashed during the Anglo-Boer War (1899-1902), which the British won. This result laid the foundations for South Africa’s independence from formal, direct British rule in 1910. The new Union of South Africa retained a strong colonial slant. It was governed by a whites-only franchise and looked to advance white claims on the land and develop the emerging South African capitalist sector based primarily on mining. In the midst of the historical development of this colonial and capitalist society were questions of land and labor, that is, how to ensure settler control over both. It is in this context that the foundations for the present land question were laid.

In terms of organization for the discussion here, I first discuss how the situation in rural South Africa was transformed via the 1913 Land Act. The Act supported capitalizing white farmers and halted the development of an African agrarian bourgeoisie. In Marxist terms, it was part of the process of primitive accumulation by means of which a proletariat was forged. But any discussion of primitive accumulation in South Africa has to take into consideration the curiously South African migrant labor system and the related colonial and apartheid projects of keeping Africans in reserves. I therefore
discuss: why there was a migrant labor system, how it was maintained, and the way in which it shaped agrarian relations; and how the construction of reserves, which initially were attempts at solving the problem of ‘native control’, merged with the shift from a colonial racial discourse to an apartheid ideology in which ‘ethnicity’ or ‘tribalism’ were constructed as a way to divide Africans. I then indicate how and explain why both the migrant labor system and the reserves are factors in the current land question.
Figure 2.1: South Africa in 1899 (Christopher, 2001).
2.3.1 Primitive accumulation

Any discussion of capitalist development must address what Marx (1976) called ‘primitive accumulation’: the process through which immediate producers are separated from the means of production. Primitive accumulation is a necessary precondition for capitalist development. It is through this – often violent – process that a proletariat is forged, and markets in labor power and means of production, including land, created. Given the subsequent domination of commodity exchange this is a proletariat which a capitalist class must then exploit to generate profits, accumulate and ultimately to reproduce itself.

Particularly noteworthy in the South African case is that primitive accumulation there was racially structured. It was not, as Marx discussed through reference to primitive accumulation in the Scottish Highlands, simply a matter of separating immediate producers from the means of production, but more precisely a matter of a whites-only colonial state dispossessing African subsistence farmers and later dissolving an emergent African peasantry.

It was given impetus in the late 19th century with the advent of the so-called “minerals revolution” (Bernstein, 1996: 3) – the discovery of diamonds near present-day Kimberly in the 1860s and gold in and around the ‘reef’ (present-day Johannesburg) in the late 1880s. Capitalist social relations prior to this had only a fragile foothold in the region: there were capitalist farms in Western and Eastern Cape and Natal, and “pockets of commercial capitalism around the ports of Cape Town, Port Elizabeth and Durban” (Davies et al 1988: 6); and “as wide a variety of forms of surplus appropriation, tribute-
taking, mercantile enterprise and downright looting as can be imagined in frontier regions of colonial settlement” (Keegan, 1989: 675). A common form of surplus appropriation around the time of the minerals revolution was sharecropping, under the terms of which white landowners and land-hungry Africans established agreements to share harvests (Bundy, 1979). It was rarely market-oriented and reflected the insufficient availability to white landowners of capital to invest in machinery or other means of improving labor productivity. Indeed, the problem of share-cropping from the perspective of capital was the latter: that it provided few incentives to revolutionize labor productivity. It impeded the development of a capitalist form of agriculture. But with the discovery of gold, in particular, new forces were set in motion which would lead to pressure to end sharecropping and force white farmers, however slowly, to dispense with sharecropping and to move to a system of wage labor.

Part of the background for this pressure was that mining massively increased the demand for agricultural produce. Until the 1920s, however, much of this demand was met by foodstuff imports (O’Meara, 1983: 24). Consequently, some white farmers called on the colonial and then, after 1910, the independent South African state to transform agrarian relations such that the demand could be met by South African white agriculture. But, and as has been noted, white farmers relied extensively on extracting rent from African tenants or share-croppers rather than commodity production for a market. Following the Anglo-Boer war (1899-1902), some landlords in the former Boer republics of the Orange Free State and the Transvaal set about removing African share-croppers in an attempt to free their land for commercial production (O’Meara, 1983: 25). Such moves
began to unwind the “prevailing agrarian property relations [which] acted as barriers to the development of fully capitalist production in agriculture” (ibid.). Many of these capitalizing landowners argued for a more concerted effort on the part of the state to further advance the shift from pre- to capitalist relations in agriculture.

It is in this context that the 1905 Native Affairs Commission recommended the institution of labor tenancy as a “transitional form of wage labor” (ibid. p.26). Labor tenancy was:

“Characterized by ‘free’ labour (the absence of any wages), labour dues that were required the year round (for ‘two days a week’), and the availability and use of the labour tenant’s own livestock and implements (which he used on his own and his landlord’s plots)” (Bundy, 1979: 232).

It was viewed more favorably than squatting or share-cropping because it increased the scope for exploitation and hence labor productivity on white-owned land. According to O’Meara (1983), land-owning Afrikaners with access to credit following the introduction of land banks in the Transvaal in 1907, and some of the larger landowners in the Boer republics were “in the forefront of those demanding measures to remove African tenants from their land” (O’Meara, 1983: 25). Such demands were partly realized under the terms of the 1913 Natives Land Act.

The 1913 Act “was in part aimed at the immediate removal [of share-croppers], and in this respect came close to achieving its aims” (Bundy, 1979: 230). It immediately banned share-cropping in the Orange Free State, stipulated that existing share-cropping contracts could not be renewed, and legislated that white farmers could retain only five share-croppers. Although the arrangement persisted in some areas until even the 1950s
(Bundy, 1979), most African share-croppers were indeed forced to choose between becoming labor tenants – effectively farm workers – or moving elsewhere. Thus was labor tenancy “entrenched in the 1913 Natives Land Act as a way of trapping Africans on farms” (Beinart, 2001: 209) and, by provided the conditions for transforming Africans into wage workers, it gave white capitalist development in South Africa a major shot in the arm, thereby stimulating – although not competing – the transition to capitalist agriculture (Bernstein, 1996: 5). It was a triumph of the capitalizing white landowners over the non-capitalizing farmers who were happy living off rents from Africans.

Though legislating for a shift towards labor tenancy was a central objective of the Act, another aim was to undermine African agricultural production, which in some instances was pursued by a resilient and (from the perspective of some of the poorer white farmers, an unwelcome) competitive African peasantry (Bundy, 1979). In the years previous to the 1913 Act, it had been common for Africans to buy, often cooperatively, white farms and to farm them, to a significant degree, commercially (Bundy, 1979). The 1913 Land Act made this impossible since it prohibited Africans from owning land outside of the seven (Lahiff, 2000: 4) or eight (Bernstein, 1996: 5) per cent of the land area set aside (‘scheduled’) as native reserves for exclusive African occupation (see Figure 2.2). Henceforth confined to a much-reduced area of land and restricted by the terms of labor tenancy on white-owned land, the developing African agrarian bourgeoisie was fatally crushed. According to Keegan (1989: 680):

\[\text{12 Many African share-croppers also farmed commercially.}\]
“[White landlord] control over [formerly African controlled] means of production and over [African] labour was steadily intensified. The direct producers in consequence experienced diminishing economic manoeuvrability and fewer and fewer options. Impoverishment was the long-term inevitable consequence.”

Tribal tenure in the reserves and land hunger made commercial farming very difficult; the development of an entrepreneurially and technically savvy African agrarian bourgeoisie was stifled. The 1913 Land Act sought to underdevelop a peasantry, “whose productive capacity had been so inhibited, whose access to land so confined, whose access to markets rendered so unfavorable, that its members must have recourse to labour for white employers even at the very low wage rates prevailing” (Bundy, 1979: 242).

Thus, insofar as white farmers looked to the state to advance their interests by legislating for the creation of a dependent and exploitable labor force and eliminating competition from an African peasantry-cum-petty bourgeoisie, the 1913 Act was to a large extent successful. It may not have completed the transition to capitalist agriculture – which for the white agricultural sector, at least, occurred in the 1950s when mechanization rapidly increased labor productivity and completed that transition – but it set in motion the conversion of Africans into a wage-dependent class. Dispossessed of land rights by the 1913 Act, Africans were from around about that point onwards forced to look for wages either from white farmers or, increasingly common, from the mining or manufacturing sector in the city. The Act must therefore be understood as critical in the development of capitalism in South Africa.
Figure 2.2: Areas ‘reserved’ for Africans under 1913 and 1936 land acts (adapted from Christopher, 2001).
The Act and its subsequent effects not only transformed social relations in rural South Africa. In terms of African reactions to it, it also marked a watershed in the struggle against colonialism and race-based domination and, in turn, helped lay the foundations for the land question which rankles in South Africa today. Bundy even goes so far as to suggest that the, “Act and its intentions are of virtually unparalleled importance in twentieth-century South African history” (Bundy, 1979: 213). One significant aspect in this regard is that the African National Congress was established in the aftermath of the 1913 Act. Also worth noting is that 1913 would become an obvious cutoff point for the post-apartheid government’s restitution program; it was, after all, from 1913 onwards that far-reaching and state-led dispossession began.

Viewed in the light of the current land reform program, moreover, the successful implementation of which has had to grapple with the legacy of a retarded African agriculture – especially in the shape of a skills deficit – the far-reaching effects of the particularly racialized character of primitive accumulation in South Africa are particularly vivid.

2.3.2 Migrant labor and the creation of the reserves

That primitive accumulation in South Africa saw to it that Africans were converted into a proletariat has already been established. But what happened to those dispossessed or converted into wage workers is also significant in terms of understanding the present land question. Two issues stand out, both of which are considered here. First, the construction of the South African capitalist space economy, which was based to an enormous extent
on the mines, relied on a *migrant labor system*. This had the effect of cheapening African labor and thereby providing a major subsidy to the development of capitalism. Closely intertwined with the migrant labor system, and a second aspect in the construction of the land question, is the creation and expansion of the *native reserves*, which has already been mentioned but which must be considered in more detail here. The reserves provided the land for subsistence agriculture via which the cheapness of African labor power – which was maintained by virtue of dependent’s having some land, which lowered the wage migrants were willing to work for – was achieved under the conditions of the migrant labor system. The reserves also established a geographic base for a system of decentralized authority via traditional leaders.

Though both aspects are central to an understanding of South Africa’s geo-history more generally, the focus of this discussion is more sharply on the construction of the land question in South Africa. Three major issues stand out. First is the need to view the symbolic meaning of the land to Africans in relation to the persistence of cultural traditions, which did not disappear but which might well have had those dispossessed been able to move permanently to the city and been absorbed into an urban way of life. Second is how the land question is also a question of modernity versus tradition, in which the ANC government is faced with undoing the inherited power of traditional leaders, powers institutionalized and extended by colonial and apartheid policies. Finally, there is the legacy of a stunted African agriculture in the reserves to consider, particularly how this has made the articulation of land reform with commercial agriculture so difficult.
2.3.2.1 The migrant labor system

South Africa’s mines expanded with “awesome speed” (Beinart, 2001: 27) following the discovery of diamonds in 1867 and gold in the 1880s. The driving forces were external as much as they were South African. The gold standard was “widely adopted in the 1870s as the basis for currencies, and international markets for gold, based in London, were more than usually hungry” (ibid.). Consequently, technicians, prospectors, and capital flocked to South Africa. The capital was much-needed:

“The mines required extensive underground works because of the depth and shape of the reef and complex surface works. Large quantities of rock had to be dynamited, taken to the surface, crushed, and then treated by chemical process” (ibid. p.28).

But labor-power was also needed, and in vast numbers. There were at least 100,000 Africans working in the gold mines by the beginning of the twentieth century (Callinicos, 1987); 200,000 by 1913 (Beinart, 2001: 28). Rather than leaving the countryside and permanently settling in the city, however, most African workers migrated to the mines for short periods of time before returning to their rural homes. Although the mines did not favor this system at first, they soon caught onto the way it lowered the cost of Africa labor. Of course, all capitalist enterprises have an interest in lowering the cost of labor. Though the mines were no different, they had a particular incentive insofar as gold was found in widely dispersed and low grade ores; mining was labor-intensive. Thus, the mines needed a massive supply of suitably cheap labor. What
the migrant labor system achieved so well was to reduce the cost of labor because the mines did not have to cover the cost of dependents living in rural areas and with access to some land for subsistence purposes:

“Employers did not have to pay wages that could meet the subsistence needs of the family as a whole, because workers’ families stayed in the rural areas and produced their own food. The costs of social security, or the reproduction of labour, would also be met by rural societies” (Beinart, 2001: 31).

Realizing this, the mines therefore actively pursued the “construction of a rapidly expanding and increasingly regulated system of migrant (male) African labour” (Bernstein, 1996: 4). It became the dominant form of labor supply to the mines. In combination with the compound system – which involved the provision of very basic housing, an opportunity for the mines to control labor, and even a space in which to divide workers along ‘tribal’ lines – the migrant labor system, “gave capitalists a workforce without the full costs of supporting workers and families in town” (ibid. p.31).

It must be noted, however, that in many cases, migrant workers did not have any dependents. Rather, they were working for their Chief or father: “Pedi chiefs organized groups of young men to earn money for guns to defend their political dependence” (ibid.); and “[f]amilies tended to send out younger sons who were not essential for the maintenance of agricultural production” (ibid.). Eventually, though, as Chiefs lost some control over their ‘subjects’ and married men began to migrate to the mines, wage labor became a means to acquire independence via the purchase of assets such as cows and
ploughs. Migrant labor was also used by young males to control their decision to marry or acquire land, a power previously vested in their fathers. It provided wages with which to buy cattle or pay lobola to marry and hence receive land from the Chief.

The tendency for migrant labor to supplement subsistence agriculture and the cost of life in the rural areas greatly intensified during the twentieth century. Changing circumstances in rural areas as African peasant families were “squeezed for land on which to expand agriculture, beset by taxes, disadvantaged in markets for agricultural produce” (ibid. p.34) led many migrant workers to migrate over a longer period of time, and for an increasing number of eleven-month contracts during their lifetimes. Not surprisingly, a growing number became interested in permanently settling in the towns. However, from the perspective of some whites in urban areas – and the mines, as well – black urbanization was not at all welcome. There were moral panics about blacks, which Alan Paton captures in *A Cry for Freedom*, and fears that a permanently settled workforce would be more expensive. But some industrialists did favor a permanently settled labor force; the view was that a skilled and stable workforce would reduce turnover and improve productivity (Beinart, 2001: 157). Furthermore, given the difficulties they experienced in securing an adequate supply of labor, white agriculture had an interest in limiting African urbanization. These debates were partly resolved by the apartheid state, which adopted a compromise policy of influx control and pass laws designed to hold back the tide of African urbanization and hence limit the demand for
African voting rights, but also designed to enable some industries to secure access to African labor under the terms of Section Ten of the 1952 Urban Areas Act (Beinart, 2001: 158).

Returning now to the construction of the land question, the symbolic meaning of the land to Africans, which was discussed earlier in the Chapter and which is a key feature of the land question, must be understood by recognizing that cultural traditions, which did not disappear but which might well have, had those dispossessed been able to move to the city, still have resonance partly because of the migrant labor system. Africans retained a strong foothold in rural, pre-capitalist life. This way of life also entails a strong spiritual belief in particular pieces of land, especially that land on which ancestors are buried. Had the twentieth century been a time of permanent African urbanization, these beliefs may not have endured to the degree that they did. But Africans were largely prevented from urbanizing and so aspects of life such as the importance of the ancestors retained some significance, even if, for many, these are nowhere near as important as they are for others. For some migrants, no doubt, the retention of connections with the land provided opportunities to share grievances and to remember with those who had been dispossessed. That some Africans’ material interest in the land question is tied up with the symbolic and spiritual meaning of the land – a fact borne out by some of my research in northern Limpopo, an area in which claims for restitution are for some as much about re-connecting with the ancestors as they are about material issues.
– must therefore be seen in the light of South Africa’s curious history. Many of those interested in land reform refer back to the old boundaries of their ancestors, which was exemplified by Delius’ work on the Pedi in Limpopo province.

“Old men still debate the precise boundaries of the Pedi Kingdom at the height of its power and hope for their restoration. Victims of forced removals are determined to regain the land that they have lost” (Delius, 1996: 221).

The land retains this symbolic and material meaning; clearly, the terrain of the land question has been influenced by the legacy of the migrant labor system. It is worth noting that migrants had a stake in agriculture, even if they themselves rarely practiced it: wages from the city may have been used to purchase cattle or other livestock to supplement income from the city. Agriculture was therefore something which had strong material meaning. It should be clear by now that an understanding of the migrant labor system requires giving some attention to the history of the reserves. It is therefore to a more detailed discussion of this issue that I now turn.

2.3.2.2 The creation and expansion of native reserves

The division of South Africa’s land along racial lines following the 1913 Land Act provided a base, albeit a small one, for migrant workers’ subsistence agriculture. However, the inadequacy of that base was increasingly evident by the 1930s when the supplementary means of subsistence in the reserves began breaking down. Simply put: Too little land had been reserved. Not only were the reserves densely populated but a long-lasting drought in the 1930s compounded the problem. One objective of the second
major Land Act in 1936 was therefore to expand the reserved area to around thirteen percent of the land area. The mines believed the reserves would “guarantee migrant labour in the longer term, as further land alienation would drive more rural families to town” (Beinart, 2001: 35). By the 1930s, then, maintaining the conditions for the migrant labor system was a strategic imperative for South African capital. It was, moreover, an imperative which the Afrikaner nationalist National Party (NP) understood and had ideas about addressing. That it was ‘successful’ in this regard, if only until the crises of the 1980s, is a significant aspect of the history told here.

The NP was the party of Afrikaner nationalists. Its goal was to secure state power and counteract the power of ‘English’ capital and culture. O’Meara (1983) provides one of the best accounts of its rise to power, which culminated in its election to office in 1948. He describes how the NP constructed a coalition of forces, including the white urban working class and white agriculture, which was sufficient to win the 1948 election and which would endure well into the late 1970s. Its appeal to the white urban working class was premised on the promise to curtail African urbanization, which had rapidly increased during the war years (1939-45), and deepen job reservation for whites (something which was important given the incentive for mines and industry to hire cheaper African rather than more expensive white labor). The NP appealed to white agriculture by virtue of its promise to resolve once and for all the labor shortages to which white farmers were subjected by virtue of agriculture’s inability to compete with the higher wages available to Africans in industry and the mines. Specifically, it
promised to resort to draconian influx control measures, which would place severe limits on black urbanization; accordingly, “[R]igorous application of the pass laws tied farm labor more tightly to the land” (Jeeves and Crush, 1997 p.20).

In attempting to solve the labor question for the mines and agriculture, the NP therefore envisioned a geography in which the migrant labor system would be institutionalized via a rigorously enforced influx control system. It also promised to pursue a more rigorous program of separate development, through which white and black South Africa would develop at ‘their own pace’. Critical to all of these promises was the NP plan to expand, cement, and enforce a transformed native reserve system.

In its earlier guise, the native reserve system was a way to control the native population along racial lines. The colonial state exercised power over Africans in the reserves through the Native Affairs Department. According to Mamdani, the department “was the supreme chief in the reserves” (p.101).

“Their writ covered every aspect of social life, from the allocation of land to the regulation of mobility to the administration of justice to the supervision of the domestic affairs of households to the relocation or reconstitution of entire communities” (Mamdani, 1996 pp.100-01).

Apartheid altered this situation dramatically. The focus of the Native Affairs Department shifted to controlling Africans in urban areas; while in the reserves the state re-organized and de-centralized power to chiefs and headmen. This began with the Bantu Authorities Act (1951), which “prepared the way for a new system of local and regional
government in the reserves” (ibid.). The NP then passed The Promotion of Bantu Self-Government Act in 1959, which “elevated the local administrative authorities into semi-autonomous ‘governments’” (Bundy, 1979: 227).

In formalizing the power of Chiefs and headmen, it built upon the colonial “state’s obsession with African chieftaincy” (Beinart, 2001: 163). But as Mamdani has argued, it also was a break from the method of colonial rule in the past. Apartheid was a “decisive shift” in addressing the ‘native problem’: the apartheid state had “caught onto the secret of colonial control in Africa: indirect rule” (ibid. p.100). By means of empowering Chiefs and headmen, the apartheid state shifted the terms of native opposition from “race to tribe” (ibid.). The apartheid reserves would become (quasi-) independent states or homelands for each of the African groups: that is, one for Xhosas, another for Zulus, etc. They were governed in part by “decentralized despots” (Mamdani, 1996) who were given new, formalized, powers to exercise significant control over the lives of their ‘subjects’. One major power was control over the distribution of land; but there were many others. As Oomen (2005) has noted: “Whether it was about attaining a plot of land, getting a work permit or an old-age pension, or obtaining access to justice, the chief had by legislation been made into the sole portal to government” (p.20). Ten homelands in total were defined, one for each of the so-called independent Bantu ‘nations’ into which Africans were to be moved according to their ‘national’ identity. Separation was deepened in the latter years of apartheid by the state’s efforts to finalize the independence of the homelands. Between “1976 and 1981, four homelands – Transkei, Bophuthatswana, Venda and Ciskei – accepted independence” (Beinart, 2001: 163).
Moreover, the power structures of the new homelands were slanted in favor of the traditional authorities so that the Chiefs would have a majority in their respective legislatures, thereby stifling demands for democracy from homeland ‘citizens’. Chiefs became presidents, ministers, directors general; some were foreign ministers, even if they were only officially recognized by South Africa. Apartheid attempted to “convert a racial into an ethnic contradiction” (Mamdani, 1996: 29).

The project of granting ‘independence’ to Africans in their respective ‘homelands’ must also be viewed in the light of independence movements in the rest of the continent, which began to bear fruit with Ghana’s independence from Britain in 1957. By trying to “borrow a leaf from the history of colonial rule to the north of the Limpopo” (ibid.) – a history which by the late 1940s and early 1950s was looking increasingly likely to yield independence led by alliances of urban and rural opposition movements – the apartheid state sought artificially to deurbanize its growing African population. This in turn required moving Africans into their respective homelands, a process which forms a major part of the stories described by Platzky and Walker (1985) in The Surplus People.

It has been estimated that 3.5 million people were forcibly removed between 1960 and 1985. Africans were removed from so-called ‘black spots’ in the white countryside; and 1.1 million African farm workers, tenants and ‘squatters’ were cleared off the land (Mamdani, 1996: 31). The African population living in the homelands “grew from 4.2 million in 1960 (39 per cent of all Africans) to over 11 million in 1980 (52.7 per cent)” (Beinart, 2001: 212).

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13 Around 800,000 Africans were also relocated in urban areas under the terms of the Group Areas Act (Mamdani, 1996: 35).
In terms of the construction of the land question, the historical processes discussed above draw attention to a major fault line in contemporary debates about land reform. In particular, there are tensions between the government and traditional authorities inherent in the land question. As I have discussed, the apartheid state empowered “decentralized despots” (Mamdani, 1996) in the homeland areas; in current parlance, they are referred to as ‘traditional authorities’. Not surprisingly, many of those authorities grew accustomed to their powers. As South Africa democratizes, therefore, traditional authorities are a quite major obstacle given the powers they continue to exercise (for example, with respect to the distribution of land, appointing allies to positions of power, or extracting surplus from their ‘subjects’). Further, so long as their power remains, then land reform runs the risk of providing a means to deepen their influence if traditional leaders gain control or influence over redistributed land.

Towards minimizing (if not eliminating) this problem, then, the government enacted the Communal Property Associations (CPA) Act 28 of 1996. The Act set out the conditions under which restitution beneficiaries would “jointly acquire, hold and manage land” (Hall, 2003: 15). CPAs would: be run according to a constitution; define individual and group rights; provide equal rights for women; and “function in a transparent, accountable and democratic manner” (DLA, 1997). But in practice, numerous CPAs have deviated widely from the government’s expectations (see also Hall, 2003 pp. 15-17). “Needless to say”, according to Oomen (2005: 72), “the traditional leaders were far from
thrilled with this proposed ‘power to the people.’” They expected land transferred under restitution to be transferred to them, not other forms of legal entities; restitution to CPAs was a challenge to their power.

Additional attempts to tackle the power of traditional authorities center on efforts to reform land tenure systems in the former homelands by means of a Communal Land Rights Act, which was described by traditional leaders as an “act of war” (Oomen, 2005: 77). The Act has yet to be implemented but will no doubt become a critical aspect of social relations in rural areas in future years.

Given the hegemonic project of the ANC – that is, to build a successful, modern, bourgeois state – the power of traditional leaders is a matter of major concern. After all, how can the ANC talk of running a successful and modern state if social life in rural areas is still influenced by paramount chiefs and headmen? What can be seen by examining this issue with respect to the land question is that the ANC is faced with the legacy of colonialism and apartheid, and must choose wisely how that legacy can be transformed. It is in this light, therefore, that the state’s decision not to implement the Communal Land Rights Act, but rather to focus on redistribution and restitution of land outside the former homelands can be understood: if tenure reform in the former homelands is still politically untenable, then delivering land to the land hungry must occur elsewhere.

Finally, and as has been mentioned throughout the Chapter, the historical processes discussed in this section have left African agriculture – confined to the reserves – in a sorry state. Though there are signs of this changing, regardless of land reform – so-
called ‘emerging’ (mostly African) farmers have made a bit of a comeback in the area of my research as well as in other parts of South Africa – there are strong concerns that the intended beneficiaries of land reform will be unable to survive on their own in what is a competitive agricultural sector no longer protected by the state. Any commercial agricultural land redistributed or restituted by the government will therefore

2.4 CONCLUSION
The general aim of this Chapter has been to introduce, and provide a basis for understanding, the general terrain of the land question in South Africa. What should be clear from the discussion is that the land question has been constructed as a problem from the geo-history of South Africa as a place. Notwithstanding the racial character of primitive accumulation, a process which would no doubt have been remembered, the conclusion to draw from the material discussed here is that attention must be given to what happened following dispossession. In particular, the spatially-interrelated migrant labor and native reserves systems meant that dispossession led to ‘displaced urbanization’ and concomitant – and enduring – urban-rural linkages among Africans. Had pre- and apartheid-era decision-makers allowed African urbanization to occur to the extent it did in other settings, there may not have been such an interest in land reform. However, the facts on the ground are that the land question is an issue for many Africans, which in turn entails that white farmers and the government have quite significant stakes in how it is going to be resolved. The Chapter has discussed their respective stakes in land reform and how their interests overlap or collide. The next three Chapters take up many of these
issues in more detail. Departing from the discussion in this Chapter, however, the following material seeks to highlight how the land question is fundamentally a question of geography. How space has affected the construction of the land question has not been addressed hitherto. One major objective in the following Chapters – and a theme to which I will return in the concluding Chapter – is precisely how geography pervades the land question.
CHAPTER 3

HYBRIDITY EMERGENT: GEO-HISTORY, LEARNING, AND LAND
RESTITUTION IN SOUTH AFRICA

3.1 INTRODUCTION

As noted in Chapter One, South Africa’s Restitution of Land Rights Act 22 of 1994 “gives effect to the constitutional provision that people unfairly dispossessed after 1913 are entitled either to restitution of that property or to compensation” (Hall, 2004: 12).

Almost 80,000 claims for restitution were lodged with the Commission on the Restitution of Land Rights. According to Hall, “By the end of August 2004, a cumulative total of 56 650 claims had been settled, resulting in the transfer of 810 292ha of land (just under 1% of all agricultural land in the country) at a cost of about R1.5 billion”\(^{14}\) (op cit p.13). Yet, given that “R2.5 billion had been paid out or promised to claimants as cash or other forms of compensation”, and that only 36% of claims have been settled with land (Hall, 2004: 13), restitution has made only very limited strides in undoing the racialized

\(^{14}\) US$1 = approximately R6.2.
character of land ownership in South Africa. However, land transfers under restitution seem to be increasingly on the government’s agenda. Crucially, the 2005 National Budget allocated greatly increased amounts to restitution over the coming three-year period: R2.71bn in 2005/06, or an increase of 134%, R3.69bn in 2006/07 and R3.83bn in 2007/08 (*Umhlaba Wethu*, 2005).

One area of the country in which numerous claims for restitution have been lodged and yet remain largely unsettled is in the far north of Limpopo province. The claims have been lodged by people (or their descendants) dispossessed from 1913 onwards of their land in the vicinity of the Soutpansberg Mountains. Some of the claims refer to land on which white farmers, with far-reaching assistance from successive whites-only governments, have created profitable, intensive, export-oriented farm businesses.

A case in point is the group of claims for restitution of land in Levubu, an export-oriented agricultural area of around 10 000ha, which employs thousands of workers and for which purchases of supplies and equipment contribute to the economies of nearby towns such as Makhado and Thohoyandou (see Figure 1.2). The government has recognized the validity of seven claims for restitution in Levubu, yet it has been hesitant about settling them and directly transferring the land to the claimants without attaching far-reaching conditions. A major source of the government’s hesitance is the fear that claimants lack the skills and know-how to manage the land and maintain commercial,
agricultural enterprises. Experience elsewhere in South Africa, including in Limpopo, has shown that direct transfers without sufficient “post-settlement support” (Jacobs, 2003; Hall, 2004) can lead to restitution failures that are a source of embarrassment to the government as well as a threat to its visions for development.

The government’s ‘solution’ to this problem in Levubu has been to privatize post-settlement by brokering deals between agribusinesses and claimants that will lead to fifteen-year ‘strategic partnerships’. Each of the claimant communities will form a Joint Venture Company [JVC] with one of two Limpopo-based agribusinesses (hereafter referred to as strategic partners [SP]); the JVC will pay an annual lease to its respective community; any profits from the managed land will be divided between the SP and the community; and the SP will launch a skills transfer plan to ensure that members of the community will have the know-how to take control of the land at the end of the fifteen-year period. It is under these conditions that the first 4 000 hectares or so of Levubu farms acquired by the government from ‘willing sellers’ will be managed. The government has insisted that the land will not be transferred to the claimants if they do not agree to enter into partnerships. What is remarkable about the Levubu case, then, is just how far the government has gone to impose on the claimants its ideas about how the

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15 Bradstock (2004: 1) noted, for example, that “while land reform groups have individuals who have worked on white commercial farms the majority of members have no theoretical or practical knowledge of farming”; that apartheid denied beneficiaries opportunities to attain skills requisite to intensive commercial agriculture almost goes without saying.

16 It remains unclear whether the government will acquire the remaining 6,000ha via expropriation. There are no indications at the time of writing (January 2006) that the state will exercise its expropriation powers.
land should be used. As with similar restrictions that have been imposed in other parts of the country on how claimants can use transferred land,17 the government is telling the rightful landowners – rightful, that is in terms of the liberation ideology of the ANC – what they can and cannot do.

Given this as my point of departure, the aims of this Chapter are twofold. In the first place I want to explain how all this has come about. I position the Levubu case in the wider literature on land reform because the process leading up to the Levubu settlement and the underlying tensions it illustrates are emblematic of land questions that continue to rankle in other settler societies in Africa (Bernstein, 2002, 2004; Moyo & Yeros, 2005; Peters, 2004), much of Latin America, including Brazil (Wolford, 2003), Central America (Kay, 2001; Bobrow-Strain, 2004), as well as in Asia (Aguilar, 2005; Borras, 2005). Evidence from studies in these places is mounting of a change in how states try to address land questions, how, in other words, they undertake land reform. According to some, the phase of ‘state-led’ or ‘developmentalist’ redistributive land reform has been displaced by a “new wave” (Bernstein, 2002), market-friendly thrust to land reform exemplified by policies that commit states to pay market-related prices for redistributed land, or demand-driven redistribution programs (Deininger, 1999). The rise of this new wave is strongly associated with the ascendancy of neo-liberal approaches in social and economic policy more generally. Yet, to some extent, and it bears emphasis, the

17 Claims on national parks, such as the Makuleke claim in Kruger National Park (Ramutsindela, 2002), have been settled without full transfer of ownership rights. Thus, titles have been transferred under strict conditions: some claimants find that “they may not sell, mortgage, lease or lend – nor do they have unfettered scope to use the land themselves” (Hall, 2004: 22).
distinction between state-led and market-friendly approaches is a false one. This is because market-friendly policies always require extensive state involvement (Jessop, 2002; Harvey, 2005). A more accurate characterization might be that new wave policies give more, rather than less, scope to market processes (see Borras, 2003, 2005).

It is generally accepted that South Africa has rolled out the World Bank’s neo-liberal ideas about using the market more than the state to deal with landlessness (e.g. see Deininger, 1999). Attention has been drawn to the South African government’s commitment to protecting private property rights and its promise to paying market-related prices for transferred land, hence avoiding “fast track” expropriation such as has occurred in Zimbabwe (Lahiff and Cousins, 2001; Bernstein, 2004). Of course, completing the restitution program requires extensive state involvement – which, as already noted, in general terms can be said of most programs affected by neo-liberal principles – and which has led some to argue that the overall land reform program in South Africa is a hybrid case (Levin and Weiner, 1997).

However, the way the government has acted as the guardian of the interests of the claimants of the Levubu farms and imposed far-reaching restrictions on how they can use the land suggests that it has learned to move beyond rigid adherence to market-led principles. Thus, although the land has been acquired from willing sellers, which reflects the market-led influence, restrictions on how the claimants can use the land are nothing if not stentorian. After starting with goals clearly informed by neo-liberal principles, then, the South African state seems to have moved in its restitution program towards favoring projects which are not only hybrid in form, but in which the state role verges on the
authoritarian. It is for this reason that I refer to the approach to restitution in Levubu as a fusion of market- and state-led approaches to the land question in South Africa; it is intended to be a contribution to debates about land reform.

In the second place, I want to show how what has happened can be understood in terms of a combination of more global forces and the specificities of South Africa as a place; a place, moreover, deeply formed by past struggles. In particular, I draw attention to the happenstance coming together of separate forces that have led to the Levubu solution. There is, first, the government’s concern about exports, foreign currency earnings as well as its image in the eyes of investors and their watchdogs such as credit ratings agencies; in other words, there is the neo-liberal context to consider, about which much has already been written (Bond, 2000; Cheru, 2001; Carmody, 2002; Peet, 2002; Miraftab, 2004; Smith, 2004). The government is concerned about its image, which is to be expected given the implications of exchange rate fluctuations for inflation and its ambitions for economic growth.

I argue that all of this leads to a concern about avoiding further land reform failures, which in the case of Levubu has led to the government imposing partnerships on the claimants. A second issue refers to conditions more local to South Africa. There is, on the one hand, the skills deficit among historically disadvantaged groups that the government has inherited from the apartheid era (for a useful discussion, see Bradstock, 2004: 3) yet with which it must deal in delivering its promises such as restitution. This has contributed to the government’s reticence about directly transferring the Levubu farms. Then there is the peculiarly South African social position of African traditional
leaders with which the government has had to deal in restitution. In the case of Levubu, and using materials from research with one of the seven claimant communities, I show that the actors leading the claim were installed by the now-deceased traditional leader and that, although the leadership’s authority has been challenged by some beneficiaries, the government has continued to deal with those leaders; that the leaders have supported the partnership plans is not insignificant. Finally, there is the position of agribusinesses to consider. Focusing on the Levubu-based partner, I show that the relative spatial immobility of their investments in the infrastructure of Levubu has compelled them to seek a role after restitution; I also explore some of the dynamics of their role and how they stand to gain from the proposed solution, possibly at the expense of the claimant communities.

In bringing together these materials, I argue that the Levubu case is emblematic of a learning process: ideas imported from outside, from a dominantly market-friendly discourse, have undergone considerable transformation in their application as the policies they informed were forced to confront the realities of the South African situation, its specificities as a place, more accurately as a position in space-time.

The Chapter is organized as follows. In the first section I provide a brief history of land reform practice in South Africa, emphasizing the global forces of a discursive nature to which it has been subject and the way in which these have been progressively reworked as a result of actual experience of applying them. Particular emphasis will be placed on the restitution program. I then examine the case of restitution in Levubu as an exemplar of these forces and practices. I explain the strategic partnership model in
Levubu; use materials from research with one of the claimant communities to draw attention to their position in the process; and explain the forces behind the involvement of white agribusiness.

3.2 LAND REFORM IN SOUTH AFRICA AND THE NEO-LIBERAL CONTEXT

The market-led approach both discursively, according to Bernstein (2002), and as illustrated by the bias of World Bank funding for land transfer schemes, has come to prominence in recent years; redistributive or state-led land reform has therefore had to take a “back seat” (Feranil, 2005: 257) to the “new wave” (Bernstein, 2002) of Market-Led Agrarian Reform (MLAR) (Ghimire, 2001). The MLAR approach “emerged out of the pro-market critique of the state-led approach to agrarian reform” (Borras, 2005: 95; Moyo & Yeros, 2005); it can also be seen as a response to new peasant uprisings in Chiapas, to the activities of the Landless Workers Movement (MST) in Brazil, or to preempt “rural sources of social unrest and political disturbance” (Bernstein, 2002: 451).

Proponents of MLAR such as Deininger and Binswanger (1999) have argued that state-led policies were, among other things: overly bureaucratic and relied on ‘top-down’ implementation methods that disempowered beneficiaries; encouraged rent seeking within bureaucracies; distorted land markets through prohibitions of land sales; relied upon government-led after-care or support services; and were supply-driven insofar as the state identified land and then sought out beneficiaries. Thus, they have concluded that land reform will be politicized and unsuccessful in achieving its goals when the state
assumes a leading role. As Bobrow-Strain (2004) has noted, however, this separation of
the political from the economic is fallacious. In so-called market-led approaches, neither
supply nor demand is innocent of power relations.

In contrast to this, MLAR approaches, “accord priority to economic efficiency in
the market-determined allocation of resources” (El-Ghomeny, 2001: 107) and hence use
very different means to effect change in rural areas. Rather than using expropriation of
land, for example, MLAR advocates voluntary land reform under ‘willing-seller, willing-
buyer’ principles whereby landowners are paid full market-related values for land sold.
MLAR encourages states to adopt ‘demand-led’ or ‘demand-driven’ approaches to locate
the most determined and ‘fittest’ beneficiaries: that is, to “the most economically efficient
producer” (Borras, 2005: 95). Finally, MLAR entails a requirement for beneficiaries to
develop viable farm business plans before land purchase; and cash grants for
beneficiaries to acquire private consultancy for farm developments.

In these key respects, then, MLAR aims to achieve change in rural areas by
mobilizing the forces of the market. Yet it remains to be seen whether MLAR will be
successful in its attempt to pre-empt rural uprisings, or defeat what Moyo and Yeros
(2005: 24) call the “progressive forces” that advocate peasant-led land invasions, such as
in Brazil (Petras, 1997; Wolford, 2003), or the “unique offensive against (capitalist)
landed property” (Bernstein, 2005: 89; emphasis in original) such as in Zimbabwe.
Moreover, and although MLAR has been ‘rolled out’ in countries in Latin America,
Africa and Asia, the question arises as to whether states that adopt MLAR approaches will stick with them; further, it will be important to answer why they adapt or abandon them.

In terms of understanding this sort of question, it is important to recognize that places – countries, regions or locales – have their own peculiarities: different histories, spatial arrangements, positions relative to wider flows of capital, ideas, or people. Certainly, places are not immune to goings on elsewhere; rarely are they entirely isolated, unaffected by changes, shifts, or pressures reaching in from afar (for a far-reaching discussion of this understanding of Geography see Massey, 2005). It is precisely within the context of such an interrupted, interwoven geography that national land reform (or any other) policy must be implemented, but necessarily with respect to local conditions that are often deeply sedimented historically. We should not be surprised, then, if policies and practices, enjoying some wider resonance and implementation, are mutated, shaped, even abandoned given the wide range of both obstacles and opportunities that can arise in particular countries, or regions.

This is indeed the picture that seems to be taking shape in South Africa, which initially embraced the new market-led approach to land reform – at the advice of the World Bank (Van Zyl et al, 2000; Bond, 2000; Lahiff, 2001; Hall, 2003) – along with numerous other policies of a neo-liberal slant (Bond, 2000; Cheru, 2001; Carmody, 2002; Peet, 2002; Miraftab, 2004; Smith, 2004). Embracing the market-led approach led to adoption of a willing-seller, willing-buyer approach to land acquisition, which protects the private property rights of landowners and commits the state to using the market to
acquire land for delivery on its promises (Zimmerman, 2000; Lahiff, 2001; Kepe & Cousins, 2002). According to Deininger (1999), adoption of the principle, “was based on the need to maintain public confidence in the land market, and more generally to affirm the government’s respect for individual property rights” (Deininger, 1999: 665). The need for such ‘respect’ for private property was a major concern of the white minority during the transition from apartheid to democracy, a concern which is ongoing. This sensitivity continues and has been intensified as a result of the way in which neighboring Zimbabwe rejected the neo-liberal approach in favor of a “fast track” (Bernstein, 2004) expropriation of white-owned land.

Consider now the restitution program, which provides for the restitution of land rights to persons or communities dispossessed of them after 19 June 1913, and in terms of a racially discriminatory law or practice (Lahiff, 2001; Ramutsindela, 2002; Hall, 2004). Its legal basis is The Restitution of Land Rights Act 22/1994. The Act provides five forms of restitution: restoration of original land; provision of alternative land; financial compensation; provision of alternative relief; and/or priority access to other government programs. By March 2004, there were 79 693 claims for restitution (Umhlaba Wethu, 2005). According to Hall (2003: 25), “between 20% and 25%” are rural claims. These are “large group claims involving hundreds, if not thousands, of people” (ibid.); they are

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18 The Act established a Land Claims Court to adjudicate contested claims in 1996. The Court has the same status as a High Court; hence appeals against its judgment are made to the Supreme Court of Appeal or, in exceptional circumstances, to the Constitutional Court. All claims for restitution had to be lodged with the Commission for Restitution of Land Rights by the end of 1998. The Commission is responsible for investigating claims and preparing them for settlement or adjudication. Regional Commissions were formed in 1999.
clustered in Limpopo, Mpumalanga, and KwaZulu-Natal (Hall, 2004: 15). Yet, “while fewer in number, the rural claims account for the bulk of the restitution program, since these represent the majority of the people claiming restitution and will probably also account for most of the cost” (Hall, 2004: 16). By mid 2004, around 9,000 rural claims remained unsettled and only six per cent of those settled involved transferring land (ibid.).

Not surprisingly, the government has been criticized for its slow pace in completing the restitution program. In explaining this, attention has focused on the budget for land reform, which in 2001, for example, was only 0.38 per cent of the National Budget, equivalent to the Department of Arts, Culture, Science and Technology (Walker, 2003: 17). The problems of such a small budget were heightened by the fact that current owners have to be compensated; that restitution has been carried out, in other words, under the constraints of the willing-seller principle. It is notable, then, that the allocation for restitution from the 2005 National Budget, which was 1.18 per cent of the National Budget, has increased significantly from what has been allocated in the past.

Although restitution requires considerable state involvement – the adjudication process, claim processing, buying the land, etc. – and can therefore be understood as a more hybrid type of land reform policy than the government’s other programs, especially redistribution, it nevertheless has been underpinned by the market-led approach. This is because systems for land acquisition initially relied on the state acquiring land from willing-sellers. However, the slant of restitution towards the market has changed as the state has learned about the various shortcomings of its policy.
First, the state has acquired expropriation powers via the Restitution of Land Rights Amendment Act 48 of 2003. Not surprisingly, perhaps, given the high profile given to expropriations in Zimbabwe, the amendment generated debate about the “potential for abuse of this power by the Minister and possible impact of expropriations on investor confidence” (Hall, 2004: 20). Indeed, when the Minister of Agriculture and Land Affairs exercised these new powers in 2004, it attracted a fair amount of attention from the international media (e.g. BBC News, 2005). Yet, in some restitution cases, such as Limpopo, where “nearly wall-to-wall claims [cover] much of the province’s prime agricultural land like Levubu, Waterberg, and Tzaneen” (Hall, 2004: 21), the new powers may have to be exercised to complete the restitution program against the wishes of landowners who refuse to sell. In short, the state has learned that its commitment to the willing-seller, willing-buyer principle is a major stumbling block.

Second, the state has begun to impose conditions on how claimants can use their land. One aspect here is the government’s determination that claimants do not sell transferred land. It has therefore imposed restrictions on using the land as collateral for loan capital. While this means they will have difficulty finding money to invest in new machinery or irrigation works, or indeed to have sufficient working capital, it also protects beneficiaries from the possibility of losing the land in the future. An important dimension of this stance is the desire on the behalf of the government to nurture black farmers: that is, land restitution is one way to alter the racial distribution of land in South Africa; given that the most likely buyers of restituted land would be whites, sale or foreclosure is not something the government is anxious to facilitate.
Finally, the state has altered its approach towards issues of post-settlement assistance. Although only 185 claims had been settled with land transfers as at March 2003 (Hall, 2003), there were already indications by that time that some beneficiaries were failing to maintain agricultural production. Cases began to emerge of what, from the standpoint of earlier uses of the land can only be described as regression: failures to maintain yields, abandonment of property, looting of the equipment for want of the capital to put it to work, among other things. An example of this is the Mamathola land claim, near Tzaneen in Limpopo, which resulted in the transfer in 2001 of 1400ha at a cost to government of R43m. The land was highly developed, and had been operated as a commercial farm enterprise; production began to collapse almost immediately after the hand over. A State Attorney eventually required the government to assume management of the farms in 2003. Although the government blamed the community leadership for the failure, critics of the government’s approach to land reform – including some in the white farming community (Du Toit, 2004) – have used the case to draw attention to ineffective government support to restitution beneficiaries.

Such deteriorations in productivity suggest that, where restitution restores commercial agricultural land, beneficiaries require extensive skills – ranging from technical and legal to procurement and marketing – that farmers had but which many beneficiaries had been denied the opportunity to acquire. This has bolstered arguments for a degree of post-settlement assistance – or after-care, an issue which was extensively
discussed in Chapter Two as arising from the particularities of the South Africa case and the general, that is, neo-liberal context for land reform – far beyond what was initially on offer.¹⁹

In the context of neo-liberalism, it is not entirely surprising that the government has opted for a private solution. Of course, the most private solution is to give the land to the beneficiaries and have them decide how to handle it; however, the government is increasingly opting to shift responsibility to the private sector.²⁰ A model for such an approach emerged in 2003 in the (former homeland-owned) Zebediela Citrus Estate, Limpopo. Zebediela was taken over by the Agricultural and Rural Development Corporation (ARDC), which was formed in 1996 to oversee the management and restructuring of former homeland assets, farms, and estates. Yet, according to Shaker (2003: 3) “financial, technical and managerial weakness” in the ARDC meant that it required an R70m annual government subsidy. When this was withdrawn from the National Budget, the ARDC was forced to sell or restructure assets. In the case of Zebediela, the Bjathladi community had a restitution claim, which the Limpopo Land Claims Commission recognized. The need to restore the land and to restructure the asset led the provincial Department of Agriculture and the Land Claims Commission to agree

¹⁹ This issue had already widely noted by observers of land reform. Hall (2003), for example, identified three important areas for better post-settlement support: institutional support for the legal entities taking on ownership of the restituted land, support for agricultural production, and assistance to enable beneficiaries to access municipal services on restituted land.

²⁰ Evidence from elsewhere in South Africa confirms the government’s willingness to have land reform beneficiaries work in partnership with the private sector (Mayson, 2003).
to transfer the asset to the beneficiaries but under the proviso that a ‘strategic partner’
would manage the land. The arrangement in Zebediela is as follows: There is a
management board on which representatives of the workforce, the landowners, and the
partner sit (the government is also represented on the board, although without voting
rights). The partner signed a lease agreement for fifteen years and pays an annual rent to
the landowners. Profits are shared between the landowners, the workers and the partner
according to the following formula: partner: fifty per cent; landowner: thirty-five per
cent; workforce: fifteen per cent. In return for the higher share, the partner provides
working capital for the enterprise, a management team and commits to providing
accredited training to the landowners and workers, so enabling some of them to assume
management of the estate at the end of the lease agreement. 21

What we see, then, is that South Africa’s land restitution policy – which was and
remains influenced by market-led approaches – has begun to shift towards a more
vigorously interventionist stance. There is the shift towards expropriation to consider, as
well as the government’s stance of imposing new forms of post-settlement assistance on
land reform beneficiaries. It has therefore encouraged and, in some cases, compelled

21 It has to be pointed out that, while Shaker (2003) does not identify the strategic partner,
the Financial Mail (October 2004) claims it is the Boyes family group. However, a black
economic empowerment (BEE) company, South African Farm Management (SAFM) was
identified as the partner when I visited the estate in 2004. The relationship between the
Boyes group and SAFM is not exactly clear: according to one member of SAFM’s board,
the Boyes group is only an ‘investor’ in SAFM; yet many of the white farmers in Levubu,
who know the Boyes family, claimed that SAFM was a black economic empowerment
front for the Boyes group. Adding to the confusion, a government official told me in an
interview that SAFM consisted of “comrades” (Interview with official from Limpopo
Land Claims Commission, October 2004).
beneficiaries to establish partnerships with private consultants or agribusinesses. It is to a fuller discussion of these issues as they have been played out in the Levubu case that the Chapter now turns.

### 3.3 THE CASE OF LEVUBU

The area known as Levubu is located on the southern piedmont of the Soutpansberg Mountains between Makhado and Thohoyandou. The restitution claims refer to removals in the late 1930s. The Union of South Africa displaced thousands of Africans from the area to make way for an irrigation scheme for the settlement of poor whites. The claimants consist of seven communities. They have used archival and oral evidence about the dispossession to support their claims. The sub-tropical climate in Levubu is ideal for the commercial farming of mango, avocado, banana and macadamia nuts. Around two hundred whites own the farms. Although many of them dispute the restitution claims and refuse to sell their farms, a group of fifty farmers did agree and this has led to the first group of purchases, which means that the remaining farms – owned by the group who refuse to sell – may have to be expropriated to complete the restitution process in the area.

My research on the restitution issue in Levubu involved thirty semi-structured interviews with white farmers. Some of them had agreed to sell, while others were refusing. One group of farmers, in particular, was positioned to become a strategic partner with some of the claimants. I conducted five interviews with one member of this group. Wherever possible, I tried to triangulate information gathered from these
interviews. I also conducted research with members of two of the communities claiming land in Levubu. This included interviews with community leaders\(^\text{22}\). I focused most intently on interviews with members of the Ravele Land Claims Committee as well as ordinary Ravele beneficiaries. I conducted a total of forty interviews with beneficiaries in their homes to learn what they knew about the process, what they believed would happen with their land, what they would like to happen with their land, and how they believed they could influence the process.\(^\text{23}\) Finally, my research included semi-structured interviews about the Levubu land claims with numerous government officials, including with the Limpopo Land Claims Commissioner.

3.3.1 Imposing the Levubu ‘solution’

The research revealed that the restituted land will be transferred under the following restrictions. First and foremost, and because of the value of the land and its commercial use, the beneficiaries cannot re-settle it. This condition is not unique to Levubu; according to one government official, only “where farms aren’t commercially viable, people can re-settle” (Personal Interview with official from Limpopo Land Claims

\(^{22}\) This includes community structures such as the Civic Association, the Tribal Council and faith-based groups.

\(^{23}\) Talking about restitution was a sensitive matter. There were countless rumours about who was really going to benefit from the land claims: some said that traditional leaders would keep the benefits for themselves; others accused their respective land claims committees of withholding information with a view to controlling the transferred land for their own personal benefit.
Commission, September 2004; my emphasis). It must be stressed that this is a major imposition on the claimants, many of whom do not have sufficient access to land and who would like to farm the land there.

Second, the government has disallowed the communities to have the land restored and then lease it back to the white farmers, an option many (if not all) of the farmers favored and which many said was the reason they had agreed to sell. On this issue, one government official said:

“As a Province we do not overwhelmingly receive this [sic]. This thing of leasing back cannot be a leasing back and left at that. Some of the farmers are proposing is that, “You buy my land, you give me $10m. I take it and put it in my bank and pay all my debts.” And then I come back and say, “Ok, I want to lease this land and just continue making money, right? I’m not going to train your guys so one day you can come and run it.” Actually you have not changed anything. You are creating perpetual dependence. The community just gets rental at the end of the month.” (Personal Interview with official from Limpopo Land Claims Commission, October 2004).

Third, the claimants must accept a strategic partner to manage their land. One member of a Land Claims Committee stated that, “Dr. Motsoaledi [then provincial political head of the Department of Agriculture] made it clear that, ‘if you want the land to be returned, you must agree to take on board a strategic partner.’ You see, this is the government’s plan.” (Personal Interview, April 2004).

The specific arrangements in Levubu are similar to the model used in Zebediela (Shaker, 2003), although there will be two strategic partners (SP) working with the beneficiaries in Levubu. The beneficiaries, who enter into a Joint Venture Company (JVC) with one of the agribusinesses, receive an annual lease payment for use of the land.
They also share the profits with the SP. Because the beneficiaries cannot raise capital on their own given the constraints on using the land as collateral for loans, the SP provides working capital. One government official sought to give the arrangement a more positive slant than might be justified by emphasizing that having the partner bring working capital would mean that:

“He will make sure it does not go down, unlike where he has leveraged the land and where the farm goes down the bank takes the land, which was a policy decision of this government. We cannot afford it, otherwise we’ll have a situation where we give land, the bank takes it, and sells it to a white landowner.” (Personal Interview with official from Limpopo Land Claims Commission, October 2004)

The Levubu settlement also includes a skills transfer plan, which is intended to enable beneficiaries to take full control of the farm enterprises at the end of the fifteen-year lease period. The intention is to create a new group of black farmers in Levubu, one that will potentially highlight the benefits of the government’s land reform program. This has a strong empowerment element because, as one official stated, the government task is to be “a catalyst for change and transformation” (my emphasis), and the skills transfer plan is central to achieving this goal. In short, the emphasis on training claimants to farm

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24 Importantly, both partners pitched their operations to the government as consisting of black partners as per the government’s concern that land reform comply with its black economic empowerment intentions. As I have already noted with regards to SAFM and as appears to be the case with the other partner, the financial backing and leadership positions of these companies is white, not black; this does not mean, however, that either company is not serious about BEE.
underlines the developmental goals of the government and its distancing from a more market-led process. The government does not just want to insert the claimants as landlords; it wants to develop them.

Adoption of the partnership approach evidently reflects the government’s experience of high-profile cases of restitution failures in other parts of South Africa. Indeed, officials explained the government’s position with respect to the Levubu case through reference to these failures. Collapse of the restituted farms at Mamathola, for example, clearly led the Limpopo Land Claims Commission, along with the Department of Agriculture, to look for alternative ways to provide post-settlement support. One official noted that:

“The assumption was communities are ready; communities want to become commercial farmers. Nobody really thought about the post-settlement implications of what we were doing, nobody. And then finally when Mamathola happened, fortunately for us this happened, everybody started to say, ‘Hey, we need post-settlement support. We can’t hand back highly commercial farms to communities and expect them to survive on their own.’” (Personal Interview with official from Limpopo Land Claims Commission, September 2004).

There is, therefore, some empirical basis for the government’s reluctance to opt for direct transfer given that “the claimant cannot come on and expect to run the farm in a day” (Personal Interview with official from Limpopo Land Claims Commission, October 2004). And rather than allowing claimants to re-settle the land or have them lease the land to other farmers, the government opted for privatized post-settlement because, “we believe that it’s not only [about returning the] land, [the partnership plan is] a long
process, maybe fifteen years, maybe twenty years, but it has to happen *and it has to happen this way* […] we really want it to be a private deal” (Personal Interview with official from Limpopo Land Claims Commission, October 2004; my emphasis).

The partnership arrangement can therefore be viewed as a form of privatized post-settlement support that minimizes the need for government-provided support but which also places severe limitations on how the rightful landowners can use their land. It reflects the learning process through which land restitution practice has moved – from a stance of favoring direct transfer to imposing restrictions on communities – as well as the government’s desire to minimize what it needs to spend. In this sense, the tensions of national finances in the context of neo-liberalism reach into Levubu and set limits for the government’s action.

Despite the way the government has imposed its vision for restitution in Levubu, it is also the case that the balance of political forces at the local level has been such as to facilitate its implementation. Not only have they been able to obtain the support of the communities involved, partly through the ability of African elites to control the whole negotiations process (possibly with a view to side payments to themselves for their trouble); but in addition the calculations of white agribusiness have also lent impetus to the feasibility of the plan.

3.3.2 The claimants

Turning to the communities, a key issue is the role of traditional leaders. As has been noted elsewhere (e.g. Rangan and Gilmartin, 2002; Claassens, 2001), the post-apartheid
government has not sufficiently challenged traditional authorities in the former homelands and Bantustans. According to Rangan and Gilmartin (2002: 639), traditional leaders: “retain powers to control spaces in de facto homelands”; mostly “function on the principle of hereditary rule”; and exercise “traditional customary law in former Bantustan areas.” Thus, while the Constitution of South Africa has abolished homelands, enshrines a Bill of Rights, and accords equal rights to women and men, the situation in the former homelands and Bantustans highlights contradictions in the constitution. The continued strength of traditional leaders has meant that, in land reform in general, and restitution in particular, the government has had to reconcile its determination to transfer land with the presence of traditional authorities that have the potential to undermine the egalitarian character of land reform; that the power of traditional authorities also challenges claims about the democratic credentials of the ANC should also be noted.

In investigating restitution of land rights in Levubu, one area of focus for my research was the internal dynamics of the claimant communities, especially in regards to the role of traditional leaders. I use here materials from research on the Ravele beneficiaries, whose ancestors were displaced from their land in Levubu in the late 1930s. They were ‘granted’ land by the Union of South Africa in present-day Mauluma, 20km from Levubu. Today, the village has around 5 000 inhabitants. Many are not members of the restitution claimant community; furthermore, only twenty-two percent of the registered beneficiaries reside in Mauluma.25 The late Ravele traditional leader was a

25 The land claims committee claimed this number was an under-estimate. They said many of the inhabitants of Mauluma should have but did not sign up as beneficiaries because they believed by registering they would have to move back to the land. Space
politician in the former Venda Bantustan. Before he died, he created a Land Claims Committee and appointed its leaders. They remain in their position of power to this day; even the new traditional leader has not been able to replace them. Not surprisingly, given all of the meetings the leaders have attended with government officials, non-governmental organizations, and the strategic partners, the leadership of the Ravele beneficiaries has acquired considerable knowledge of the claim, the legal and procedural process, and on how the land will be used under the terms of the partnership.

Yet numerous beneficiaries claimed the leadership had not been forthcoming with information about the claim. Mauluma has structures that the Land Claims Committee arguably should have kept informed on what was happening with the claim. *Khoro* (Tribal or Village Council), for example, meets in Mauluma every two weeks. Although not everyone living in Mauluma is a Ravele beneficiary and neither do all the beneficiaries live there, *Khoro* presented a regular opportunity for the committee to keep people informed. According to numerous beneficiaries, however, it refused to do so. Indeed, when I asked about this, one leading member of the committee stated that “you see, in terms of the [Restitution of Land Rights] Act, the Land Claims Committee must report to the beneficiaries; *Khoro* is not a structure we must report to” (Personal Interview, March 2005; respondent’s emphasis).

does not allow me to discuss here why so many of the beneficiaries in Mauluma did not want to leave, or what this might mean for restitution policy.
Others among the beneficiaries believed the Land Claims Committee had deliberately guarded their positions. One beneficiary even went so far as to claim that:

“People are not as aware of what is going on as they should be and I think this is more by design. It is not accidental that people are not aware. […] It’s by design. As you are aware, the people on the Land Claims Committee […] derive their convictions on the point that says, ‘we have been involved in this process since as early as 1996’. They regard themselves as custodians of the process. They don’t believe that anybody else deserves to know more than they know. They believe they have got the right to decide what other people should know and shouldn’t know and, for them, anybody else who gets to know anything about the process, for them, it’s a privilege.” (Personal Interview, May 2005).

It was not clear why the leadership was so intent on maintaining this sort of secrecy. It is not inconceivable that they had the best interests of the beneficiaries in mind; nor, however, is it too extreme to suggest that they intended to make personal gains. Indeed, the latter possibility was most commonly raised by beneficiaries. They certainly are well positioned to gain as a result of holding positions on the Board of Directors of the Joint Venture Company, especially if those positions are remunerated; even if they are not, whomever fills those positions will have privileged knowledge of the situation. Another possibility is that the leadership wants to control the legal entity that will oversee how income from the land will be spent. Indeed, income from the land, via the annual lease payment and shares from the farm-based profits, may turn out to be quite considerable, possibly in the millions of Rand annually.

Although the research cannot determine exactly what the leaders intend to do with the knowledge and power they have accumulated, it is clear that they were major supporters of the strategic partnership approach. This seems to have a lot to do with why
the government’s imposition of the partnerships did not experience anywhere near the level of resistance one might expect given that the government is telling the beneficiaries how they can use their land. Further, though the leadership was supportive of the partnership proposals, interviews with ordinary beneficiaries revealed not only a lack of knowledge about the land claim – among numerous other things, they did not know the number of farms that would be transferred, the potential strategic partners with whom the government was determined they would have to work, or whether beneficiaries would be allowed to have their own portion of land – but also an acknowledgement that they had had negligible influence on how the claim had progressed. Again, understanding why beneficiaries were so unaware of what was going on and why they had seemingly been excluded from the process was not easy. Among other things, leaders of the Land Claims Committee said that “the people do not understand this process; all they want is for us to tell them when we will get the land back” (Personal Interview, March 2005). Yet it is not unreasonable to suggest that the beneficiaries had been deliberately kept in the dark by the leadership.

Thus, despite government claims that restituted land will be returned to democratically elected and organized legal entities such as Communal Property Associations or Trusts, evidence from my research with the Ravele beneficiaries suggests otherwise and draws attention to the government’s seeming indifference to the issue of community democracy. Indeed, the government was continuing to negotiate and meet with members of a Land Claims Committee that was not democratically elected and was suspected by the beneficiaries of pursuing personal gain. I argue that this helps to explain
the acquiescence of the Ravele beneficiaries to the government’s plans for the restituted land. The Levubu solution has turned out to be partly a deal between a small and unrepresentative group of community leaders and the government. The other party involved were the two agribusinesses that emerged as partners during 2004. It is to the partners that I now turn.

3.3.3 The strategic partners

The beneficiary communities are only part of the equation which has made this odd hybrid arrangement politically feasible. There is also the interest of the white agribusiness. One of the two agribusinesses involved, Mavu Management Systems, consists of white farmers from Levubu and the surrounding area.\(^{26}\) They own upstream agricultural suppliers, downstream processing facilities (nut drying and hulling, juice processing), and have marketing channels to domestic and foreign buyers. The MMS farmers stated that they believed restitution via direct transfer of land to the beneficiaries would place their fixed up- and downstream investments, which have been developed since the 1980s, at risk. This is because they shared with the government the view that the beneficiaries would not be able to farm the land adequately. This would place the supply of high quality raw materials to their processing facilities and marketing operations in jeopardy. One possible strategy, which the MMS farmers, in common with most of the farmers in Levubu, had favored, had been to lease back the land from the claimants; as noted, however, the government was opposed to this. Entering into partnership

\(^{26}\) My research was most closely involved with MMS; representatives from the other partner, SAFM, were not as willing to discuss their role in Levubu.
arrangements with the claimant communities was therefore the only way for the MMS farmers to ensure their raw material supply. As one of the farmers in MMS noted, “the best way to [secure your raw material base] is to farm it yourself”. He continued thus:

“Look, to be honest, if I didn’t have my investment in the factories I wouldn’t have been a strategic partner. […] I would have been out of here. […] Remember, a factory, if your raw material basis is not secure, it’s actually just a heap of stainless steel.”

There were other concerns. The other potential strategic partner, SAFM, was positioning itself to manage the Levubu farms. MMS therefore had another incentive to get involved:

“My factory processes the stuff. If [another partner] takes over the whole 10 000ha [in Levubu] and takes over my raw material base, then I’m actually in dire straits, right?”

Ensuring future supplies of raw materials was the primary incentive for MMS, another concern was the overall commercial viability of Levubu. The farmers in MMS own upstream facilities – nurseries and a supply company – the future profitability of which depends on a vibrant agricultural economy in Levubu. And there is also the issue of the time and energy expended in establishing markets, both in South Africa and overseas, which would show limited return if restitution in Levubu was to be a failure.

So there were necessities impelling them in the direction of performing the role that the government has been looking to them to perform. There were also conditions of a more facilitative sort regarding the transition process between individual private ownership and the partnership arrangement. Hugely important here is that under South
African labor law, they are going to be able to draw on the knowledge of existing workers on the land to be restituted. This knowledge is important because, as another farmer noted, the transition from one owner to the next can be problematic:

“This farm we took over: It took me days to actually discover the irrigation system. When we bought the farm, the grass was this high, I cut the grass and I said, “ok, he has irrigation” – small sprinklers next to the trees – and I said, “ok, if he’s got irrigation, he must have a main line and a valve.” And I took all six of my people and asked them to look around for a valve and it took me a week’s chopping down of trees and there wasn’t one because it wasn’t connected… You don’t take over a farm and run it. If you take over this farm, you’re not going to run it like I’ve been running it. It’s going to take you at least 12 months to get yourself stationed.” (Personal Interview, October 2004).

But the farm workers are critical in another sense. Not only are they a source of knowledge, if MMS can alter the organizational structure and the division of labor on the farms, then that can enable a radical reduction in the costs of the overall operation. One farmer in MMS commented on this aspect:

“…you must look at how people have farmed up till now in South Africa… you had a white farm owner and a black, traditionally what you call a “boss boy”. And he was actually doing most of the work. It’s going to be a three-year phasing in where you have to change these guys, these black farm managers. Because even though they have done the work, they didn’t assume responsibility. You have to get them to a point where they assume responsibility. Like my farm managers: they’re all black. Ok. They run their farms as if it’s their own property. They assume full management responsibilities. They know exactly what the cost impacts of each decision is (sic.) and they know how it impacts on their incentive bonus at the end of the year. Now that system is not in place in Levubu, under the traditional system. But the people are there. And I don’t think those people are different from my people … you have to go in and change their mindsets. The technical expertise is there. They’re on the farms. So it’s a question of managing those guys and integrating the different management philosophies.”
It is significant – from the perspective of understanding the coming together of various contingencies of South Africa as a place – that the MMS farmers are in position to draw on this expertise owing to the protections of recent South African farm labor legislation. For example, The Agricultural Labour Act 147/1993 and Labour Relations Act 66/1995 both provide protection for farm workers, which MMS is likely to exploit and which will help the partners achieve a smooth transition. This is especially the case given that the beneficiaries may expect jobs to become available on what, after all, will be their land. The labor laws, however, will enable the partners to resist any calls for widespread redeployment of workers. For sure, members of the beneficiary communities will eventually replace these workers and farm managers. But as, with not a little relief, one of the MMS farmers explained it:

“…you’ve got labor laws in South Africa, which make it practically impossible to dismiss them [the current workforce], which I’m so glad about! So, yes, through normal attrition, definitely, in ten years, you train a new class of managers. It makes absolute sense [but] If you want to dismiss a farm manager of 20 years experience, and you have to pay him one week for every year of service, and you want to dismiss a few thousand people, then you’re looking at a serious pain.”

Thus, the calculation of MMS to become a partner encompasses a wide range of aspects, from the need to secure a supply of raw materials so that returns on earlier, long-lasting investments can be achieved, to ensuring that problems in the transitional period are minimized. And add to the attractions of the scheme, the agribusinesses will be, courtesy of land restitution, making gains from far more land than they ever controlled before
restitution. So despite the risks and challenges ahead for a partner such as MMS, if the post-restitution environment is negotiated effectively, a large windfall may be in the offering:

“Where in the whole wide world will somebody come and buy your assets from you and then give it back to you at no cost plus 50% of the share back to you? Where will that happen? And that’s what’s happening in Levubu. And they’re not only buying my assets, they’re giving me three times more, four, five times more assets. They’re going to spend R231m and basically give 50% of R150m to MMS. Where in the world will you get that asset base for basically nothing? What’s your investment? Your working capital? Where’s your exposure?”

3.4. DISCUSSION AND CONCLUSIONS

The Levubu ‘solution’ draws attention to a hybrid approach to restitution. Consider how the government acquired land for restitution in Levubu: reflecting the influence of market-led approaches, it has not used expropriation in the process of land acquisition; rather, it has relied on the willing-seller, willing-buyer principle. In Levubu, this has led fifty-one farmers to agree to sell.27 Yet, while the approach to land acquisition reflects the market-led approach, the way in which the government has sought to transfer land is certainly not. The state has imposed far-reaching restrictions on how the beneficiaries can use the land; restrictions that, as a model for restitution on commercial agricultural land

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27 Admittedly, the government has not had the degree of success it would have perhaps anticipated. In Levubu, as in other parts of South Africa, many landowners still refuse to sell. What has happened elsewhere, therefore, is that the state has begun to expropriate land. When I interviewed a government official in Limpopo with responsibility for land reform and asked about the farmers who refuse to sell for restitution purposes, the official noted that, “we will declare disputes with [those who refuse to sell] and we will expropriate. [There is] No other route. We will expropriate.” (Personal Interview with official from Limpopo Land Claims Commission, September 2004).
of this type, have not been tested elsewhere in South Africa. By so doing, it has acted as the ‘guardian’ (Bernstein, 2002) of the beneficiaries’ interests. This aspect highlights more developmentalist or state-led approaches to land reform. In my view, therefore, restitution in Levubu is a fusion of these two ways to address land questions.

I argue that this fusion can only be understood in terms of the geo-historical context of South Africa as a place. For example, plans such as those in Levubu are closely bound up with the South African state’s wariness about its foreign currency earnings, the rate of exchange and inflation targeting, which is “the anchor of monetary policy in South Africa” (Business Day, November 8 2005). Furthermore, precisely how South Africa’s approach to land reform is viewed by international observers, including not just potential inward investors but also the all-important credit rating agencies, has inserted an element of discipline on the state, which helps to explain why it has been reluctant to use its expropriation powers; events north of the Limpopo River in Zimbabwe in particular have shown to outsiders the perils of expropriation and it seems fair to say that South Africa has been wary of taking such an approach. I also argue that the interest of international observers extends to how the government deals with restitution in areas such as Levubu. High-profile failures, with tours to the struggling farms for visiting foreign journalists, organized by the local white farmers, would not look good for the government’s image. In these ways, then, the national state is caught up in a neo-liberal bind from which it cannot easily escape and which influences the way policy is implemented on the ground. Clearly, then, the Levubu ‘solution’ has also
emerged from the experience of implementing land reform policy and, in particular, the ‘reality’ that beneficiaries cannot achieve success without extensive support. This is as much a part of the apartheid inheritance as the land question itself.

Finally, there is the disposition of political forces around the Levubu case. This includes the acquiescence of the claimants (an issue to which I turn in Chapter Five) and the interest of white agribusiness. As I have discussed, the former aspect is closely related to the authority of traditional leaders and how leaders among the claimants have guarded their positions, restricted the flow of information, possibly with a view to personal gain. The latter was driven by considerations of both potential losses and also potential gains. There is the issue of securing access to a certain quality and quantity of raw material and the prospect of the government buying assets and then effectively returning them to MMS. Furthermore, the contingent role played by South Africa labour legislation – which holds out the prospect of a smooth transition and the possibility of restructuring labour costs on the farm businesses to their advantage – is not inconsequential to the calculations of MMS.

An unanswered and important question about use of strategic partnerships is that, while they are touted by government officials as a pathway to success, how things will work out is actually a good deal more uncertain. A particular concern is that over re-investment. Given the fifteen-year time horizon for the partnership, how seriously will the strategic partner push reinvestment of earnings in the project, particularly if there is
pressure from the community to spend the profits instead on upgrading community infrastructure, bursaries, and the other things that have been mentioned. One large-scale, export-oriented farmer commented on this aspect:

“Let’s say I become a strategic partner and the term is fifteen years, how do you think this farm is going to look right in fifteen years? [...] I mean, there’s a big difference between return on investment and profit. I can go to a very high profit point very quickly… if I’m an interim partner I will go for the profit margin… I mean, it takes seven years for a citrus tree to come into full production. Do you think I’m going to plant new trees? No, I’m going to go for the profit margin, it’s as simple as that… Ownership means return on investment, not profit. I mean, I came here and up until today, this company has never paid a dividend, we’ve ploughed back every cent. We draw salaries, we all draw salaries, but we have never paid a dividend… That’s the principle of what I’m talking about. So if the owner hasn’t got the drive, don’t think that your manager is going to have it. I mean, you appoint a manager, they always say, ‘What is the bonus system?’ And the bonus system is always profit-related, so what do they drive? The profit.” (Personal Interview, November 2004).

I asked a government official involved in the Levubu restitution claim about the issue of sincerity, re-investment, and whether the government will intervene to ensure partners do not take advantage of the beneficiaries.

Official: You [the partner] have to give us a deal to say what is your expansion plan. What is your investment plan? At the same time, you have got the claimant communities, the workers and the SP and government as an overseer, a representative of government who’d on a daily basis be part of the process…

AF: But that’s going to depend on how sharp is that person.

O: Yeah, obviously, the idea is that person is not necessarily an individual. He’s there representing an institution. If needs be, if we need to get somebody else in, if you think that this guy is not giving proper
fertilization to the roots then we can get the relevant government structure to investigate because this man is reaping these plants and the next five years he is going to leave and you have to re-plant everything.

AF: But what is the penalty? How does the government exert discipline?

O: Well, those are the things that are being worked on. […] But in the end, it’s a very big challenge if a guy tries to play fun and games and in a SP arrangement we have to accommodate for that. It becomes a private issue but we hope in the line that we have structured it will be a success. I think we are going to have to learn to work with the strategic partners. We are learning, we are looking at how they are doing. I think if production is going well, everyone will be excited and happy. But the real truth will come if things start to go down. Then you will see the true colors of everyone! But the taste of the pudding is in the eating and we are currently trying to eat it and see how does it taste.

Despite this official’s confidence that the government will be able to monitor the Levubu case effectively, it obviously remains to be seen how successful it will be. On the other hand, one of the strategic partners has a stake in the area in the form of facilities whose future commercial viability depends on making the project a success over a longer term period than the fifteen years. Government, too, has a stake in securing employment on the farms and maintaining exports; and, of course, the beneficiaries have a major stake, albeit one that they may be tempted to trade off against consumption. Moreover, the large amounts of money involved could lead to disputes. Some of the better positioned could stand to secure significant personal gains. There are also challenges ahead relative to monitoring the activities of partners, ensuring they truthfully state financial earnings, not manipulating accounts, buying over-priced inputs, or selling output at under-market rates. For communities that obviously suffered from dispossession and then under apartheid, restitution promises to bring much-needed money. Yet precisely who will control the
money that will come from the land is not clear. Some, but by no means all, community members monitored the land claim closely and appeared to be jockeying for position to influence how income from the land would be spent. Others seemed resigned to the fact they would have little or no influence.

What the strategic partnership approach certainly generates is a new and important social structure among the Ravele beneficiaries, the Communal Property Association, which will have the potential to create enduring changes in Mauluma. For example, the Ravele Land Claims Committee stressed that income from the land would be used to ‘develop’ Mauluma: that is, to improve schools in the village, lay a new road surface, and possibly to build new sports facilities. Future research will be needed to assess what, if anything, the beneficiaries have gained from this approach to restitution; and to examine how the CPA, a new and potentially wealthy structure, will interact with existing structures, including the institution of traditional leadership.
CHAPTER 4

GEOGRAPHIES OF WHITE FARMERS’ RESISTANCE TO LAND REFORM IN SOUTH AFRICA: PLACE, TERRITORY, AND CLASS

4.1 INTRODUCTION

It is widely acknowledged that the land question in South Africa remains one of great seriousness fraught with implications for the legitimacy of the state (Bernstein, 2004; Lahiff, 2001; Walker, 2003). The African National Congress (ANC) government’s land reform program is therefore a matter of great interest. The goal is to redistribute thirty percent of agricultural land by 2014. The overall program is fraught with political tensions, including tensions between potential beneficiaries and the government; tensions between farmers and other landowners and restitution or tenure reform beneficiaries; and tensions between farmers and the government.

This Chapter examines one particular aspect of the politics of restitution: resistance by white farmers. It uses materials drawn from interviews with white farmers in northern Limpopo province, an area in which claims for restitution are widespread,
affecting almost all white-owned land and in which racial tensions have been heightened by the process. Completion of the restitution program nationally and in Limpopo depends heavily on the ability of the government to purchase land from white farmers. This is because farmers must agree to sell under the ‘willing-seller, willing-buyer’ principle which underpins land reform practice. Although the government has new powers of expropriation under the Restitution of Land Rights Amendment Act 48 of 2004, it has been reluctant to use them (the first expropriation was ordered in October 2005; *Mail & Guardian*, 2005a). Nevertheless, the very possibility of expropriation has some effect on the calculations of white landowners affected by the restitution program. Although a relatively small number of farmers – less than one hundred – have agreed to sell their farms in Levubu, most are resisting by refusing to sell.

Exactly why farmers refuse to sell is poorly understood in the literature on land reform in South Africa. One of the objectives of this Chapter, therefore, is to contribute to the literature on land reform in South Africa by addressing white farmers’ resistance. In addition, however, and unlike most contributions to the land reform literature (although see Levin & Weiner, 1997), I seek to adopt a geographical perspective that brings together issues of place, territory, class and geographic scale.

In the first place, I highlight the importance of relations between farmers and places, both at local and national scales. I demonstrate how factors such as farming the land, improving it, and having a sense of belonging to the local area gives the farmers a distinct identity. The farmers believe that they have transformed the land, battled with nature, and overcome numerous obstacles in the course of making it profitable. These
experiences nourish ideas of personal independence, a sense of their own importance, a sense of social significance locally and to South Africa as a whole, all of which they see threatened in various ways by restitution. Of course, no discussion of white spatial imaginaries in South Africa can ignore the question of race. I therefore try to show how race is tied in with the farmers’ identities. Through an essentialist reading of their African Other, for example, they construct a story of African inadequacies that justifies their resistance. Because it is assumed that Africans cannot farm commercially, are poor managers, and have a superstitious, irrational understanding of life, many white farmers argue that staying on the land is best for the nation as a whole. In this way, they also connect with an interesting, and in my experience, quite authentic, sense of patriotism, if in terms of a concept of South Africa from which most South Africans would recoil.

I also argue that relations to local places or to South Africa as a whole are not just about identities; rather, there also are very real material concerns. The farmers have concerns about a patchwork of restituted land, as some farmers agree to sell and others refuse, the outcome of which may be a loss of beneficial externalities or synergies; or (worse, for the farmer) more Africans as neighbors, which raise the stereotypical concerns about stock theft and threats to physical security. Material concerns also extend to the farmers’ understanding of their prospects in South Africa as a whole. They express concerns about the difficulties of establishing new farming enterprises elsewhere in the country, the problems of high land prices, as well as fears that fashioning a life outside of
farming will be difficult in the context of Black Economic Empowerment (BEE). As a result of their relations to their locality and to South Africa as a whole, then, the farmers view staying where they are as their best option; selling is not at all desirable.

A second line of argument with respect to farmers’ resistance brings together issues of territory and class. Particularly important in terms of interpreting the situation in Limpopo is the emergent role of white agribusinesses. These have positioned themselves to become partners in potentially lucrative deals with restitution beneficiaries once ownership of the farms has been transferred. In terms of their commitments to territory, to particular places, agribusinesses and a few of the wealthier farmers (who are among the group of willing sellers and who have the resources to make a relatively costless exit or see opportunities in restitution for themselves) are quite a bit less intense than most of the white farmers, particularly the unwilling sellers. I therefore argue that we have to understand differences between willing and unwilling sellers in terms of a social differentiation within the agricultural sector that is, furthermore, found elsewhere in the world: one between a petty bourgeoisie and an emergent big capitalist sector grouped around agribusinesses which control the inputs to agriculture and the processing and marketing of its outputs. Power is obviously shifting to the latter in South Africa (Mather & Greenberg, 2003). The more capitalist players have buying power with respect to agricultural outputs; they also have selling power in terms of their control of inputs of seeds, fertilizer, herbicides, machinery, consulting. Part of the power is also geographic: they aren’t as locally dependent as the petty bourgeoisie. They can spread risks geographically or sectorally by investing in different sorts of business. Players in the
more capitalist sector are also generating resentment from the more petty bourgeois farmers and would do so, I argue, regardless of restitution. This is evident from some of the claims that smaller farmers made in the interview materials to be discussed below. I therefore suggest that resistance from the more small-scale family farmers makes sense in terms of their petty bourgeois class position. This is apparent in diverse ways, and would be so even if agribusiness was not on the horizon and they were just going to be replaced by another petty bourgeois farming stratum, but an African one.

My argument, then, is that an understanding of white farmers’ resistance requires attention to questions of identity: the farmers identify with their locality and what they believe they have achieved there; they identify with South Africa; and both senses are intertwined with material interests in staying where they are given the uncertainties of recent changes in South Africa. Yet, I demonstrate that it is the farmers’ class position that really makes the difference. Some readers may find this line of argument controversial. While acknowledging that South Africa is a highly racialized arena and that the farmers’ identity politics is closely connected to questions of race, my investigation of the white farmers’ resistance shows that the farmers would be in a defensive posture even if the claimants were white. My aim is to show that, while their resistance is about their relations to their locality and to South Africa as a whole, and that they strongly believe the state is erring in replacing white with black farmers, the politics of space in South Africa is very much a politics of class.
4.2 LAND REFORM AND WHITE FARMERS IN SOUTH AFRICA

As I have noted in Chapter One, South Africa’s program of land reform is a response to a highly unequal distribution of land along racial lines and an attempt to redress the injustices of forced removals and other dispossession. The government has set a goal of redistributing thirty percent of agricultural land by 2014. Restitution is one of two main land reform programs intended to meet this target. The first ANC government legislated for restitution through the Restitution of Land Rights Act (Act 84 of 1995). The restitution program provides for the restitution of land rights to persons or communities dispossessed of them after 19 June 1913, and in terms of a racially discriminatory law or practice (Lahiff, 2001; Ramutsindela, 2002; Hall, 2004).

It is possibly the most emotive of all the land reform programs. The emotional aspects have to do with the outpouring of collective memory and grief by restitution claimants, many of whom experienced the often violent forced removals that dispossessed them of their land (Platzky & Walker, 1985). Claiming back the land therefore has important material and cultural ramifications. So while it is widely considered a first step in improving livelihoods and reducing poverty, in many cases it is also about returning to places where ancestors are buried and where one can be buried in one’s turn alongside them. As is discussed below, and albeit in a different sense, the farmers express their own emotional attachments to the land, which complicates matters considerably.
It is also developing into one of the most controversial and potentially most tricky for the government. The trickiness of restitution for the government lies precisely in the complexities of acquiring highly particular, non-substitutable pieces of land from farmers, many of whom do not want to sell. Unlike in redistribution, then, under which program white farmers experience more general pressures to sell land, but where the government can accomplish its purposes by confining its dealings to willing sellers, achieving closure of the restitution program means that the government must acquire land even from farmers who want to remain on it; more cases of government expropriation of farmers’ land, which has already happened (Mail & Guardian, 2005a), are therefore likely. It is under the restitution program, therefore, that claimants, the government and farmers are most likely to come into conflict, and precisely because, of necessity, restitution targets particular pieces of land for acquisition.

As I have extensively discussed in Chapter Three, both the redistribution and restitution programs are underpinned by so-called market-led or market-assisted principles. The market-led approach, which embraces ‘negotiated’ settlements between willing sellers and willing buyers (Deininger, 2003), was adopted in South Africa in the mid 1990s at a point in which apprehension at the prospect of state-led expropriation of private property was intense despite assurances to the contrary from the ANC and a new Constitution which enshrined the protection of private property rights. Since then, numerous observers and scholars of South Africa and of its land reform program have argued that adoption of the market-led approach was part of the ANC’s attempt to avoid sending the wrong signals to the likes of international credit rating agencies and potential
investors, but also to domestic capital and whites more generally (Deininger, 1999; Bond, 2000). The fear was that South Africa would follow the ‘African basket case’ (later known as the Zimbabwe-style expropriation) road to land reform. However, adherence to a market-led approach has meant that the allocation to land reform from the national budget is critical. This is because the state must find the money to pay market values for land purchased from farmers. Although the allocation has been criticized as too small in recent years (Kepe & Cousins, 2001; Walker, 2003), the government has now begun to make increased budgetary allowances (Umhlaba Wethu, 2005).

4.2.1 The important role of white farmers in land reform

Implicit in the preceding discussion is that, in numerous ways, white farmers-cum-landowners have a key role to play in land reform in South Africa. Their actions – ranging from evictions to selling or refusing to sell land – fundamentally affect the overall process. Yet although they are often depicted as racists and opponents of land reform, there are many cases of them trying to play a more positive role (Mayson, 2003). Some of these involve share-equity schemes, consultation services to land reform beneficiaries, even partnerships. Nevertheless, cases of farmers voicing opposition to the state’s land reform approach, for example at the Land Summit in Pretoria August 2005 (Mail & Guardian, 2005b), threatening armed struggle (Mail & Guardian, 2005c), obstructing the process through refusing government agencies to perform inspections (This Day, 2004; Soutpansberger, 2004), or manipulating the process to secure private gain (Business Day, 2005), have drawn attention to the more negative role that they often play.
Surprisingly, despite their significance to the unfolding land reform drama, there is a major silence in the land reform literature in South Africa about them, about their actions, and the limits to, and possibilities for action. This begs the question of what motivates farmers to engage with the land reform process in different ways, something with significant policy implications. One particularly pressing question is why many white farmers refuse to sell despite the availability of financial compensation. After all, the theory of market-led land reform suggests that the statutory mandated offer of financial compensation will lead sufficient numbers of farmers to sell land to the government (Deininger, 2003). Under the restitution program, however, and as the evidence from northern Limpopo that I present below suggests, financial compensation alone has not been enough to lead farmers to sell.

A further question is how changes in the organization of agriculture in South Africa have affected the way farmers negotiate land reform. Mather and Greenberg (2003), for example, have noted that deregulation of agriculture in 1996, which disbanded marketing boards and let market forces rip in the sector, has led to increased differentiation between those who can and cannot take advantage of ‘purer’ market conditions. In their study of the citrus sector in the Cape, they noted that market power has shifted away from small producers to “privately-owned, large citrus enterprises” (Mather & Greenberg, 2003: 411). Also at issue, then, is how differentiation among farmers along class lines affects the positions from which farmers negotiate land reform.
4.2.2 A brief review of land reform in Limpopo

Just over 3 000 white farmers own farms outside of the densely populated former homeland areas in Limpopo. Many of their farms are subject to claims for restitution. Around two thousand of the original 5 809 claims in Limpopo (Hall, 2004) remain unsettled; many are claims for restitution on some of the province’s most valuable land. That so many claims remain unsettled reflects not just the resistance of many white farmers to selling the land in question to the government, but also the caution with which provincial government officials have approached land restitution, as well as more general problems in delivery. The slow pace has been frustrating for claimants as well as for the willing sellers, who would like to see the process, as it affects them, brought to fruition so that they can take their money and get on with their lives.

As in other parts of South Africa, post-liberalization business concentration and increased competition is evident in agriculture in northern Limpopo. In the Levubu area, for example, a group of private farmers purchased the supply store that originally belonged to the local farmers’ cooperative and expanded into downstream facilities such as juice factories, nut cracking and drying facilities, as well as distribution and marketing channels that connect operations in Levubu directly to foreign buyers. Market power has shifted to the more capitalist sector at the same time as labor laws and price squeezes by foreign retailers have increased competitive pressures. As such, and as was noted by many of the farmers interviewed, “[T]he days when, ‘I’m a farmer and I’m only a farmer’
are long gone by. Open markets, no managing boards, banana boards are away. You’re not a businessman, you don’t know how to do your cash flow, your balance sheet? You won’t make it” (Personal Interview, September 2004).

The research for this Chapter involved interviews with willing and unwilling sellers in the Levubu area of Limpopo province (see Fig 2). Levubu, located 45 kilometers east of Makhado, consists of around 10 000 hectares of highly productive land on which around 200 white farmers produce export quality crops, primarily avocados, mangoes, macadamia nuts and bananas. All of the farms have been claimed under the restitution program; the claims refer to forced removals in the late 1930s. The government is in the process of purchasing around 4000 hectares from fifty-one farmers at a cost of R481m. A partnership between agribusinesses and claimants is intended to oversee management of the farms over a fifteen-year period. Government officials have repeatedly stated that the remaining farms will be returned to the claimants. Yet it appears that, unless the farmers who refuse to sell change their stance, the government will have to issue expropriation orders to acquire their land. This brings us to the question of why so many farmers refuse to sell.

4.3 FARMERS’ RESISTANCE: PLACE, TERRITORY AND CLASS

As noted in the Introduction to the Chapter, I have two major arguments to make here. The first concerns the relations between farmers and places, both at the local and the more national scale. Part of this is about the farmers’ identities. The experience of farming a particular piece of land, often with historical associations of a personal
character, has given them a sense of their own self-worth, and this makes leaving it very
difficult. These issues come to light from the farmers’ spatial imaginaries, stories about
their position in the locality and in South Africa as a whole. Then there are issues of
material interests, concerns about the future viability of farming in the area as well as
concerns about what will happen if they sell their farms and move on. These claims about
identities with, and interests in, particular places then set up the second argument, which
turns attention to territory and class and their interrelation.

4.3.1 Relations to place

It should not come as too much of a surprise that the farmers interviewed expressed a
strong bond to the land. They explain how they and their forefathers transformed the area
through ‘experience, blood and sweat, and worries’ (Personal Interview, September
2004). They express aspects of an imaginary, which stresses how they battled nature in
transforming the land and in overcoming hardship:

“…it was very difficult. Very poor. No water. Malaria. No infrastructure. This road here was built by my father with two oxen and a plow. So there was no infrastructure. So what happened then was these people arrived here and started farming but as poor as mice. My father was 16 years old. He didn’t even have shoes.” (Personal Interview, November 2004).

Thus, the farmers identify themselves as “people of the soil, people of the land” (Personal
Interview, September 2004). In accordance with the story of Afrikaner nationalism
(Giliomee, 2003), they explain that their forefathers:

“…started 400 years ago; they trekked here, fought with malaria and the lack of infrastructure in order to build this, to leave this for us. You can
It is little wonder, then, that farming the land is important to their sense of social significance, their sense of having achieved something. Farming is central to their identities, something they enjoy, and something that gives them a strong sense of pride in what they do. Thus, the following statement by Jan is a common refrain among the farmers who refuse to sell: “I’m bonded to this place. I have roots on this place, I have 100 years of roots on this place. I can see what my grandfather did, I can see what my father did…This land is our land…this is my fatherland” (Personal Interview, September 2004).

However, the tie to the land that farmers express, and which confirms aspects of the story of Afrikaner identity, also is closely intertwined with their identities as whites. An integral part of their identities as whites, moreover, is understanding who they are in contrast to others, specifically Africans. The farmers draw contrasts with Africans, their Other, contrasts that paint themselves in a positive light, and which, in turn, fuel their sense of injustice at seeing the land given back to people who, in their view, were, and remain, incapable of being good farmers and entrepreneurs. There are, therefore, serious doubts about the government’s land reform plans, in which a critical element are concerns that the government’s plan to transfer land to Africans will prove fatal for South Africa given the various inadequacies of Africans, about which the farmers believe they have first-hand evidence; Du Toit’s (2004) The Great South African Land Scandal was referred to as further evidence of these shortcomings. The farmers provided evidence of
these inadequacies: Africans are depicted as poor farmers who cannot manage, who are not commercially oriented and who, therefore, should not be entrusted with the land. These sorts of racist, essentialist viewpoints are widely held. Consider some expressions. Déwald, for example, contrasted the commercial outlook of white farmers with one of his African farm workers, a contrast that supposedly highlighted the essence of African agriculture and hence the need for white farmers:

“When you drive here all along the mountain, you will see the mountain there is all cut down. Scattered pieces of land. It was bush but now it’s all cut down. They are planting maize there. You’ll see them. Small plots of land, small little blocks, each and every one has a small block. One of my workers has a piece up there. I supplied the seed and I supplied the fertilizer to him to plant his maize. He had a good crop. He was very, very satisfied with his crop. 22 bags. Big bags. So I asked him, ‘are you selling them, the extra bags because you can only use one bag a month? He said, ‘no, this year I won’t plant.’ That’s the mentality of the people. They are real subsistence farmers.” (Personal Interview, December 2004).

Entrusting land to Africans, then, will lead to mismanaged land given the African’s different, inferior approach to farming. Issues of land management, however, are about much more than how to approach farming. Gert, for example, suggested that a problem with Africans is that they lacked respect from other Africans and hence could not manage the farm enterprise effectively:

“I think it’s a matter of managing people to do the job. But they have the mentality of, ‘well my boss is black, so why should I listen to what he is saying?’ This portion here that we bought...belonged to a black man. He bought here land for millions of rand but eventually he couldn't manage. Why not? Because he was black. He couldn’t manage his people. It depends on the management and nothing else.” (Personal Interview, December 2004).
Yet, even if Africans had commercial ambitions and could manage others effectively, other problems would emerge. This comes down to the way whites construct Africans as irrational, superstitious, or backward. Thus, Christiaan made the following claim:

“One thing that is a huge problem to the black people themselves: they believe everybody is born equal. If somebody has got more than the next person, he has more because he took from someone else. And therefore they don’t appreciate one person getting up and surviving or making a profit. That’s not good to them. Because he’s got some muti somewhere; that’s why he’s getting more.” (Personal Interview, November 2004).

This claim was supported by Dewald, who suggested that: “Successful people are a threat to Africans…because in that they see their inability to do that. You can see there are continuous people [sic] getting killed to witchcraft or this or that, but it always relates back to somebody that has been successful some way and the rest not liking it” (Personal Interview, December 2004).

Thus, these essentialist notions about Africans raise serious doubts in the minds of farmers about the prospects for agriculture if land is transferred back to Africans. The farmers believe the government is gambling by restituting land currently farmed by whites; they believe transferring commercial farms to unproven Africans is potentially disastrous for the locality and for the country. In contrast to their African Other, then, the white farmers explain that South Africa needs their skills. It was, or so they claim, the skills and resilience of the white farmer who in their minds made South Africa so productive. Hennie, for example, stressed that:

“It’s difficult to farm here. When you go north into Africa up to the tropics, you have enormous pieces of fertile and rich land, good climate,
rich soil, lots of water. But there’s nothing going on there. Emergency supplies are being handed out by the UN and other European countries. Now in South Africa it’s going well because we have a few commercial farmers sticking to their guns, producing enough food to feed the nation.” (Personal Interview, December 2004; my emphasis).

If they are forced to sell under restitution, then, the country will lose their skills. Important to understand here is that the farmers express a strong sense of caring about what happens to South Africa. Their identities as South Africans, then, are an important element in their concern about the prospects of land reform. Thus, they decry the particular way that the government has pursued land reform because it has limited their opportunities to contribute. This can be seen in the following claim by Gert:

“I still think we could make a large contribution towards the development of this area. The country is going to lose that. I think we could have contributed to the welfare of most of Africa. We were born here. We know the land. This is our fatherland. We have got an affection for this place and we would very much like to make a positive contribution.” (Personal Interview, December 2004).

Trevor expressed this differently. He said: “I’m that thing that South Africa needs: it’s called an entrepreneur” (Personal Interview, November 2004). What the farmers express, then, is a strong feeling of exclusion from the picture, of the government ignoring their claim to the land and their arguments about the future of South Africa. The state is therefore mistaken in forcing them to sell because, “[t]hat’s years of knowledge that goes down the drain if we leave. And we’d like to think we still have a part to play here” (Personal Interview, December 2004).
To summarize the argument so far, farming nourishes the white farmers’ identities, their sense of social significance, and by giving them opportunities to draw comparisons with their African Other, their sense of their importance to South Africa as a whole. I also have shown how the farmers have strong nationalist feelings, a concept of South Africa that stands in stark contrast to the ‘rainbow nation’ sentiment that the ANC has tried to nurture, but one that nevertheless leads them to argue a national standpoint: how the nation benefits from their efforts and how they want to go on making that contribution.

Yet restitution also raises very real material concerns that, on the one hand, give the farmers a stake in shaping what occurs in their respective farm communities; and which, on the other hand, engender a strong sense of inertia, or spatial entrapment. If neighboring farms are transferred under restitution, for instance, there are fears about what will happen if they have Africans as neighbors. For some of the more mobile farmers, those for whom selling was not so much of a problem, this was indeed one of the reasons for selling. There are also concerns, which Hennie expresses below, that a loss of productivity on some of the transferred farms will lead to a loss of desirable externalities as suppliers or distributors go out of business:

“The first thing to disappear will be your transport contractors because you do not have the product to move anymore. The second thing will be your local suppliers of agricultural products: implements, tools, chemicals, fertilizers, etc. And then your supermarket will go. Your café will go. Your tire dealer will go. Your general supplier of hardware, steel and cement will go. So in the end, you’ll have nothing. We’ve built on this [infrastructure] for sixty years now.” (Personal Interview, December 2004).
Concerns about livelihoods, profits, future returns on investment extend beyond what will happen if there is restitution. Rather, conditions in South Africa are particularly worrying. Selling and moving elsewhere is not quite as straightforward as one might expect. There are, for example, worries about finding ecological conditions that match their agricultural skills if they decide to buy alternative land. This can be seen in the following quote from Jan:

“…the question is what do I do with compensation? Because there’s no farms where I can farm with macadamias or guavas, which is my main crops, that I can buy which isn’t under land claims.” (Personal Interview, September 2004).

However, there are also issues about buying land elsewhere and fears that, if indeed they do so, they will again have to face up to land reform. Willem, for example, stated, “I’ve been around. Been to the Cape, Northern Cape, Upington and all those places. There are a lot of opportunities. But the same [land reform] laws are going to catch me there” (Personal Interview, September 2004). This is echoed by one of the younger farmers in Levubu, Johannes: “There are guys that say, ‘No, just sell and go and buy a place somewhere else.’ I don’t know, a few years and you find that place is claimed as well and then you must leave there as well!” (Personal Interview, November 2004).

Other problems arise when the farmers consider starting enterprises outside of agriculture. BEE policies, for example, are understood by farmers as limiting the freedom of white entrepreneurs to operate without interference from the government. Starting a new business is not appealing, which combines with the other constraints to engender a feeling of spatial entrapment. This can be seen in the following statement by Jan:
“…if you want to go into business you’ve got this BEE thing. The soft option is to leave South Africa. But that has its own problems because I’m not going to get residence in any first-world country in the world. So where must I relocate to? You’re an economic prisoner to South Africa. If I go to America, what will I do?” (Personal Interview, September 2004).

Finally, few farmers expressed interest in selling land and entering into the non-agricultural labor market, especially in the context of Black Economic Empowerment (BEE) policies that, according to the farmers, leaves them behind women and blacks at the back of the line for jobs. One farmer, Marcus, suggested that, “[w]e wouldn’t be able to search for work anywhere else because we’re not black.” (Personal Interview, October 2004). Another claimed, that “if you are a white man under 30, forget it, you’ll never get a job.” (Personal Interview, October 2004). One young farmer had the following to say about selling and moving on: “Some say sell and go and do something else, but where do you go? I mean, we can’t all do a different job somewhere else… I’d still like to stay here… It’s taking me quite a few years to get the knowledge that I have now and now to start from the bottom somewhere else is going to be hard.” (Personal Interview, November 2004).

In summary, while farming nourishes farmers’ identities, refusing to sell land is also intertwined with material concerns, fears that entrepreneurial opportunities will not be easy to find outside of agriculture. As I now discuss, these fears have some legitimacy given the class position of white farmers in a changing agriculture in which power is shifting to the capitalist sector.
4.3.2 Territory and Class

While there are unwilling sellers among the white farmers, and they are vociferous, there are also those who are what are termed ‘willing sellers.’ This raises the question as to why some have agreed to sell, while others refuse? An important matter here is class, more specifically the increasing differentiation between the capitalist and petty bourgeois farmers, between those who have moved upstream and downstream from farming, performing purely a managerial role, if that, and those who still mix their own labor with the soil and hope that their children will want to do the same. As has been noted elsewhere (Mather & Greenberg, 2003), power in South African agriculture has shifted towards the capitalist sector. Important is that some of the agribusinesses that have benefited from the liberalization of the sector have positioned themselves to take advantage of the post-restitution environment. One of the main players in Levubu is a group of local willing sellers, in partnership with each other, whose major concern is maintaining the supply of raw materials to their factories and processing facilities in the form of fruit and nuts; they are also concerned about the prospects of their supply businesses if production on post-restitution farms falls. In other words, the success of their businesses is closely tied up with making a success of restitution. As a result, they have agreed to enter into partnerships with restitution beneficiaries over the management of the farms. Although there is a degree of spatial entrapment propelling them into partnerships – asked about the motives for entering into the agreements, one of the farmers said, “I’m stuck… I didn’t have an option” (Personal Interview, May 2005) – the more capitalist farmers are nevertheless less committed to the area or even to farming.
They can and indeed are already moving some of their capital into new sectors and new geographical regions. Compared with the smaller, more petty bourgeois farmers, they simply are not as locally dependent on farming in Levubu. Indeed, some of the more capitalist farmers were already looking at options outside of agriculture. As Marius volunteered:

“I’ve been to a lot of courses and tried to look at options [outside of agriculture], but at this stage I’m thinking I’ll take [my compensation] and move it into property and rent it out. That’s where I am now. I’ve started buying property in some places but not in the way that if the land claims don’t go through I’m in any trouble, not at all. I’m busy with my pension on another side. The scale I’m at now, I pay my deposit and the rent will pay the bond.” (Personal Interview, November 2004).

Other farmers expressed willingness to leave South Africa if necessary. Trevor’s skills and relatively large base of capital provided a sense of geographic mobility that others, among them many of the unwilling-sellers, lacked:

“[I am] not necessarily relocating money but relocating some of my own skills or some of my children’s skills…That’s the way to relocate. [My children] will not stay in agriculture, definitely not, and the chances are they will not stay in South Africa. In fact I’m pressurizing them to not stay… We’re looking all over. I’m involved in the export of citrus. I export to 18 different countries of the world and I get to there very regularly. I’ve got my contacts. It’ll actually be really simple to relocate my children’s starting point…I didn’t start here with anything. I started with nothing. You can do that anywhere in the world.” (Personal Interview, November 2004).

The contrast with the more mobile farmers’ position is with those who fear selling, moving into other areas, or moving into the non-agricultural labor market, a move that farmers believe is destined for failure because, ‘if you are not black, you can forget about
finding a job’. Resistance from the petty bourgeois farmers therefore makes sense in terms of their class position, regardless of whether they were about to be replaced by white-owned agribusinesses or African land reform beneficiaries. They are locked into the place since their ecologically-specific, crop-specific expertise is so important to their business success (the contrast here is with the owner of money capital who can hire people to supervise, hire advisors on what sectors to get involved in, who has the money to invited to fund joint ventures and who, therefore, is not so place-bound; who, in fact, will use that money capital in order, among other things, to spread risks geographically, even invest in other lines of business); their class position also gives form to their identities (their labor gives them their social position, their social status as independent, as people who mix their labor with their land and capital). Thus, while leaving the area is possible for the farmers who enter into partnerships, who can recover their investments, for example, from selling their stake in the partnerships to others or by selling their factories as ongoing concerns, leaving is not so feasible for the smaller scale farmers. Some of the farmers alter the logic of their arguments such that their relative immobility is presented as a virtue rather than a problem. They stress their commitment to Levubu and South Africa as a place, a commitment which the other farmers lack. One farmer, a leader among those who refused to sell, commented in the following way on the farmers who want to be partners:

“\[The whole philosophy [of the partners] is the following: a group of people in Levubu, a close group, decided that, with the uncertainty of the future and the politics and the South African democracy, it is not safe to have your investments in land. So they decided amongst themselves, to sell their land. But you must remember they are all business people and I}
mean businesses, with import, export, processing businesses, shops, hardware, etc. So what they wanna do is to let the land go, reclaim their money and then utilizing whatever is happening in that area to the full potential for the business. So now they are safe. If the poo-poo strikes the fan, they can just leave. That’s all. That’s all they are interested in. They are preparing themselves to run. They are already putting their running shoes on. Should things become bad then they wanna be away. Because that is the pattern in Africa. So in my opinion that is the difference between loyalty to your country and just looking after your own interests.” (Personal Interview, December 2004).

Although this farmer presented his commitment to Levubu and to South Africa as a virtue rather than a problem, it remains the case that, for this farmer and for the others who refuse to sell, their class position – in the face of the emerging power of agribusiness and their fears about leaving agriculture – locks them into the place and fortifies their resistance.

4.4 CONCLUSION

I have used materials from interviews with white farmers in northern Limpopo to argue that the resistance of many of them towards land reform arises from their deeply sedimented relations to their farms, the land, and the locality, as well as to South Africa as a whole. Those relations are partly about identities, about how farming presents them with experiences that have meaning to their sense of self. But material interests are obviously also at stake. Farming provides them with a position in the division of labor that leaves them relatively immune to other changes in South Africa, which, such as BEE, strike fear into many white men. Farming the same piece of land, however, also eliminates the risks of moving, of setting up a new enterprise in another area where their
crop-specific skills are useless. I have also argued that the farmers’ interest in staking a claim to territory in Levubu, Limpopo and South Africa as a whole can be understood in terms of the class position of small-scale family farmers. Their class position has been given new meaning in recent years, as the effects have been felt of changes in the agricultural sector initiated by both latter day apartheid governments and post-apartheid era liberalization. Greater competition and concentration in the sector nationally have also occurred locally and this has led some farmers to seek ways to gain from the changes promised by restitution. That the farmers operating on a smaller scale do not have the capital to participate in partnerships or joint ventures with land restitution beneficiaries makes the class contrasts and tensions starker. I have therefore argued that the farmers’ resistance is as much about the changing business environment in agriculture as it is about and reform. All of these forces serve to engender a strong sense of spatial entrapment and a commitment to struggling over their claim to the land.

In various interviews conducted by the author, government officials have noted the problems associated with overcoming resistance from farmers, whose agreement the bureaucracy needs to complete the restitution program. Threats to expropriate have been made and are now slowly beginning to materialize (Mail & Guardian, 2005a). While expropriation raises questions about how international observers – particularly credit ratings agencies who monitor political and economic conditions in South Africa and to a large extent affect the cost of government borrowing, the cost of which has far-reaching consequences for the ANC’s plans to transform South Africa – will react, expropriation
also raises the prospect of violent battles in rural areas. It is not too dramatic to suggest that police or military units will have to be deployed to expel farmers from their expropriated farms. One farmer, for example, stated that:

“Between me and you, my friend, you’ll get my blood here. I’m not moving elsewhere. Where am I going to? The street? I don’t have a house in town. I have nothing else but this farm. All the money I have worked for and prayed for is in this farm. If I move out of that gate, I have the clothes on my body, and I’m not a youngster anymore. So what’s it to be? I’m not going to beg for a sleeping place or for some food. Forget it. I don’t say I’m going to make a war out of this, but you’ll find me here. There’s no other place to go.” (Personal Interview, October 2004).

Some white farmers, reflecting this sentiment, have threatened armed struggle if expropriation occurs (Mail & Guardian, 2005c). Important here is that Zimbabwe’s land reform was closely watched by farmers in SA; they are determined to fight a similar process in South Africa. Also important is that white farmers in northern Limpopo are heavily armed, accustomed to deploying armed security units to protect farms against property theft and ‘farm attacks’, and, drawing upon military experience, have used ‘farm security weekends’ to prepare the farming community to fight attackers, whether thieves or the government. Thus, the farmers’ resistance has consequences for the land reform program as a whole as well as for the ANC, which will have to decide whether to expropriate and complete the restitution program or allow the farmers to remain by thrusting financial compensation upon the claimants, many of whom hold to the view that the “land must come back” and that, “the Boers must leave”.
CHAPTER 5

‘COMMUNITY’ CONSENT: RESTITUTION, STRATEGIC PARTNERSHIPS
AND THE RAVELE LAND CLAIM

5.1 INTRODUCTION
Under the proposal for restitution in Levubu, which was discussed in Chapter Three, the government has opted for ‘strategic partnerships’ between the seven claimant communities and two agribusinesses. Rather than have beneficiaries re-settle the land, and perhaps lease portions to others (including some of the present white farmers), the plan is for the farm businesses to remain largely intact; none of the farms will be re-settled. Each claimant community will enter into a fifteen-year partnership with an agribusiness. They will form a joint venture company (JVC) that will manage the land on behalf of the beneficiaries and share any profits from the farms. The JVC will pay the beneficiaries an annual lease (the exact figure remains unknown; seven percent of the total value of each farm is a figure mentioned by a member of one of the agribusinesses). The government expects the agribusinesses to also implement a skills transfer plan to
ensure that the beneficiaries can assume full ownership at the end of the lease period without any decline in farm revenues. Clearly, the underlying assumption in these plans is that the beneficiaries will not be able to use the land in a manner acceptable to the government without help from private – and, not insignificantly, white – actors. Less clear, perhaps, is whether the partnerships will prove a success. There are already doubts about what the partners – agribusinesses from within and beyond Levubu – want from the land: short-term profits at the expense of the long-term sustainability of agriculture in Levubu, or an enduring partnership involving skills transfer as per the government’s expectations? If the former, then the claimants might eventually come to assume full ownership rights of land which, while still yielding revenue, is doing so on the basis of a milking of the value tied up in trees, physical infrastructure and even the soil.

My research on the government’s approach to restitution in Levubu found no opposition to its plans from the seven communities with claims on the Levubu farms. Community representatives certainly expressed frustration with the slow pace of settling their claims, but they seemed to accept what the government was proposing.28 My research focused on one of the seven communities claiming land in Levubu, those falling under the Ravele land claim. The government has begun purchasing farms on the almost 3,500 hectares claimed by Ravele. Half of the claims should be completed by mid-2006. The research began in March 2005. Following a meeting with the Ravele traditional leader, I was given permission to conduct interviews with residents in Mauluma (see

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28 Frustration extended to the slow pace of meetings with government official. After having been kept waiting for over an hour, representatives of the claimants walked out of a farmers’ hall in Levubu in which they were supposed to meet the Minister for Agriculture and Land Affairs; the Limpopo Land Claims Commissioner then had to plead with them to come back. The Minister was not pleased.
Figure 5.1). I was given a copy of the list of households and people who registered as beneficiaries of the restitution claim. I used this list to identify respondents. The village is divided into four ‘zones’ (see Figure 5.2). The list showed that 103 of the 186 households in Mauluma registered as beneficiaries stayed in zone three. I therefore chose to focus my attention on this part of the village. I randomly selected a sample of thirty households in zone three and proceeded to conduct semi-structured interviews; that is, while there were specific themes –such as ascertaining respondents’ knowledge of and interest in the land claim – I asked additional questions when the need arose. The interviews were conducted in the favored language of the beneficiary, which was TshiVenda in all but ten instances. Additional interviews were conducted near the end of the research with various other leaders in Mauluma as well as individuals serving on the LCC.

In this Chapter, I piece together an explanation for why the Ravele beneficiaries acquiesced with, gave their consent to, the strategic partnership proposal; one which is very limiting in terms of what they can do with the land. They will, after all, not be allowed to resettle there. Nor can they decide to engage in subsistence agriculture, as in some multiple survival strategy complementing migrant labor or a grandmother’s pension, for example. It has to be according to the government proposal, or there will be no restitution. I argue that understanding why they have acquiesced with the plan is important in two key respects.
Figure 5.1: Mauluma in relation to Levubu
Figure 5.2: The four zones of and key landmarks in Mauluma.
First, the government touts the partnership plan as a way to settle restitution claims in other parts of the country. If other communities oppose similar plans, it is worth having a reference point and an understanding of why there was acquiescence in the Levubu case. I therefore ask why the Ravele beneficiaries gave their consent to the plan and attempt to interrogate the internal dynamics of the ‘community’ to show who among the beneficiaries gave their consent. As I discuss later in the Chapter, by no means all of the beneficiaries had an opportunity to have their say: the restitution process has unfortunately, in my view, not been as inclusive as it should have been.

Second, there also is a need to consider the Levubu case in the light of debates about the need for land reform in general. For example, Ann Bernstein’s (2005) argument is that Africans are not as interested in land to the degree that restitution / land reform supporters believe, a claim which the Directors General of Land Affairs and Agriculture publicly refuted (Bongwa and Thomas 2005), and which partly aims to refute the case for more radical land reform as advocated by many critics of the market-led orientation of land reform policy (e.g. Kepe and Cousins 2002). Yet, Cheryl Walker (2005), who has spent years researching and working in the arena of land reform, seems to echo some of Bernstein’s concerns. She has referred to a mismatch between the ‘political aspirations and popular expectations that surround the “land question”’ (Walker 2005: 806), and the evidence which “points to a far greater concern with jobs, housing and the provision of basic services as immediate priorities in people’s day-to-day lives”

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29 Ann Bernstein heads the Centre for Development and Enterprise, an independent policy research and advocacy organization funded by South African businesses. Her background is in the apartheid-era ‘liberal’ organization, the Urban Foundation, which was formed after the 1976 Soweto uprising. Supported by some prominent South African businesses, it advocated for improvements in black townships.
(op cit. p.805). In the context of these debates, then, I use the Ravele case to ask whether the Ravele beneficiaries are more interested in the money that potentially will come from restitution agriculture than in actually farming the land. I ask: Do claimants view restitution as a means towards wealth redistribution or as a means to address landlessness?

The remainder of the Chapter is organized as follows. The next section provides an historical overview of the situation. It describes and explains the dispossessions in Levubu and then discusses how those who moved to Mauluma adjusted to their new circumstances. The Chapter then turns to the case of the Ravele land claim. This is divided into three parts. Because the Chapter is interested in why the Ravele beneficiaries gave their consent to the government’s plan, the first part critically examines the notion of a ‘community’ of Ravele beneficiaries. Looking at how the beneficiaries were organized, it finds that the beneficiaries were led by a small group of ‘brokers’ (James 2005) who were installed by the late Ravele traditional leader but who are in tension with allies of the new Ravele Chief. The discussion illustrates how it is actually the brokers alone, not the beneficiaries as a group, who have given their consent to the strategic partnership plan. The second part then looks at the geography of the Ravele beneficiaries. Using the list of registered beneficiaries, it describes a highly scattered geography of beneficiaries and then discusses some of the consequences of this geography for the character of the restitution process. The third part draws on interviews with beneficiaries in Mauluma to outline what they wanted to receive from the land. It shows that they expressed a lot of interest in seeing projects in Mauluma of non-agricultural employment.
and improvements in services of an urban type; none said they wanted to move back to Levubu to farm the land. I then conclude the Chapter by way of a discussion of the findings.

5.2 HISTORICAL OVERVIEW

The dispossession of Ravele land from Levubu has to be understood in the context of the ‘agricultural revolution’ (Jeeves and Crush 1997: 1), which occurred in South Africa in the years between 1910 and 1950, and which helped create the ‘poor white’ problem. The state ‘defined the parameters of agrarian change’ (op cit. p.2) during this period. It introduced policies such as compulsory marketing arrangements, price controls and one-channel sales to support white farmers; these tended to favor farmers operating at larger scales. Unfavorable state policies as well as economic depression and drought meant many whites farming at smaller scales were forced off the land (Bernstein 1996: 7). Many others were denied access to land after the 1913 Land Act, which ended sharecropping, the terms under which some whites secured access to land at the time.

The growing presence of poor Afrikaners in the cities was a challenge for nascent Afrikaner nationalism, which set forth arguments that whites were not only biologically superior to blacks but also that they should not have to live under similar material conditions as their African ‘other’. In a study of the so-called ‘poor-white problem’, the 1932 Carnegie Commission found 300 000 ‘very poor’ whites (Giliomee 2003: 315). Watching with ‘acute horror’ (O’Meara 1983: 54) as whites lived in desperate poverty, Afrikaner intellectuals called for measures to address it.
The response of government was to intervene to improve the status of whites. There already had been state-driven policies favoring whites in the labor market following the suppression of the general strike in 1922 on the gold-producing area of the Rand (Bernstein 1996: 4). More wide-ranging support for local industry through tariffs and increased employment for whites on state ‘relief’ projects such as the railways and irrigation works began to take shape in the 1930s:

Relief measures, 2.6 per cent of the budget in 1930, rose to an astounding 15.8 per cent in 1933. These schemes provided some training for unskilled laborers, educated and trained their children so they might escape the poverty cycle, and provided free housing and medical services for those working on public projects. Many schemes contributed to strengthening the infrastructure of the country, e.g., forestry settlements, irrigation works, and road and rail construction (Giliomee 2003: 345).

Thus the irrigation scheme in Levubu – by no means the last state-led effort to alter social relations in the area – was part of an attempt to address the poor white problem. The Ravele and others were completely removed on the 12 September 1938. The farmers on the Levubu irrigation scheme, which exploited the plentiful supply of water flowing south and east from the Soutpansberg Mountains along the Luvhuvhu River, and which laid the foundations for expansion of commercial horticulture, were supported by far-reaching subsidies and years of protection from the international market. The farmers transformed the area: farms were sub-divided into small (40 hectares) portions; citrus, avocados, bananas, and then macadamia plantations were established; the area is now a highly-developed, export-oriented, commercial agricultural zone.
In ‘compensation’ for removal from their land, those living in the Ravele area were told to move to Beaconsfield, Baobab, and Mapela farms in the Nzhelele valley. Just twenty kilometers northwest of the old Mauluma, the ‘compensation’ farms were of inferior quality. For example, whereas the original Mauluma could expect a minimum of 1,000mm of annual rainfall and had ample grazing and cultivable land, annual rainfall totals in the new Mauluma were half or less. The soil and grazing land was greatly inferior. Not all of the Ravele people moved to the new area; many others moved to Tshakhuma or Lwamondo villages just east of Levubu or stayed and worked as labor tenants for the newly arrived white farmers. According to those in (the new) Mauluma who can recall first arriving there, then, life was much harder. A member of the Ravele LCC described the change:

“Before we were moved, we had goats, sheep, cattle, even horses, but many died on the way here. We had no more horses after that. Stocks of mealie-meal and other possessions were lost…This [new] place is too dry, too hot…Many people passed away…It was very bitter for them. You know, we were told, ‘look how big is the farm we are giving you compared to your land now.’ But the quality of the land was not as good. Living is too hard here.” (Personal Interview with Respondent # 20, August 2004).  

There also was the spiritual loss to contend with: ancestral graves, so important to people in Venda, had been left behind. The land, too, was of far poorer quality. Whereas the climate and soils in the old Mauluma were well suited to farming, climate and soils in the new Mauluma were far inferior. By losing its land, moreover, the Ravele Chieftaincy was reduced to the status of a headman residing under Chief Mavhunga, on whose

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30 I have assigned a number to each respondent rather than identify them by name. I recognize this is slightly cumbersome but believe this is an acceptable way to protect their identities.
domain the Beaconsfield farm was located. Yet, opportunities arose for individuals, such as the Ravele Chief\footnote{I use the term ‘Chief’ even though the status of the Ravele Chieftaincy changed subsequent to removal from Mauluma.}, F.N. Ravele, to take some advantage of the South African government’s unfolding ‘homeland’ policies.

A key element in the ruling National Party government’s apartheid policies was separate development for whites and blacks, which eventually led, among other things, to the conversion of the old native reserves into ‘homelands.’ The initial plan of the apartheid planners for the reserves was the granting, through the Bantu Authorities Act of 1951, of “a good deal of local administrative authority to ‘traditional’ African leadership through a formal hierarchy of chiefs and headmen” (Bundy 1979: 226). The Promotion of Bantu Self-Government Act followed this Act in 1959 and paved the way for the creation of the homelands. Apartheid thereby “elevated the local administrative authorities into semi-autonomous ‘governments’” (ibid. p.227).

The first Tribal Authorities were established in Venda in 1954 (Lahiff 2000: 68). The 1959 Act further divided the African population of South Africa along ethnic lines; three Territorial Authorities were created in northern Transvaal (op cit. p.69). Venda-speakers were from that point onwards administered by Chief Mphephu from Thohoyandou. Chief F.N. Ravele was one of his key allies. The Thohoyandou Territorial Authority was then replaced by a Venda legislative assembly in 1971, ‘and two years later was granted the status of “self-governing territory” within the Republic of South Africa, with Chief Mphephu as Chief Councilor’ (op cit. p.72). Mphephu manipulated elections, drew on the power of traditional leaders such as F.N. Ravele, and eventually
negotiated ‘independence’ with South Africa in 1979. Although he was opposed by anti-apartheid activists in the area (an aspect of Venda history not adequately addressed in the literature), Mphephu ruled until his death in 1988. F.N. Ravele succeeded him as State President (ibid.).

By virtue of his close relationship with the Mphephu paramountcy, Ravele was well positioned to take advantage of a system, which gave traditional leaders significant scope to direct employment or government-funded projects towards their supporters. Indeed, Ravele used his position to channel improvements towards Mauluma. For example, he pursued the construction of Mutshedzi Dam in 1989, which feeds water to the Beaconsfield Irrigation Scheme in Mauluma.\(^{32}\) It is well recognized by people in Mauluma not only that they benefited from the dam but also that the privileged position of F.N Ravele had been instrumental. In other ways, too, Ravele had delivered improvements to Mauluma. Unlike the vast majority of villages in Venda, Mauluma has had communal water taps since seven were installed in 1977; and some water taps were installed in households in 1983. Mauluma also was the first village in Venda to have electricity; the first houses were connected in 1979. Ravele also found employment for his subjects and family members in the Venda government. People in Mauluma reminisce of the days when buses would take people from Mauluma to work for the government in Thohoyandou or other parts of the Bantustan.

\(^{32}\) The land was de-bushed in 1963 as part of a process of betterment planning that was carried out in many parts of Venda (Lahiff 2000: 71). A canal and connecting water channels were installed shortly thereafter. Because only forty-four 1-hectare plots were made available, by no means every household received a piece of land; they were allocated according to seniority.
Partly in consequence of its favored position during the apartheid era, Mauluma today – a village of five thousand people – is a relatively privileged place; not as many people living there have not had to wait as long as those in neighboring villages for the government to deliver basic services such as running water or electricity. Even so, there remain problems of a material sort. Among other things, people complain about the standard of the schools; the poor quality of the road connecting Mauluma to other parts of Venda; and a small and inadequate health clinic. One retired man summed it all up in the following way: “The schools are not in good condition, the clinics are not of the best standard, and the water supply is a problem. The irrigation scheme also needs to be improved and houses need to be built for people who cannot afford to build themselves” (Personal Interview with Respondent # 16, April 2005). That there is a land claim on expensive farmland in Levubu, then, has raised the prospect of improvements occurring in Mauluma. It is therefore to a discussion of the claim – and in particular the internal dynamics of the Ravele ‘community’ – that the Chapter now turns.

5.3 THE INTERNAL DYNAMICS OF THE RAVELE ‘COMMUNITY’

By way of contextualizing the situation in Mauluma, it is worthwhile pointing out the “institutionally plural landscape” (Oomen 2005) into which the Ravele Land Claim Committee (LCC) has emerged. Besides the position of Mauluma within Ward 29 of Makhado Municipality, which is part of Vhembe District Municipality, and the numerous Christian organizations with churches in Mauluma, there are three institutions within the village: the Civics Association; the Tribal Council, which has an office in Mauluma, and
which allocates land to newcomers, and settles minor disputes among residents; and the burial society, which is administered by the Tribal Council, and which collects five Rand from each household to help pay for burials when a member of the society dies. The three village structures require residents to interact with each other frequently. The Civic Association and Tribal Council also are forums for residents to discuss important issues. The LCC is a relatively new structure in Mauluma. It was formed after Chief F.N. Ravele lodged a restitution claim on behalf of his community of ‘subjects’. He appointed its current leadership before he died in 1999. The leadership of the Committee was given responsibility to handle the claim, meet with government officials, and liaise with other organizations such as the Nkuzi Development Association, a land rights non-governmental organization operating in Limpopo province. The leaders have remained ‘in office’ to this day. At the time of the research, there were four key members.

In Deborah James’ (2005) terms, these four individuals are the ‘brokers’ of the Ravele beneficiaries. ‘Brokers’, according to James, are “intermediaries” who exploit “wide discrepancies in wealth, literacy and access to resources in general.” She notes that:

“Control over land or over the promise of land is a seedbed in which dependent relationships between leaders and followers can germinate and grow. The ‘rural poor’ for whom land reform programs were initially designed often lack the know-how and managerial authority to make effective use of available resources, even in a situation – like post-1994 South Africa - where specific plans have been made to benefit them. Here, as in many other contexts where there are ‘gaps’ in literacy and experience of bureaucracy, plentiful opportunities exist for brokers to insert themselves between those needing and those delivering services and resources. Their emergence in these kinds of situations seems inevitable, almost overdetermined. They often arise from within the ranks of
beneficiaries, using their slightly better acquaintance with the ‘rules of the game’ to help their less adept counterparts ‘play’ this game.” (James 2005: 5).

The leaders of the Land Claim Committee are the brokers in the Ravele case. They are educated, know the system, have attended most of the meetings, and are in position to become the highest-ranking members of the CPA, which will be formed after the land claim has been settled, and which will decide how income from the land will be used. They have been accused by some beneficiaries of trying to control the flow of information about the claim and even of manipulating ‘elections’. Despite all of this, it did not appear as if their positions had been challenged. Their stance on particular issues, however, most certainly has.

Although the Ravele brokers cannot be equated with traditional leaders, they have strong connections with the institution of traditional authority: they were ‘installed’ by Chief, F.N. Ravele, who trusted their abilities and judgment to lead the claim. However, and intriguingly, the Ravele brokers are in tension with the allies of the new Chief. At issue is an inter-generational struggle: the brokers were trusted by the late Chief but are not trusted to the same extent by the new one who, like his father, has a network of allies, including the current Chair of the Tribal Council (who was appointed by the new Chief) and the former Chair of the non-affiliated Civic Association. There has been considerable tension between the two camps over the land claim. What has developed in Mauluma, then, is a struggle between the two camps / generations over how the land will be used, who will get to control it or the benefits that accrue from it, and the all-important role of the Chief in the future of the land.
Two main issues are at stake. One concerns the position of the Ravele Chieftaincy relative to other traditional leaders and to his ‘subjects’. All traditional leaders in South Africa are remunerated under the terms of the Remuneration of Public Office Bearers Act 20 of 1998, amended under Section 29 of the Traditional Leadership and Governance Framework Act 41 2003. Paramount Chiefs in financial year 2002-03, for example, were paid R366 055 (approximately $60 000); Chiefs, paid at a much lower level, received R87 864 ($14 200). Headmen were paid R2 700 ($435) each month during 2004-05 by the Limpopo Department of Local Government and Housing. Promotion to Chief, therefore, would more than double the Ravele Chieftaincy’s remuneration. An ally of the Chief explained:

“The level of authority [was lost after dispossession]. You know, a Chief is at a higher level than a headman. You have a paramount Chief, a Chief, a headman and then the sectional heads. [Restitution means the Chief] will regain the authority of a Chief. Then he can install headmen under him. But as it is now, Chief Ravele cannot even install a headman. Because he’s regarded as a headman.” (Personal Interview with Respondent # 22, May 2005).

Authority and government remuneration are therefore at stake for the Chief and his allies. He can gain greater patronage from clients if he is promoted and then find salaried positions for his allies as headmen. Relative to other traditional leaders, moreover, the Ravele Chieftaincy will regain its ‘just’ position. Relative to his ‘subjects’, however, and this is the second main issue, the LCC stands in the way of any plans the Ravele Chieftaincy has to receive its tribute from the land. Under the terms of the strategic partnership approach to restitution, and as had been noted, the Ravele
beneficiaries will not re-settle the land. Rather, they will receive an annual lease payment and a share of the farm-based profits. During the time of the research and as at the time of writing (February 2006), the joint venture company to be formed between the agribusinesses and beneficiaries would channel payments to the beneficiaries via their Communal Property Association. The CPA will then decide how the money is to be spent. If they choose to give some payment to the Chief, as tribute and out of respect for his traditional position, they can do so. Allies of the Chief, however, proposed in 2004 and 2005 that one-tenth of any money paid to the CPA should go directly to the Chief. The LCC leadership was opposed to this proposal. According to one of the Chief’s allies, this was because:

“[The leadership] want a situation where they can control [the Chief]. They want a situation where he must have a reason to look for their favors, to beg them. But if he gets [one tenth] directly, then he will have no reason to beg them. So he can afford to be impartial in whatever decision he takes. They want a situation where it is like in the old SA when King Goodwill was controlled by Buthelezi. Buthelezi used to control the King because the whole financial muscle was from Buthelezi’s signature. So if the Chief was to say anything against Buthelezi, he would just freeze his money. This is the politics of influence. Of power and influence. That is what is driving the [leadership of the land claim committee].” (Personal Interview with Respondent # 22, May 2005).

Rather than allow the leadership such extensive influence, then, allies of the new Chief claimed the Chief should receive a tribute from the beneficiaries. This was explained as follows:

33 These include who the Chief decides to install as headmen or on the Tribal Council.
“Our reason is based on a very simple thing. You Christians, you who believe in Jesus Christ and the God of the Jews, those who believe in this, they always say ‘give ten percent to the Church.’ In our culture, there is a portion of earnings that goes to the Chief. If, for example, you want a residential site, you pay a fee to the tribal office. A percentage of it goes to the Chief. There is always a Royalty. It has always been there, since the beginning of our culture. Now we are saying, in the same way you give a Royalty to the Chief, also from that piece of land the Chief must get his Royalty. Our proposal is give him [one-tenth because] you still want to recognize his position.” (Personal Interview with Respondent # 22, May 2005).

According to the Communal Property Associations Act 28 of 1996, however, the CPA is not obliged to allocate anything to traditional leaders, which the LCC leadership has used to justify its stance with respect to paying the Chief. The CPA Act and the Ravele CPA constitution, which they were in the process of drafting in mid 2005, should protect them from the Chief or his allies’ attempts to dictate how money from the land will be used. In looking to the Act to protect their position, then, they exploit the conditions of modernity to counteract the traditional rhetoric of the new Chief and his allies.

Another debate that arose during the time of the research was the choice of strategic partner for the Ravele land. Two were on offer. One, MMS, was based in Levubu. It claimed black economic empowerment credentials by virtue of having two black board members. One of the members was a close ally of the new Chief. Given his connection to MMS, he not surprisingly wanted the Ravele LCC to choose MMS over SAFM. However, the Ravele brokers viewed MMS less favorably. They preferred the other partner, South African Farm Management (SAFM). The dispute led to various claims and counter-claims: allies of the new Chief claimed SAFM had promised the
leadership remunerated positions on the board of directors of the joint venture company between SAFM and the Ravele; for their part, the brokers claimed MMS had promised to build the Chief a new palace on the restituted land. In the end, the government, which initially allocated [note: allocated i.e. dictating to the communities] the Ravele land to MMS, settled the dispute by allocating SAFM as partner. The brokers’ wishes prevailed.

How the brokers will use their influence is clearly an important issue about which many of the respondents expressed concern. Many of them made statements about the need for ‘auditors’ and ‘transparency’ in how any money from the land is used. One beneficiary said, “Everything should be done in public. There must be transparency” (Personal Interview with Respondent # 3, March 2005). Others looked to the police and the government to ensure that there were no problems: “We will have to invite the police here to prevent corruption” (Personal Interview with Respondent # 25, March 2005). Yet another said, “The government should be involved and we should explain to people that they should not be selfish or egocentric” (Personal Interview with Respondent # 10, March 2005). One beneficiary was convinced that some people – she did not identify who – were ready to take advantage of the situation, yet she felt powerless to do anything: “The government will have to watch because we cannot prevent such things. There are people who are ready for that” (Personal Interview with Respondent # 14, April 2005). One respondent, one who was close to, but not part of, the leadership of the land claims committee, said, “I think [the leadership] will end up in prison after this claim has been settled” (Personal Interview with Respondent # 24, May 2005). The prospect of conflicts over disposing money from the land even led one respondent to claim that the
government should monitor because, “The Ravele people cannot be an island because, if not, people will kill each other” (Personal Interview with Respondent # 4, April 2005). Precisely how the government can, or even whether it should, intervene in the internal disputes to which restitution seems likely to give rise, is questionable.

To summarize the discussion so far: The Ravele beneficiaries are led by a small group of brokers whose position has not been challenged but whose stance towards using income from the land has been challenged by allies of the new Chief. At issue is whether the Chief will receive a tribute from the CPA. It is also clear that the beneficiaries living in Mauluma are suspicious of the brokers; and at least one beneficiary claimed she ‘cannot prevent’ leaders abusing their powers. In this one sense, then, it is quite difficult to talk of a Ravele ‘community’ that will have ‘their’ land rights restored. If anything, it seems land rights will be restored to a small group of brokers. The extent to which all of the beneficiaries will benefit from restitution is seriously in question. In another sense, moreover, talk of a Ravele ‘community’ is problematic. As I now discuss, at issue is the geographical distribution of the beneficiaries.

5.3.1 The geography of the Ravele beneficiaries

It should be clear so far that the ‘community’ of beneficiaries is a contested terrain, at least insofar as two main factions have struggled over which agribusiness will be chosen as a strategic partner and over the role of the Chief after restitution. In other ways, too, the notion of a Ravele ‘community’ is highly troubling. At issue is the geography of the beneficiaries. As was noted earlier, dispossession from the old Mauluma did not result in
everyone moving to the new Mauluma; rather, many chose to settle in villages adjacent to the old Mauluma and further afield; those who did not move to the new Mauluma were therefore never ‘compensated’ at all for their removal. The situation now is that those who were removed and their descendants are scattered throughout the former Venda homeland. According to the list of beneficiaries, which was prepared prior to lodging the claim in 1998, there are 1,645 Ravele beneficiaries. Table 5.1 shows how they are distributed; Figure 5.3 represents the data cartographically.

There are various aspects of this geography to consider. First, it has been an obstacle to including all of the beneficiaries in the process. Partly at issue here is the cost for beneficiaries living elsewhere of attending meetings or participating in the process. Transportation costs, especially for the poor households (which constitute the majority) would have been significant. It is unfortunate that the government has not acknowledged the geography of the beneficiaries by, for example, introducing mechanisms to assist the beneficiaries to participate. Furthermore, if all the beneficiaries had lived in Mauluma, *Khoro* (Tribal Council), which residents of Mauluma are obliged to attend, could have been used as a forum to disseminate information about the claim or to discuss issues such as whether to accept the strategic partnership plan. Discussions or decisions taken during *Khoro* could have been the base from which opposition to the government might have emerged. Of course, this is not to say that a clustered community necessarily would have been more democratic, only that the scattered distribution did not help.
<table>
<thead>
<tr>
<th>Village</th>
<th>Pop.</th>
<th>No. Ravele beneficiaries</th>
<th>Per cent of all beneficiaries</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mauluma</td>
<td>4,823</td>
<td>371</td>
<td>22.6</td>
</tr>
<tr>
<td>Thohovandou</td>
<td>10,173</td>
<td>155</td>
<td>9.4</td>
</tr>
<tr>
<td>Tshakhuma</td>
<td>19,422</td>
<td>131</td>
<td>8.0</td>
</tr>
<tr>
<td>Dzanani</td>
<td>2,373</td>
<td>119</td>
<td>7.2</td>
</tr>
<tr>
<td>Divhani</td>
<td>2,510</td>
<td>116</td>
<td>7.1</td>
</tr>
<tr>
<td>Tshituni</td>
<td>1,758</td>
<td>107</td>
<td>6.5</td>
</tr>
<tr>
<td>Tsianda</td>
<td>3,181</td>
<td>73</td>
<td>4.4</td>
</tr>
<tr>
<td>Makhado</td>
<td>3,788</td>
<td>65</td>
<td>4.0</td>
</tr>
<tr>
<td>Lwamondo</td>
<td>5,433</td>
<td>50</td>
<td>3.0</td>
</tr>
<tr>
<td>Mashau</td>
<td>2,298</td>
<td>45</td>
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</tr>
<tr>
<td>Tshino</td>
<td>5,903</td>
<td>44</td>
<td>2.7</td>
</tr>
<tr>
<td>Muledane</td>
<td>11,807</td>
<td>28</td>
<td>1.7</td>
</tr>
<tr>
<td>Vhufuli</td>
<td>9,840</td>
<td>23</td>
<td>1.4</td>
</tr>
<tr>
<td>Phadzima</td>
<td>1,369</td>
<td>19</td>
<td>1.2</td>
</tr>
<tr>
<td>Shayandima</td>
<td>12,799</td>
<td>19</td>
<td>1.2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1365</strong></td>
<td></td>
<td><strong>83.0</strong></td>
</tr>
</tbody>
</table>

Table 5.1: The distribution of Ravele beneficiaries
Figure 5.3: The geographic distribution of Ravele beneficiaries
A second aspect concerns the situation in Mauluma. As Table 5.1 shows, the beneficiaries living in Mauluma are a minority there. There are many who are not Ravele beneficiaries but have lived there for many years. Yet they do stand to benefit from restitution, especially if (as seems likely) income from the land is used to ‘develop’ Mauluma. Indeed, some stand to benefit more than beneficiaries living outside of Mauluma; unless, that is, the beneficiaries devise mechanisms to ensure that all see something from the land. There were already debates emerging in Mauluma around the issue of benefits for the non-beneficiaries. One respondent, for example, said, “We should deny [non-beneficiaries] opportunities but not too strictly” (Personal Interview with Respondent # 23, April 2005). Another was more practical: “They will benefit indirectly. There’s nothing you can do about it. We cannot say this road is only for Ravele” (Personal Interview with Respondent # 9, March 2005). Yet one member of the leadership suggested that, if the land yielded sufficient money, a new school only for Ravele children might be built in Mauluma. Proposals of this sort will certainly be contentious. Both among the Ravele beneficiaries, then, and even within Mauluma, restitution challenges notions of what constitutes the ‘community’; notions, moreover, that have largely gone unquestioned in the literature on restitution and in government practice.

Third, a looming question for the beneficiaries is how those living outside of Mauluma will benefit from restitution. None will be allowed to move back to the land. The beneficiaries will therefore only see financial benefits from the land in the form of a share of the profits and an annual lease. As I discuss later, there is pressure from the
beneficiaries in Mauluma to use the money to ‘develop’ their village. If this occurs, it raises questions about what benefits the scattered beneficiaries will receive. The leadership proposed that children of those outside Mauluma could claim bursaries for education; exactly how those children will access the bursaries or even know about them remains unclear. A further problem, as one beneficiary in Mauluma pointed out, is that those living elsewhere would have to be careful about receiving benefits from restitution because the traditional leader in their village might seek his/her share. Another scenario, then, is that some of these or other beneficiaries will consider moving to Mauluma. One beneficiary in Mauluma, although he had little sympathy for those living elsewhere, said, “They [the beneficiaries living outside of Mauluma] can choose to come here. Otherwise they must endure the consequences of their ancestors who decided not to come here” (Personal Interview with Respondent # 9, March 2005). Given the lack of land available for new housing in Mauluma, this scenario also raises the question of whether some non-beneficiaries will be displaced from Mauluma to make way for newcomers. This obviously is a question for future research.

In these three respects, therefore, the geography of the beneficiaries complicates the notion of a ‘community’ of Ravele beneficiaries. The land claim has been led by a small group of leaders whose position has been challenged only by the allies of the new Chief. The beneficiaries as a whole are not organized as a group and rarely meet. Their geography has not helped. The ‘community’ is not clustered in one place; rather, the majority live outside of Mauluma, the place in which income from the land looks set to be spent. As has been noted, this geography poses a wide variety of problems and
questions; a program of future research is needed to determine how the beneficiaries negotiated that geography. The discussion at the end of this section will consider how the contested nature of the Ravele community has affected acquiescence with the government’s proposal. Before this, and as the Chapter now discusses, we should consider what the land means to the beneficiaries.

5.3.2 The meaning of the land claim

The focus now is on the meaning of the land claim among the Ravele beneficiaries. Research on restitution risks romanticizing its meaning: that is, while for many restitution is certainly about correcting previous injustices, for others it can raise the prospect of improving material circumstances, about ‘development’, about streetlights, sports facilities, and jobs. In short, the meaning of the land differs. And so we should expect it to be so: ‘communities’ of restitution beneficiaries are, after all, diverse. In the case of Ravele, for example, and among those who live or have homes in Mauluma, there are differences along lines of gender, age, occupation, and education. There are those who are part of the Royal family and their ‘subjects’. Then there are migrant workers and their families; well-paid public servants; teachers; retail employees; as well as many unemployed people. And there are those who have small (1-2 hectare) portions of land in the Beaconsfield irrigation scheme; as well as landless people who are only able to grow crops within the grounds of their homes. Given this diversity of positions, just what is the meaning of having the Ravele land rights restored?
Answering the question presupposes some understanding of what the beneficiaries knew about the land claim. Disappointingly, there was a lot of confusion. Despite the government’s insistence that none of the beneficiaries would resettle the land, that the land would not be divided into individual portions, half of the respondents said they expected to be allocated a portion. Furthermore, only three of the thirty respondents said they knew about the strategic partnership plan; that is, that the land would be managed on their behalf and that the benefits would arrive in the form of money managed by the CPA. Even the issue of the CPA produced some confusion: some said the Chief, not the CPA, would oversee the land.

That they were poorly informed of the land claim did not mean they had no interest in what was going on. Rather, each of the respondents said the land claim was important. Typical responses on this theme were:

“It is very much important because we lost our land and lost our soil.” (Personal Interview with Respondent # 10, March 2005).

“My father, who was buried here in 2003, was from there. He will be happy to know we have got the land back.” (Personal Interview with Respondent # 3, March 2005).

“I will be happy because it’s where I was born and the land will be back with its people.” (Personal Interview with Respondent # 6, March 2005).
Others made the connection between the land claim and personally benefiting by receiving a portion of land. They made such statements as:

“It is important to me. If it is divided and I get a portion I can work that land. So the claim is top of my list of priorities.” (Personal Interview with Respondent # 2, March 2005).

 “[It is] very, very much important [because] I will use it economically.” (Personal Interview with Respondent # 9, March 2005).

Yet, although respondents stated the land claim was important, few said they had done anything to help with the claim. Asked “What have you done to help the Ravele people get the land back?” the following responses were typical:

“Nothing, but my father has helped show the boundaries.” (Personal Interview with Respondent # 11, March 2005).

“Directly, I cannot say I have done anything.” (Personal Interview with Respondent # 4, April 2005).

“I have registered as a beneficiary. That’s all.” (Personal Interview with Respondent # 7, March 2005).

“I support the idea for making the land claim but I have not actually done anything; I have not been asked.” (Personal Interview with Respondent # 2, March 2005; my emphasis)
So far, the respondents expressed interest in the land claim but few had done anything about it. So what were their intentions for the land? If they expected to receive a portion, what would they do with it? With respect to this issue, there was little interest in resettling the land. If they were allocated a portion of the land in Levubu, which was not going to happen but which many of those interviewed did not know, none said they would move there, even though they recognized that the land in Levubu was much better – one respondent said, “It is always raining there; it is good land” (Personal Interview with Respondent # 23, April 2005) – and that they would be able to grow more food and cash crops there. It seemed that social relations of kin, church, or work were important. Moving would entail rupturing those relations. In other words, and this is to some extent to be expected, the beneficiaries had adjusted to life in Mauluma: the younger beneficiaries had grown up there, went to church there; the older beneficiaries, even those who had lived in Mauluma, had established a way of life and did not want to leave. One beneficiary said, “No, I would not move there at this late age [in life]” (Interview with Respondent # 23, April 2005).

34 Depending on how one interprets the situation in Mauluma, their inaction was because the land claim had been left to the leadership of the Land Claim Committee; or because, as the fourth statement above noted, they had not been asked to do anything. The latter of these interpretations seems more plausible. As another beneficiary claimed in an interview: “It is true that people are not as aware of what is going on as they should be and I think this is more by design. It is not accidental that people are not aware” (Personal Interview with Respondent # 22, May 2005).
Also noted was the expense of moving: “Financially it would be too difficult to move there” (Interview with Respondent # 3, March 2005). In calculating the expense, of course, there was the prospect of moving onto land that was not developed – no housing, services, etc. – to consider; they had become accustomed to urban amenities, even of the inferior ones on offer at Mauluma.

Nor did any of the respondents anticipate selling their house in Mauluma to move to the land. Partly at issue here are traditional beliefs that selling houses their families had built would upset their ancestors; many of the houses in Mauluma, especially those belonging to families who have lived there since 1938, are substantial structures that took many years to build. Asked whether he could sell his house, for example, one respondent said: “Never! Never. My ancestors would kill me!” (Interview with Respondent # 13, March 2005). Yet reluctance to sell was also a product of systems of land allocation and landlessness in Mauluma. If all went wrong and a seller had to return to Mauluma, s/he could not be sure that the Tribal Council would allocate her/him land. That the remaining stands in Mauluma are on marginal land high above the village also was a factor. Thus, the same respondent who was troubled by the prospect of upsetting his ancestors by selling his house followed his statement about the ancestors by saying, “It’s very difficult [to sell a house] because you will never get it back: there are no more stands here so people are forced to build their houses on top of the hill” (ibid.).

If moving back was not on their agenda, and if the land was not going to be subdivided, what should be done with the land? Two respondents – both of whom farmed portions of land in the irrigation scheme – expressed interest in using money from the
land to acquire farm equipment (Interview with Respondent # 14, March 2005) and “a
dipping place for cattle” (Interview with Respondent # 9, March 2005). Others, though,
said that developing Mauluma was a priority. For example, there was interest in using
income from the land in the following ways:

“We should develop the schools, improve the standard of the streets, and
to tar the road.” (Interview with Respondent # 2, March 2005)

“It [the money] should be used to develop Mauluma: schools, the clinic,
streets and roads.” (Interview with Respondent # 9, March 2005)

“We should improve the schools and spend money on churches.”
(Interview with Respondent # 12, March 2005).

“The money can be used for community development: proper roads and
streets.” (Interview with Respondent # 6, March 2005).

“The priority is roads, a sports facility, a gymnasium and then schools.”
(Interview with Respondent # 15, March 2005).

Non-agricultural employment projects were also mentioned. One respondent, said:

“We must make sure that people get at least something to buy bread. But
they must also be trained. People must learn to eat by the sweat of their
brows. If there is a surplus then we should think about projects: bricks, a
piggery, poultry, pottery, crafts, candles, dry cleaning, leather tannery,
shoe-making, even a cinema” (Interview with Respondent # 23, March
2005).

Along similar lines, a woman said: “We have to start a factory to process fruits
and to make canned food” (Interview with Respondent # 5, March 2005). Finally, and
reflecting the quasi-urban nature of life in the former homelands – that is, the former
homelands are densely populated areas in which many of those living there lack access to
land, yet they enjoy inferior services such as roads, housing, etc. – some of the respondents wanted services of an urban type. For example, one respondent said, “I would like a shopping complex. A Spar [shop] perhaps” (Interview with Respondent # 13, March 2005).

What came across clearly from the respondents, then, was their interest in seeing improvements in Mauluma, some of which were of an urban type. It seemed that getting a portion of land was less important than seeing benefits in their home place. As one woman said, “We should not disturb the land and use it [instead] to create jobs so the people can get food” (Interview with Respondent # 6, March 2005).

5.4 DISCUSSION AND CONCLUDING REMARKS
The Ravele beneficiaries did not oppose the government’s plan for their land, although they could have; whether they would have won a battle with the government, of course, is a different matter. The point, though, is that the Ravele beneficiaries have acquiesced with a venture which promises a lot but which, in virtue of a possibly perverse incentive structure confronting the strategic partner, places their land at risk. The general question this Chapter deals with is why they went along with the plan. Two issues appear most important.

The first critical factor, I argue, is the tight control the leadership maintained over the process. They restricted the flow of information to, and failed to regularly call meetings of, the beneficiaries. Moreover, insofar as there are doubts about the sincerity of the brokers’ intentions towards ensuring all the beneficiaries will benefit, doubts have to
be raised about whether the Ravele brokers fit the description provided by James (2005), who suggested that, while there is little doubt that ‘benefits will accrue to’ brokers:

“…to see them as motivated only, or primarily, by greed would be mistaken. As often, they are driven by a desire either to help those who share their social origins but are less experienced, or to keep other (less scrupulous) brokers at bay, or both.” (James 2005: 5)

That the beneficiaries are scattered throughout the former Venda homeland did not help to democratize the process; nor, for that matter, has the government’s failure to recognize how the geographical distribution of the beneficiaries required novel mechanisms to encourage participation. As noted earlier, this is certainly not to say that the process would have been more democratic had all the beneficiaries been located in one village; one cannot help but suspect, however, that a more inclusive process would have had a slightly better chance if the beneficiaries had lived together. Not only was the leadership of the LCC in control of the process, they also were in favor of the government’s plan. Acquiescence of the Ravele beneficiaries therefore actually refers to acquiescence of the small group of insiders, the ‘brokers’. The ordinary beneficiaries never had a chance to oppose the government’s plan.

Yet, and this is the second critical factor, it seems somewhat implausible that the beneficiaries would have entirely opposed it. Restitution under the strategic partnership approach raises the possibility that income from the land will be spent in Mauluma on projects, infrastructure, schools, and such like. The beneficiaries expressed interest in improvements of an urban type. Relative to Ann Bernstein’s argument that Africans want urban land and jobs more than access to rural land to farm, it appears the Ravele
beneficiaries to some extent confirm the dwindling interest in farming. Jobs and services in Mauluma seemed the more important issue; farming, as one beneficiary noted, was not of interest:

“Look at the new generation. How many are doing farming? There is no interest in farming among the young people. Few, very few are interested. There is an irrigation scheme here but how many young people are there?” (Interview with Respondent #9, March 2005).

Moreover, few expressed a desire to move to Levubu and farm the land. This confirms what Walker (2005) has already noted, that is, “the reluctance of many poor rural people to move far from their home locality to acquire agricultural land.” Some of the beneficiaries in Mauluma did, however, mention the possibility of working on the land during the week and returning to Mauluma at the weekend. This preparedness to migrate to work but to retain a foothold ‘at home’ also has been noted in the literature. According to Walker, “the history of migration in South Africa shows both considerable mobility from [the former homelands], particularly by economic migrants, and resistance to leaving valuable social networks and familiar resources, as well as ancestral land” (Walker 2005: 822).

Thus, restitution for the Ravele, and under the strategic partnership approach, has taken on a material, economic significance. This is not to suggest that the cultural meaning of the land is insignificant; rather, as one respondent noted, having land rights in the old Mauluma restored is important because, “it’s where we were living so we would be reconnecting with our forefathers.” There can be little doubt that many beneficiaries will reconnect with the land and their ancestors. Yet, while beneficiaries will have access
to the land for spiritual purposes, the prospect of such equality of access to the income that is expected to flow from the land is less certain. There remain unresolved tensions between the Ravele brokers and the new Chief and his allies. The precise interest of the brokers in leading the claim also is unclear. They say they have the best interests of the beneficiaries at heart, but some beneficiaries have expressed grave misgivings about their intentions. The prospect of the CPA making investments in ‘projects’ in Mauluma also raises issues of non-beneficiaries benefiting from the land claim; it remains to be seen if those who have a legal claim to the benefits but who live outside of Mauluma get to taste the fruits of the Ravele restitution claim. In the process of working out who deserves to benefit from restitution and who actually will, therefore, the meaning of the Ravele ‘community’ is a thoroughly contested one.
CHAPTER 6

CONCLUSION

6.1 INTRODUCTION

The preceding Chapter completed the analysis and discussion of land restitution in northern Limpopo by examining the internal dynamics and politics of a group of claimants living in Mauluma village. The dissertation has therefore moved from an overview of the land question in South Africa, to the government’s rather hybrid approach to restitution in Levubu, white farmers’ resistance to land reform, and the case of the Ravele beneficiaries.

In the light of these materials, I would like in this final Chapter to conclude the dissertation by highlighting – albeit briefly – what I believe has been achieved. I then discuss some striking silences and shortfalls, particularly with regards to aspects of the land restitution situation in northern Limpopo that I was unable to explore, or which, upon reflection, I neglected. Following this, the discussion turns to a brief indication of directions in which the research project introduced here can be taken forward. Then, at
the very end of Chapter, I discuss what I should like to tentatively refer to as the concept of ‘a just land reform’ and consider whether it has any applicability or prospects in a place such as South Africa.

6.2 SUMMARY STATEMENTS

The dissertation has sought to make three main contributions to the literature on land reform in South Africa. It has explained: why the state has begun shifting away from strict adherence to the market-led approach to land reform; why white farmers in northern Limpopo have resisted land restitution; and why the Ravele beneficiaries accepted the government’s plan for restitution of their land. I have argued that:

- The land question in South Africa has been constructed from the peculiar way primitive accumulation was accompanied by the migrant labor system and the creation of the reserves; and that the terms of the current land question have been strongly influenced by questions both of ‘after-care’ and of identities, all in the context of the ANC’s accumulation strategy and hegemonic project.

- The government has begun moving away from strict adherence to market-led principles for land reform in the face of the inherited and highly uneven social geography of South Africa as a place – particularly with respect to differences in technical and entrepreneurial skills between white farmers and African land reform beneficiaries – as well as the geo-historical context for land reform; that is, how global influences combine with, and to some extent discipline, the national
imperatives of the post-apartheid state. But I have also argued that the forces leading to the Levubu ‘solution’ have been facilitated by conditions at more local scales, particularly the way some white farmers have sought to become part of the post-restitution environment, as well as the internal politics of the beneficiaries in Levubu.

- The spatial imaginaries of white farmers in northern Limpopo are crucial to an understanding of their resistance to land restitution. But, while the farmers construct an identity based on their relations to place at various scales, it is their class position that appears to dictate that they dig in their heels and refuse to leave the land: though they are vulnerable to changes going on in agriculture and would probably be resisting anyway, they also are less inclined to view restitution as an opportunity and, besides, do not have the access to capital or ties with the state to become partners.

- The Ravele beneficiaries on first appearances seem to have acquiesced with the government’s plan for their restituted land. But closer scrutiny of the situation in Mauluma highlights how the geographical distribution of the beneficiaries and deliberate action on behalf of the leadership to restrict the flow of information has led to a situation in which a small number of restitution ‘brokers’ has consented to what may well amount to a risky arrangement on more than three thousand hectares of productive land.
As has been noted throughout the dissertation, questions of geography or of space pervade efforts to resolve or intervene in the land question. Each of the agents in the land restitution situation in northern Limpopo, for example, have acted within a time-space configuration not of their own choosing, an inherited geography that has set limits to – and provided opportunities for – action. In Massey’s (2005) terms, the case of restitution in northern Limpopo highlights the tensions and possibilities that arise from the ‘throwntogetherness’ of place and space. Long, sometimes overlapping, geo-histories of migration and mixing, struggle and strife, have been juxtaposed, thrown together, in northern Limpopo. A focus on geography draws attention to the range of possibilities and outcomes that are at once complex and always in the process of becoming. But such a focus also requires a more abstract set of relationships to be borne in mind, in particular the capital relation and its tendency to structure and set parameters within which change will occur. As I have shown, the context for the current land question – the post-apartheid state’s adherence to neo-liberal capitalism – has shaped national land reform policy as well as outcomes in particular localities. Thus, and notwithstanding that restitution in northern Limpopo highlights precisely the sort of throwntogetherness of place that Massey seems to have had in mind, one cannot help but conclude that things have been thrown together in some sort or order, with some of intent in mind. Indeed, and in this regard, it is worth recalling that the former Venda homeland and the surrounding ‘white countryside’ were constructed with the intent of developing the conditions for (whites-only) accumulation. Furthermore, the sorts of new arrangements or configurations taking shape in Levubu – though leading to new juxtapositions and differences that will be
drawn upon and have an impact in the future geography of the area – have a purpose and intent; what we see, therefore, is that geographies have a fair degree of order, even if such order is accompanied by events of a more chaotic, random, or happenstance character. Attention to questions of geography or space, then, inevitably return to questions of the social process and, in today’s world, and in South Africa, that social process is fundamentally a process, which is (at the minimum) influenced by capitalist accumulation. It is for this reason that my discussion of restitution has rarely departed too far from a perspective that broadly can be understood, in David Harvey’s terminology, as historical-geographical materialist. That having been said, inclusion in the discussion of concepts from scholars such as Jessop (2002) brings attention to the scope that exists – indeed, has to exist for there to be a differentiated geography – for capitalist states and the political agents which constitute them to have some room for maneuver, or a range of routes via which the space economy can be organized, albeit within certain, and often rather tight, parameters.

6.3 SILENCES, SHORTFALLS

As with any scholarly work, this dissertation has some serious silences and shortfalls, which I recognize and will now discuss. Perhaps one of the most glaring omissions is any concerted discussion of gender relations. Particularly important in this regard is that control over communal land is vested in (mainly) male Chiefs in South Africa. Some – but by no means all – observers of the situation in South Africa have noted how this feature is a major stumbling block towards delivering justice via land reform (e.g.
Walker, 2003; Rangan & Gilmartin, 2002). Yet little has been done to overcome this, or other problems such as ensuring that women are fairly represented in those legal entities such as Communal Property Associations, to which land rights are restored under the restitution program. Inequality in participation – even outright exclusion of beneficiaries, including women – was an issue in my research in Mauluma. Due to time constraints, however, I was unable to research how women felt about, or what they could do to overcome, gender-based exclusion. Further, although I interviewed women while in Mauluma, I did so alongside a male member of the Ravele ‘royal family’, which I suspected – but could not confirm – affected how women responded to questions about their levels of participation; that I still would have had difficulty getting decent responses even without the presence of my assistant, is a strong possibility. My suspicion is that patriarchy in Venda is so deeply entrenched that adequately addressing how gender relations affect land reform would require a much grander research project than I was able to pursue. Though I recognize that this silence is a major shortfall of the dissertation, I stand by the decisions made while in the field.

Another silence in the dissertation concerns the numerous other land claims in the vicinity of the Soutpansberg Mountains. I conducted preliminary research with seven ‘communities’ before deciding to focus on the Ravele case. This preliminary work was intended to provide some background for understanding the restitution issue in the overall area, but was also intended to open opportunities for more detailed work had time permitted. Material collected from those interviews and visits has unfortunately not made it into the final dissertation – but insights I gained have informed part of the discussion of
the symbolic meaning of the land in Chapter Two. At least one of the claims – referring to the ancestral home of a Venda paramount – appears to be far more about staking a claim to the land for reasons having to do with identity than it is anything about material issues. The land certainly would bear fruit were it planted, but the claimants I spoke with seemed much more interested in reaping fruit of a more symbolic kind: having their land rights restored there will bring down the curtain on a torrid one hundred years of dispossession and domination and possibly mark the beginning of a Venda renaissance. This is a movement which is already gathering momentum in parts of the former Venda homeland as initiation schools for girls and buys make a comeback after a long hiatus during apartheid when the Venda paramount – Mphephu – apparently frowned upon such things.

I should like to highlight one final shortcoming of the research and what has been discussed in this dissertation. The government’s plans for restitution in Levubu are certainly ambitious as well as risky from the perspective of the claimants and the long-term viability of their land. But the plans for Levubu also place at risk the thousands of temporary and permanent farm workers’ jobs. This was noted as an issue near the end of Chapter Three: one of the strategic partners in Levubu commented that he was under some pressure to replace his current workers with beneficiaries, but that the new South African labor laws offered him – and the workers – protection from this fate. Clearly, farm workers have an enormous stake in what is taking place in Levubu. I was unfortunately unable – and to some extent unwilling – to conduct interviews with those farm workers. There were occasions when white farmers insisted that one of their
workers explain how worried they were about restitution and how he really would rather the white farmer stayed on the land. These situations made me feel awfully uncomfortable. I had by the end of my first month in the field already witnessed one white farmer – ‘Tom’\(^{35}\) – verbally abusing his workers; the farmer was murdered shortly thereafter. I was unprepared to see and hear this level of abuse. The farmer clearly had the power to dominate his workers. Upon reflection, then, I decided to steer a course well clear of relations between white farmers and their farm workers. I was highly skeptical of ‘collecting good data’ from farm workers if they, like those on the receiving end of Tom’s verbal tirade, had highly unequal relations with their employers. Unfortunately, then, I was unable to access a potentially rich source of information about Levubu, the place, and the unfolding restitution issue. What this means is that the findings of my research lack attention to an important aspect – labor relations on the commercial farms – and one that will affect how the situation changes. I recognize this as a major shortfall of the dissertation.

6.4 FUTURE AVENUES

The three themes explored in my dissertation raise additional questions that a further period of research can address. In the interest of indicating possible avenues to follow, I briefly discuss four further research themes.

\(^{35}\) Not his real name.
Theme One: What happens in the absence of strategic partners?

An important question – one which I had in mind during my original research period in South Africa but which I was unable to sufficiently address – is what happens to beneficiaries for whom the government is unable to find strategic partners. This prospect seems likely given the limited number of the latter. A question that arises is whether the government will pursue direct transfers in those cases. If so, how will the beneficiaries manage the land; will there be resettlement; and to whom will they turn for assistance if needed? These sorts of questions are important in the context of criticism of the government’s approach to post-settlement (Hall, 2003): if the government is unable to partner beneficiaries with private providers of post-settlement support, to what extent has it learnt to assist beneficiaries on its own?

Theme Two: What has happened to the farmers who sold up and left?

It remains unclear what will happen to the farmers who sell for land reform purposes. No doubt some will own other farms and so will move there. Yet it is not inconceivable that some will leave agriculture altogether. A possible research project would be to explore what happens to the farmers who sold to make way for restitution in Levubu. This would involve visits to their new locales, interviews about their experience of the restitution program, what they decided to do, and why. Particular focus would be on those who decided to remain in agriculture because, and contrary to what some commentators might argue, I
believe South Africa can benefit from retaining their skills and experiences. Why, then, did they stay in agriculture and what can the government learn from those decisions as it pursues its land reform program? Finally, just how has their experience of restitution shaped their understanding of South Africa and how do the imaginaries they express compare with the sorts of imaginaries expressed by the farmers who refused to sell?

Theme Three: Progress in implementing the strategic partnership plan

If restitution in Levubu has sufficiently progressed, I would like to examine how the partnerships have developed. Questions worth asking include: In what condition did the farmers leave their farms; how have the government, agribusinesses and beneficiaries managed the transition; to what extent have the different actors involved in managing the Levubu farms worked cooperatively; have skills transfer plans begun and how have they been implemented?

Theme Four: How have the Ravele beneficiaries used their income?

If the claims have been settled by the 2006 South African winter, I also would like to spend some time examining what the Ravele beneficiaries have done with any income they will have received. What benefits will accrue to the beneficiaries living outside of Mauluma? What (if any) development projects or job creation schemes will begin? Just how will they experience this peculiar form of restitution? This research is needed because the government has touted the
partnership approach as a way forward for other restitution claims. At issue is whether the beneficiaries truly gain from the approach and what, if anything, the government can do to assist them. The research could occur in Mauluma, although additional travel will be needed to conduct interviews with beneficiaries living elsewhere. Interviews with the community leadership as well as ordinary beneficiaries should be conducted.

6.5 A JUST LAND REFORM?

What are the chances for a successful and just resolution to the land question in South Africa? It is perhaps unfair to conclude a dissertation such as this without commenting personally on this question, not only in regards to the situation in northern Limpopo, but throughout the country. This is indeed what many of those I interviewed wanted me to do; I was asked regularly, ‘So, Alistair, what do you think about all this?’ By way of concluding the dissertation, then, I should like to take the opportunity to discuss the notion of a ‘just land reform’, that is, a land reform program that minimizes injustices. This task has not been undertaken up till now. Debates about land reform tend to be largely concerned with the details – the wherefores – of implementation processes, how the government’s action has been lacking, and how best to provide for and hence support beneficiaries. But whether land reform can be a just intervention has been largely ignored. This is in my view precisely what should be debated when thinking about the land question in South Africa.
There should be no question that land reform is intended to be a just intervention. Consider only restitution: it is concerned with undoing injustices in the past, restoring land rights to those once dispossessed. But the government’s land reform program has had only limited success up till now in undoing those injustices and, arguably, has been pursued in such a way that further injustices have been committed. I am thinking here not only of the authoritarian way the government has restored land rights in Levubu under heavy restrictions and under the terms of a risky arrangement, but also the government’s reluctance to tackle head-on the power of hereditary traditional leaders or ensure that beneficiaries entering into partnerships equally taste the fruits of those arrangements.

Further, and despite what some among those in favor of a more radical land reform movement might argue, that some of the willing-sellers among the white farmers have not been allowed by the government to contribute to the post-restitution environment is at the very least unfair and, possibly, unjust: if they have a contribution to make (and many do) and are willing to do so (and some are), even if just to stay on the land they have farmed and to which they have a strong emotional bond (which is certainly a motive that some farmers expressed), I argue mechanisms should have been in place to enable that to occur.

I have at times thought that the government could have pursued land reform in a markedly different way. I have imagined the government encouraging stakeholders to participate in fora akin to what Iris Young (2000) conceives in her theory of an inclusive democracy: spaces and time for actors to converge, deliberate over political decisions that affect their lives; ways for those interconnected by relations of justice to find collective
solutions. There is certainly scope to create such arenas for deliberation in South Africa – with respect to all manner of issues. I argue that striving to minimize injustices, even though capitalism remains dominant, is not pointless; far from it, in fact. Work in economic geography on alternative economic spaces (e.g. Leyshon, et al 2003), for example, highlights the value for otherwise marginalized actors of establishing economic relations that lead to material change; in a similar vein, political arenas or movements can achieve incremental – occasionally far-reaching – change even in capitalist societies.

However, though the deep material inequality in South Africa can be debated and ways to remedy the situation and build a better and more just country outlined and theorized, South Africa nevertheless – and like all places – requires much more than a debate; far-reaching social change is needed. Unfortunately, I have no doubts that serious, far-reaching social change in South Africa is unlikely to occur in the near future so long as the governing party adheres to policies that lay the foundations requisite for accumulation to occur but do not redistribute the government’s share to those who need it. This can vividly be seen in the arena of land reform by looking at how the state has attempted to resolve the land question: it has adhered to broadly market-led principles, which grant disproportionate power to landowners, and which increase the cost of resolving the land question. Though there are signs that the state is veering away from strict adherence to these principles, its new approach to land reform, such as is currently on trial in Levubu, places the beneficiaries’ land at risk and does little to ensure that income from the land is shared equally among the beneficiaries. Further, and as has been noted by Cheryl Walker (2005), land reform can only achieve so much in terms of
affecting real change for South Africa’s poorest people; what is needed – absent abandoning neo-liberal, or any other form of, capitalism – is a suite of pro-poor polices. There should be little doubt that the state has achieved only marginal results for the poor, utterly failed to deliver results with respect to life-or-death social problems such as the HIV / AIDS crisis, and by virtue of its neo-liberal policies made life far more uncertain and insecure for the country’s working classes. More imaginative and bold approaches are therefore needed. How – or whether – this can be done is far from clear. But the conclusion that a new future is needed cannot be ignored. ‘A just land reform’ can only have applicability in a country in which the state’s other policies have issues of justice in mind; the signs in South Africa are that such a situation is not on the horizon just yet.
APPENDIX

Approximate questionnaire used to interview Ravele beneficiaries in Mauluma:

1. Please tell me about the adults in your household:

<table>
<thead>
<tr>
<th>Name</th>
<th>Person 1</th>
<th>Person 2</th>
<th>Person 3</th>
<th>etc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Income</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Others in household</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&gt;Relation:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&gt;Do they live permanently</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>in Mauluma?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&gt;If not, where?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Misc. notes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. For how many years have you lived in Mauluma?

3. Which of the following do you own and how many?

   >Goats
   >Chickens
   >Cattle
   >Sheep
   >Other
4. Do you cultivate / farm any land?
   4a. If yes, how much land?
   4b. Do you grow enough to food to last:
       >3 months
       >6
       >9
       >Whole year?

5. It looks like the government will return the land to the Ravele people. If this happens, would you like a portion?
   5a. If yes, would you move from Mauluma to there?
   5b. If no, what should happen to the land?

6. This said, what do you think will happen to the land?

7. How important is it to you that having the land returned improves your life?

8. Should everyone benefit equally? What will you do to ensure this happens?

9. What have you done to help the Ravele people get the land back?

10. Should the government tell you what to do with the land?
    10a. If yes, why?
    10b. If no, what will you do about this?

11. If the Ravele people sell crops and make money, what should happen with the money?

12. What will prevent some selfish people benefiting more than others?


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