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STUDENT'S DECLARATION

I, Thomas Marc Krizek, declare that this master's thesis is my original work and has not been submitted to any other university or institution, other than the University of Vienna, Austria, for academic credit.

Signed:

Date: 26.03.2019

A handwritten signature in black ink, appearing to read 'Thomas Krizek', written in a cursive style.

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1. Introduction

Since my childhood, I went to the Republic of South Africa and explored this beautiful and fascinating country by quite a few journeys in many parts of the country. I learned to grasp the meaning of differences in culture as well as specifically in language. This led me to a point where I felt the urgent desire to understand the mindset, which is intermingled with language, of the different people of South Africa. In me, there was a mighty hunger for knowledge and, because of my background (I grew up in a rural area where one can find many farms) and my deep respect for wildlife, nature and its relation to human beings, I slightly started to focus on the land issue until it became my master thesis topic. So this work deals with the land question (land issue) in the Republic of South Africa. The central question hereby is:

How did the approaches to solve the land question in post-Apartheid South Africa develop and why is the land question not solved until now?

In the Republic of South Africa the land question, which is, for instance, the question how to redistribute the land usable for agriculture, brings a lot of political explosives with it. Since the end of Apartheid there were numerous approaches of South African politicians to get rid of the remains of, for example, colonialism and Apartheid and to bring about a land reform in the country. Nevertheless, the land issue is not solved yet and the reasons for this situation are to find within the following paper. But what is the land issue exactly? To answer this question, it seems useful (because the reasons for the land question will be described more detailed later on) to regard the latest political developments in South Africa.

On the 25th of September 2018, the newspaper Sunday Times repeated an, actually internal, document of the Mbeki Foundation with the following words: “The current position expressed by some leaders of the ANC [African National Congress] on land expropriation without compensation shows that they have ‘accepted’ to be led by the EFF [the political party of the Economic Freedom Fighters] on the matter.”¹ But what has brought the African National Congress, South Africa’s leading party, in such a “marginal” position? To understand the scale of this statement above and also the whole situation there are a few more details to know.

Today, it seems possible to instrumentalize, as it will be shown further below, the land question and the topic of land reform for political purposes. This seems to be the case when it comes to

¹ Marrian, Natasha: 'ANC being led by EFF': Mbeki decries ruling party's 'divisive' land approach. In: Times Live, 25 September 2018, URL: <https://www.timeslive.co.za/politics/2018-09-25-anc-being-led-by-eff-mbeki-decries-ruling-partys-divisive-land-approach/>, last seen: 19 February 2019.

the words of Julius Sello Malema, the leader of the EFF. But what is the EFF and its role within the efforts of land reform, actually?

“On 12 February 2015, scholars, practitioners and activists who care about democratic South Africa looked on in shock and horror as the annual State of the Nation Address was disrupted by twenty-four red-overalled ‘economic freedom fighters’ (EFF). After considerable commotion, during which the cellphone signal was jammed by the government, thus preventing journalists and MPs from communicating with the outside world, the 25 EFF MPs were violently removed by police-officers masquerading as parliamentary security officials.”²

So can this incident be seen as a true movement of participation and calling the government to account? At least, one thing is not to deny: After a long time of African National Congress dominance in parliament, the EFF are a party which brought some new movement into the system and which came into formation in 2014. In the 2014 national elections, they gained 6,35 % of the nation-wide vote. The party consisted mainly out of former ANC Youth members who now represented a militant as well as a populist party. Therefore, the EFF became the third major party in the South African parliament. Only the ANC (strongest) and the Democratic Alliance (DA) had more seats.³ Now, the (complex) relationship, or rather quarrel, between the ANC and the EFF shall be demonstrated to show the scale of the political debate in reference to land reform in South Africa.

In general, the EFF has on its agenda to nationalize the means of production. Its aim in regard to land reform is mainly to summarize (in an article from the 13th of September 2018) as this:

“Is it not better for the state to own all land so that it safeguards it on behalf of all the people? [...] In response, Ramaphosa said ‘our people’ have deep yearning to own their land. In Ramaphosa’s answer, one could sense that he believes people, not the state, were better placed to articulate their own interests as individuals.”⁴

² Calland, Richard/ Seedat, Shameela (2015): Institutional renaissance or populist Fandango? The impact of the Economic Freedom Fighters on South Africa’s parliament. In: *Verfassung und Recht in Übersee* Vol. 48 (3), pp. 304-328, pp. 304/305.

³ Ibid., p. 305.

⁴ Mkhabela, Mpumelelo: ANC, EFF policy differences on land expropriation hinder constitutional amendment. In: *news24*, 13 September 2018, URL: https://www.news24.com/Columnists/Mpumelelo_Mkhabela/anc-eff-policy-differences-on-land-expropriation-hinders-constitutional-amendment-20180913, last seen: 19 February 2019.

At this stage “The ANC want[ed] to amend the Constitution to clarify the circumstances under which expropriation should be implemented.[...]The EFF, on the other hand, want[ed] expropriation of all land without caveats – a clear proposal of nationalisation.”⁵

Because of the limited amount of this thesis the following political developments regarding expropriation without compensation and the ANC's as well as the EFF's positions are to show in brief: As said above, by the time of the general elections in 2014, the EFF enjoyed the support of around 6 % (ANC 62%, DA 22 %) of the voters. In the 2019 general election, according to figures from September 2018, the EFF could get 13 % (ANC 52 %, DA 23 %) of the total votes. While the strongest base of the EFF is Gauteng the ANC had maneuvered itself (by September 2018) into a position in which it wanted “[...]to nullify the EFF by attempting to pander to and adopt its policies [which] has backfired dramatically and around 10% of alienated black ANC voters are now being won over by the EFF[...]”.⁶ Because of the fact that the ANC did not develop any (sustainable) solutions for South Africa's big problems as corruption or the economic decline the EFF was able to become a dominating factor in the national debate and, by using land reform as a hot topic which has become to an overwhelming factor in this debate, to dominate even the ANC. Nevertheless, in South Africa, the issues which are seen as most important by citizens are

“[...]jobs and unemployment (47% [out of 978 people questioned for a survey]), drugs and drug abuse (23%), and crime and insecurity (20%). Land reform was the least of their concerns with 6%. These concerns differed little between rural and urban survey participants. There is a ‘public debate vacuum’ on the issues that matter the most to voters[...].”⁷

Already in April 2018 Malema argued that “[...]many South Africans did not have jobs, not because they were uneducated, but because they did not own land.”⁸ Malema also said “[...]that land ownership should reflect the demographics of South Africa which it currently did not as the large majority of land was in the hands of the white minority and only percent in the hands of ‘the African majority’.”⁹ The leader of the EFF added that only by achieving a change in this

⁵ Mkhabela, Mpumelelo: ANC, EFF policy differences on land expropriation hinder constitutional amendment.

⁶ Gous, Nico: EFF could double its support in 2019, says IRR. An Institute of Race Relations poll shows job creation, not land, is the priority issue for voters. In: BusinessDay, 24 September 2018, URL: <https://www.businesslive.co.za/bd/politics/2018-09-24-eff-could-double-its-support-in--2019-says-irr/>, last seen: 27 February 2019.

⁷ Ibid.

⁸ Reporter, Ana: Massive support for Malema at George land expropriation rally. In: IOL, 6 April 2018, URL: <https://www.iol.co.za/capetimes/news/massive-support-for-malema-at-george-land-expropriation-rally-14291482>, last seen 24 October 2018.

⁹ Ibid.

situation peace could be made. Furthermore, he mentioned: “We are 23 years into our democracy, yet government fails to deliver the most basic of services like healthcare and education.”¹⁰ As a result, it seems to be the case that Malema tries to use the land issue to force the government of South Africa to address urgent problems. But whatever the case is – obviously there is much explosive material in the political sphere of South Africa and the land issue seems to be among many other problems of the country. (This will be demonstrated later in this work.) But when we look at the question why the South African land issue is not solved yet one possible solution is maybe that the land question is needed as a constant issue to put pressure on the South African government to address the country’s urgent social, economic and political problems.

The main part of the thesis deals with the time span from 1994 onwards until today. Following the introduction, there is a historically orientated part in which the processes creating the land distribution of 1994 are shown. Thereafter, the main part of the thesis follows. It deals with the main research question of this work which was shown at the beginning. Based on a profound literature research I choose the different presidential eras of South Africa and deal with the approaches to solve the land question since 1994. Then there is the case study as a central element. It shall reveal in what way the approaches to solve the South African land question were and are regarded by people from the agricultural sector or other sectors related to property and land or from sectors not related to property or agricultural issues. For example: Referring to a land reform - what were or are hopes or fears of people (not) situated in the agricultural sector or in sectors related to the land question? Where had and have these people too many expectations regarding the effectiveness of political reform? Or: Where were and are (hidden) conflicts which impeded the effectiveness of political reform and thereby impeded the effectiveness of solutions to the land question? The aspect regarding the (hidden) conflicts between South African citizens and the South African state (respectively its measures to solve the land issue) shall be stressed in this thesis. For instance, what were emotions and feelings towards such measures? Furthermore: How did people experience the process of land reform throughout the past two and a half decades? What hopes did they have in 1994 and what means this ongoing quarrel about land for individuals? How do people remember specific (political) events and processes?

¹⁰ Reporter, Ana: Massive support for Malema at George land expropriation rally.

1.1 Premises

I want to stress that in this thesis all male terms include the female part as well. Except in cases where there is a strict separation between male and female terms.

Furthermore, it is necessary to define a few terms which will be frequently used in this thesis and which will be introduced in one of the following chapters. First of all, at the beginning of the thesis, there are the terms white, black and coloured. These terms will be used to describe different population groups of South Africa which will be later introduced as “Black African”, “White” and “Coloured”.

Also, it is necessary to mention that I make a sharp difference between farmers, non-farmers (researchers, managers (from the agribusiness)) and farm workers. These are groups which will be dealt with in different sections.

1.2 Methodology: Interviews

This chapter deals with the methodology which is of absolute importance for the design and the conduct of the case study’s interviews. So a theoretical basis for field research and conducting interviews must be regarded.

When it comes to qualitative research it seems essential to talk about a few fundamental questions. These are for example: Who is the one the research is done for; who else participates in the process of the research; who is the subject of the research; why is the research done? Also, it is relevant from which perspective specific knowledge is generated. For not, for instance, categorizing specific groups of people automatically it is important to question the own position as a researcher. This is essential to not stigmatize such groups. In what way do my personal background and my personal imagination influence my research; for instance the way of questioning interviewees? So: Am I as a researcher subjective? What is the relation between me and my interviewees and are there (subliminal) imbalances in power which can influence the process of the interviews? Or: Do plain facts such as sex, nationality or skin colour influence the research? Moreover, it is important to regard the consequences which can be a result of the whole research. Also, the question arises whether research becomes legitimate as

soon as, for instance, interviewees do profit from the research. But: What is this profit and is not the benefit for the researcher mostly outweighing the interviewees'?'¹¹

To specify the previous argumentation let us regard the position of the field researcher and the access to the field. There are several essential elements to take into account when it comes to interviews. The researcher as well as the interviewees have to be very open to the research project. There is a central question: What can a researcher do to get the potential interviewees involved into the research project? To answer this we have to focus on the researcher who does not, as it is naturally, act neutral in the field. This focus is necessary because he controls the information gathering actively. Furthermore, each researcher is seen in a specific light by the interviewees. Different imaginations are projected onto the researcher and he is associated with specific roles. Also, the researcher actively takes such roles and holds specific positions in his mindset. This is essential. The character of both, of the researcher's role and his position which vary and are taken by him actively or given to him by the interviewees determine to what information the researcher can get access. It is therefore very important in what light (potential) interviewees, contact persons or similar people involved in the research process see the researcher.¹²

To get a broader picture of the researcher's position another aspect is striking: It is to regard that "[...]development researchers from the 'first world' will often enter local society further up the hierarchy than their respective position at 'home' [...]."¹³ This can lead to a situation in which a researcher is automatically seen as an authority and thereby can get easier access to his research subjects. Nevertheless, the image of the white-skinned researcher, which may stay in the minds of locals, can also lead to a situation in which the researcher himself is classified and categorized just because of his skin colour. So being a white researcher in areas of the southern hemisphere is a fact which must be taken into consideration. As a result, the following is to note: Generally, researchers have to be aware of their potential special status. This might be because of skin colour or other reasons. Therefore, two questions are essential before conducting research: What image of the interviewer shall (potential) interviewees have? And: How do they relate in reality? These factors influence the information gathering and, as a result,

¹¹ Dannecker, Petra/ Englert, Birgit: Praktische und ethische Aspekte der Feldforschung. In: Dannecker, Petra/ Englert, Birgit (edd.): Qualitative Methoden in der Entwicklungsforschung, Vienna: Mandelbaum-Verlag, 2014, pp. 233-65, pp. 242/243.

¹² Flick, Uwe: Qualitative Sozialforschung. Eine Einführung, (rororo Rowohlts Enzyklopädie [Vol. 55694]), Reinbek bei Hamburg⁸: Rowohlts Taschenbuch Verlag, 2017, pp. 142/143.

¹³ Murray, Warwick E./ Overton, John: Designing development research. In: Scheyvens, Regina/ Storey, Donovan (edd.): Development fieldwork. A practical guide, London (inter alia): SAGE, 2003, pp. 17-35, p. 18.

the researcher must consider the nature and the extent of this influence. So he must consider how self-representation and perception of others influence the analysis of the data (information) gathered. For instance: Which specific aspects are stressed? Up to now, research has, in a detailed manner, debated about the relation to people who are subjects of research. So the discussion within the field of social anthropology was mostly about the extent of the difference between researchers and research subjects (people). Thereby the question of whether a researcher with increasing similarity to the researched persons, in terms of identity, can be regarded as an initiate to them was discussed. With the question for the similarity between researchers and researched persons it is asked for the extent of power structures. It is asked in what way power structures define the relation between both of the mentioned groups. In social anthropology a question arose: Get imbalances of power between researchers and, for example, interviewees less in situations where both groups get more similar, in terms of identity, to each other? Moreover, research has stated that there is no absolute status of initiate or non-initiate. Rather, the statement goes on, the status of a person is the result of a continuous process of negotiating during the field research. Culture, sex and social background play an important role during the field research and influence the interaction between researcher and research subject.¹⁴

Now, it is time to use the theoretical foundations described above. The interviews for this thesis I did in a time span of four weeks in the Republic of South Africa. I came there as a white, male, 25 years old student of the University of Vienna and I did the interviews for my master thesis in the framework of this university. In the process of my research were actively involved the interviewees (farmers, farm workers, researchers and managers (from the agribusiness); old and young as well as people of almost all skin colours), local interpreters (white farmers) and white contact persons. So the first questions mentioned in the theoretical part above are easy to answer. But the following aspect seems much more difficult to handle. Now, it is important “from which perspective specific knowledge is generated.” - In this case, it was generated from my position and therefore I had to keep in mind that the research was done from a West European perspective and as a result certain aspects of special (in comparison to West European conditions) answers could be misinterpreted or specific, but meaningful, elements could be overlooked. Also, unwitting stigmatizations could occur during the process of research and analysis. So a specific bunch of questions had to be created. These were questions which had to have the function of capturing emotions and feelings. This seemed necessary to get an

¹⁴ Dannecker, Petra/ Englert, Birgit: Praktische und ethische Aspekte der Feldforschung, pp. 244-46.

understanding of the mindset of a sample (because this is a qualitative study) of South Africans. An unwitting categorization of South African locals and thereby an unknowing stigmatization of them should become “impossible” because by the field study the researcher could get insight into a part of the South African mindset and could thereby recognize the reasons why South African people act in a specific way. Furthermore, by asking for the life circumstances of the interviewees hidden but meaningful elements of their personal background should be revealed. So a central question arose: How to get to the interview questionnaire?

Now, before I get to the actual questions in one of the following chapters, it is necessary to say something more about my personal situation: The fact that I went to South Africa very often since my childhood made me an observer who went to the country and saw the life there from a first-hand perspective. As a result, I would classify myself as a researcher who is able to estimate local processes. Because of the fact that I worked and lived (for specific time spans) with people from (very) different backgrounds in South Africa. Therefore, I was able to grasp a bit of an understanding of the emotions and of the daily life of local people. I could experience the power of feelings and the after-effects of Apartheid by myself. So I learned about the crucial importance of dealing with different opinions and mindsets in a respectful manner to maintain a sort of peace within society.

Nevertheless, there are some things to add to this argumentation. Because when it came to the actual questioning of the interviewees there were aspects to keep in mind: I had to be aware of the fact that I was a white male from West Europe raised in Germany. This leads to an examination of the relation between the interviewees and myself. Were there imbalances of power between me and the interviewees and in what way influenced my background (sex, nationality, skin colour) the interviews? These two questions seem necessary to examine because the mentioned issues also influenced the way I had to ask my questions as well as the interviews themselves. So before I will do the analysis of the interviews conducted in South Africa I will explain the circumstances of them in brief.

During the various interviews I was in different positions. I definitely came to South Africa as an outsider to the field of agriculture. For instance, the farmers and the farmworkers knew my personal situation and also I didn't try to pretend that I was an expert in agriculture or something similar. Instead, I showed the interviewees my interest in their individual field and in their expertise as well. During the various interviews there was always a positive, friendly climate which enforced a vibrant conversation in most of the cases. Nevertheless, it is to mention that, in my opinion, there were imbalances of power. These existed in variations which depended on

several facts. First of all, it was the professional position my interviewees had. Whenever I had an interview with somebody from the agribusiness working in a higher (management) position I experienced that the interviewee was very self-confident and eager to talk about the agribusiness, his job and the land issue. But I always opened up the possibility of skipping questions which were seen as not appropriate by the interviewees. The fact that I had this and, for example, several more assurances referring to my duty of confidentiality written down in a policy of confidentiality (which was signed by the interviewee and me) was important as well. I had the impression that this strengthened the interviewees' will to tell me valuable information. But there were also other cases in which the interviewees had to be told what was in the policy of confidentiality because of their inability to read its content. Another aspect is the skin colour of my interviewees and me. I am white and as long as I spoke to white persons there seemed to be no imbalance of power because of this fact. An imbalance of power sometimes seemed to occur, in my opinion, because of the difference in my (student) and the interviewees' (farmers, professional researchers, managers, farm workers) position. When I interviewed some persons it was obvious that in some of the cases there was a sort of cautiousness when it came to political issues. But there is to consider that during the interviews with a coloured farmer as well as with the coloured farmworkers there was an interpreter (or two) present who was/ were in each case the superior (or sort of) of the interviewee(s). In the cases of the farmworkers I was introduced to them by their superiors. This is not to neglect when it comes to the question of how imbalances of power influenced the interview itself. Consequently, it was important to build up trust because of the possibility to be seen as just a white, European, privileged, academic outsider by the non-white interviewees. Trust was necessary to gain information and to bridge the gap which was obviously created by the presence of the superior-interpreters; to create a climate of frankness. This was the essential question; how could I create such a special atmosphere? What could I do to persuade my interviewees, in constant negotiation about my personal status, to give me, in respect to my research project, valuable information. I tried to build up trust by presenting me as what I was: A young researcher who was interested by agriculture and fascinated by all the circumstances, unpredictabilities and opportunities which occur in this field. I tried to socialize and to talk to all the people, for example, on the farms I visited. I also experienced the everyday life on a farm, accompanied the staff on its daily walks with the animals and observed carefully what happened on the farms and what the local people were talking about with each other. My ability to talk to the locals in English as well as in Afrikaans (which the farm staff also used when they were talking to each other) brought me a big advantage. In the rural areas, where I did the

second big part of my field research, I could use this ability better than in the urban, industrial area of Gauteng where the first big part of the field study took place. But nevertheless, in any case I showed my interest in the Afrikaans culture and language openly (for example in conversations before and after the tape recorder was switched on). So I tried to communicate with the Afrikaans-speaking interviewees in that language. I did this to reduce the possibility that locals could see me as a complete intruder to their everyday life and their world or even as a threat. But to keep on being a neutral observer I tried to maintain the balance between being a white researcher coming from Europe and being able to adapt to the local culture.

For me, it seemed very important to be aware of the fact that the interviewees could have, for instance, a totally different image of me than I expected. Recognizing this was very important for creating the single interview questions. Because these had to be a mix of more specific and more open ones. This was to give interviewees way to maneuver as they felt comfortable and thereby to create an atmosphere in which the interviewees were willing to share information about their, for instance, feelings as hopes, fears and about other similar thoughts.

1.3 South Africa and its regions: Historical-geographical background

First of all: For the purpose of a profound analysis of the interviews it is necessary to describe the regions in which the research was conducted and the circumstances I had to deal with. The research was conducted in Gauteng and on farms in the Western Cape.¹⁵ To create a broader understanding of the life circumstances of the interviewees and of the mindset of the people in the areas it seems reasonable to regard a part of the provinces in brief. This happens before I will deal especially with the history of land distribution in South Africa in the next chapter.

Because of its geographic position at the southernmost part of Africa the Republic of South Africa stays in a very remote position. Nevertheless, the country's economy (which consists of agriculture, mining, tourism) is more or less stable. But big problems as, for instance, crime (which grows), AIDS, tensions between ethnicities and huge disparities in reference to housing or education remain.

¹⁵ Just one interview with one person I did near the Western Cape's border, in the Eastern Cape. So the Eastern Cape will not be dealt with explicitly in this thesis. The Eastern Cape interviewee will be treated as one from the Western Cape.

South Africa's population is, according to the numbers of 2017, 56,875,000 million. 2017 lived 65,8 percent of the population in urban areas whereas 34,2 percent lived in rural areas.¹⁶ For the purpose of this thesis, to show the relevance of my various interviewees following later, the ethnic dimensions of South Africa and the provinces where the research was done are to regard. So Apartheid created four racial categories: "[...]black, white, Coloured (mixed race), and Asian[...]"¹⁷ Today, these categories are still in use. So 2016 the official census of South Africa mentioned the following groups: "Black African, Coloured, Indian/Asian, White".¹⁸ The census showed that there was a total population of 55,653,654 million people. There were 44,891,603 million "Black African", 4,869,526 million "Coloured", 1,375,834 million "Indian/Asian" and 4,516,691 million "White" people. Of the provinces researched in this thesis (Gauteng and Western Cape) the population of Gauteng was the largest one. According to the 2016 census there were 13,399,724 million people of which 10,770,177 million people (80,4 percent) were "Black African". Whereas "Indian/Asian" and "Coloured" people were only 357,409 and 443,289 (2,7 and 3,3 percent) strong the number of the "White" people was 1,828,849 million (13,6 percent). In the Western Cape there were at the same time 6,279,730 million people. The "Coloured" were the most numerous with 2,984,398 million (47,5 percent). In 2016, the Western Cape seemed to have a very equal distribution of ethnics because of the 2,242,042 million "Black African" people (35,7 percent) and the 1,004,571 million (16 percent) "White" people. There were 48,720 "Indian/Asian" inhabitants (0,8 percent) as well.¹⁹ These numbers show that it was of great importance to have a wide variety of interview partners; from "White" to non-"White" people and from old to young. In fact, the reality was that I had a wide variety of interviewees. But it is to mention that among the interviewed groups, "Black African", "Coloured" and "White", the "Black African" and the "Coloured" people were, in total, (much) less in relation to the amount of "White" interviewees. But in the Western Cape I interviewed more "Coloured" persons (four) than "White" ones (three). In Gauteng, I had a huge majority of "White" interview partners (five) compared to one "Black African" interviewee and no "Coloured".

¹⁶ Gordon, David Frank/ Hall, Martin/ Lowe, Christopher C. (et al.): South Africa. In: Encyclopaedia Britannica, last updated 18 November 2018, URL: <https://www.britannica.com/place/South-Africa>, last seen: 20 November 2018, p. 1.

¹⁷ Ibid., p. 2.

¹⁸ Stats SA. Statistics South Africa: Community Survey. 2016 in brief. Report 03-01-06. In: Stats SA. Statistics South Africa, 2016, URL: http://cs2016.statssa.gov.za/?portfolio_page=cs-2016-in-brief, last seen: 25 August 2018, p. 29.

¹⁹ Ibid., pp. 20/21/29.

Now, before I will describe the two provinces where I conducted my research, I will focus on the South African general history. The South African society evolved from a history of intermingling as well as conflicts. In 1652, members of the Dutch East India Company landed in Table Bay and this small outpost became the major urban centre of South Africa and a connection point for Europe and the eastern part of the world. Nevertheless, the native inhabitants of the Cape region, the Khoekhoe and the San suffered immensely because of the European expansion in the Cape. Since 1713 smallpox decimated the Khoekhoe population. As a result, there were, at the beginning of the 19th century, not many Khoekhoe left:

*“The Khoekhoe chiefdoms were largely decimated by the end of the 18th century, their people either dead or reduced to conditions close to serfdom on colonial farms. The San - small bands of hunter-gatherers - fared no better. Pushed back into marginal areas, they were forced to live by cattle raiding, justifying in colonial eyes their systematic eradication. The men were slaughtered, and the women and children were taken into servitude.”*²⁰

At the end of the 18th century there were two main areas in South Africa: There was a western and an eastern region with most of the settlement occurring in the western one. The so-called Trekboers (farmers constantly on the move) seemed to have an important position. Because they “[...]took increasingly more land from the Khoekhoe and from remnant hunter-gatherer communities, who were killed, were forced into marginal areas, or became labourers tied to the farms of their new overlords.”²¹

The Khoekhoe and the San peoples are regarded as such relevant groups in this thesis because one of the questions of the land issue in South Africa obviously is: Who has a legitimization to own the land? As a result, one can ask who was on the land at first and whether this means to have the legitimization to claim and to possess the land?²²

For instance, one interviewee said that the Khoisan²³ people would have a sort of a right to land because they (or rather their ancestors) would have been there for a long time or a long time

²⁰ Gordon, David Frank/ Hall, Martin/ Lowe, Christopher C. (et al.): South Africa, p. 10.

²¹ Ibid. The process of how the Khoekhoe lost their land to the Europeans is also described in a detailed manner in: Ross, Robert: Khoesans and immigrants: The emergence of colonial society in the Cape, 1500 - 1800. In: Hamilton, Carolyn/ Mbenga, Bernard K./ Ross, Robert (edd.): The Cambridge history of South Africa, Bd. 1. From early times to 1885, Cambridge (inter alia): Cambridge University Press, 2010, pp. 168-210, pp. 176-184.

²² These questions were mentioned by several local people during my field research.

²³ For this term see: Verbuyst, Rafael (2016): Claiming Cape Town: Towards a symbolic interpretation of Khoisan activism and land claims. In: Anthropology Southern Africa Vol. 39 (2), pp. 83-96, p. 94; Footnote 2: “Khoisan” as a term was introduced by the Leonhard Schultze in 1928. He wanted to show that there were, according to him, similarities between the Khoekhoe and the San peoples. But this term has been criticised harshly.

ago. Robert Ross talks, for the Cape of the Good Hope region, about the “[...]destruction of Khoesan independence[...].”²⁴ Also, he mentions that, since Vasco da Gama’s surrounding of the Cape of the Good Hope, “[...]European ships regularly put into the bays along the southern and southwestern coasts of Africa to take on water and to trade with the Khoekhoen for cattle and sheep.”²⁵ Also, Atmore and Oliver stated in 2001 that the Khoisan people have been in the Cape region before the Europeans or the Bantu-speaking people.²⁶ Again, it shall be stressed that there were, for instance, trade contacts between the Khoekhoe and Europeans even before the European expansion at the Cape of the Good Hope and the Khoekhoe and the San were there on the land even before the Europeans.

Now, there shall be made a few comments about the Khoisan and about their land claims; about their feelings, hopes and dreams; about their emotions and about their aims. The following is to add: The upcoming aspects are about a sample of Khoisan people and therefore it is to respect that there is the possibility of different opinions within a much larger Khoisan majority. According to research findings of 2016, in 2014 Khoisan an activist in Cape Town stated: “We are not Coloureds, you see, we hate being called like that. We are the true first indigenous people of this country and we want to be respected like that’[...].”²⁷ Furthermore, another said: “You must understand[...]all of this land belongs to us, we were here first! It is as simple as that and the government needs to see that.”²⁸ Recently, there were more and more activists who identified themselves as Khoisan and who insisted on their indigenous rights.²⁹ This movement “[...]had grown extensively and become more politically active with recent developments regarding the official recognition of Khoisan traditional authorities and land claims predating the 1913 Natives Land Act cut-off date.”³⁰

But now it is time to go back to the general history: The Trekboers moved further into Africa (into the Karoo) and collided during the time span 1770 to 1870 with the indigenous peoples living in this area. These indigenous peoples were not able to drive out the Europeans from this area. The following history of the Cape Colony and South Africa as a whole was marked by the takeover of the Cape Colony by the British (in the frame of the Napoleonic Wars) and later,

²⁴ Ross, Robert: Khoesan and immigrants: the emergence of colonial society in the Cape, 1500 - 1800, p. 168.

²⁵ Ibid., p. 170.

²⁶ Atmore, Anthony/ Oliver, Roland: Medieval Africa: 1250–1800, Cambridge: Cambridge University Press, 2001, p. 212.

²⁷ Verbuyst, Rafael (2016): Claiming Cape Town. In: Anthropology Southern Africa Vol. 39 (2), pp. 83-96, p. 83.

²⁸ Ibid.

²⁹ Ibid., pp. 83/84.

³⁰ Ibid., p. 84.

until 1860, by the creation of Natal, Transvaal and the Orange Free State. Land was a constant issue as well as cattle and there were armed fights, for instance, between the Xhosa and the Boers because of that. These clashes happened from the 1780s onwards and took place in the region which is mainly the Eastern Cape of modern South Africa. In the frame of this conflict the indigenous people lost the main part of their land and had to work for the settlers. Under British rule over the Cape Colony, it was the first time that a system of real land tenure was introduced. From now on, settlers owned land and they didn't have to lease it from the state any more.³¹

During the last decades of the nineteenth century, there was a "Growing competition between white farmers and mineowners for cheap labor following the discovery of diamonds and gold[...]"³² This led to a decline of non-"White" peasantry which was, to a specific extent, a successful as well as an independent one. One massive restriction was the Natives Land Act of 1913³³ which will be examined more detailed further below. In general, it is to note that:

*"Through the twentieth century, black communities were forcibly removed from their land and independent farmers turned into tenants, who in turn either became landless laborers or were displaced. Many communities lost land in the name of conservation when large regions were proclaimed 'protected areas' and residents removed to make way for national or provincial parks. Those who were not employed by the mines, farms, or factories were[...]confined to the homelands."*³⁴

But until 1945, referring to the land distribution, there are a few more facts to regard. There was, as said above, the so-called Natives Land Act of 1913. This Act "[...]defined less than one-tenth of South Africa as black 'reserves' and prohibited any purchase or lease of land by blacks outside the reserves. The law also restricted the terms of tenure under which blacks could live on white-owned farms."³⁵ Also, there was the Native Urban Areas Act of 1923. It "[...]segregated urban residential space and created 'influx controls' to reduce access to cities by blacks."³⁶ The following years were also marked by a growing segregation between non-"White" and "White". For the "Black African" population, this kind of segregation caused

³¹ Gordon, David Frank/ Hall, Martin/ Lowe, Christopher C. (et al.): South Africa, p. 11.

³² Hall, Ruth: Reconciling the past, present, and future. The parameters and practices of land restitution in South Africa. In: Bohlin, Anna/ Hall, Ruth/ Kepe, Thembela/ Walker, Cheryl (edd.): Land, memory, reconstruction, and justice. Perspectives on land claims in South Africa, Athens/ Ohio: Ohio University Press, 2010, pp. 17-40, p. 18.

³³ Ibid.

³⁴ Ibid.

³⁵ Gordon, David Frank/ Hall, Martin/ Lowe, Christopher C. (et al.): South Africa, p. 16.

³⁶ Ibid.

immobility, lesser opportunities and intensified controls. Important to note is that the reserves provided an insufficient economic basis for the people who lived there. The situation went even worse and also being a tenant on farmland owned by whites became more and more difficult. In 1936, the South African government enlarged the reserves. Nevertheless, the reserves comprised never more than 13 percent of South Africa's total area.³⁷

The 1950s and the 1960s were marked by measures as the so-called betterment policies by which approximately four million "Black African" people lost their land in South Africa.³⁸ There are researchers who say "[...]that [the] displacement of Blacks through forced removals and confinement in restricted areas exceeded the scale in which a similar phenomenon happened in other colonial states in Africa."³⁹ For instance, there was, in 1950, the Group Areas Act. It made, to a large-scale, the removal of non-"White" people from urban areas to, for example, the reserves legal. It can be said that, according to figures from 1985, such processes produced approximately 3,5 million landless people until 1983.⁴⁰

In 1994, the situation was as following: "White" landowners possessed the most part of South Africa (approximately 90 percent) which means they possessed the most fertile land as well as most of the mineral resources.⁴¹ The South African government had tried to address the problems in the reserves. There, the situation had gone worse and worse because of a growing number of inhabitants of the reserves as well as because of soil erosion. The overpopulation in the reserves had forced many men to work somewhere else. They had to work, for instance, "[...]on white farms or in the towns, where they lived in a hostile world. Black and Coloured farm labourers, scattered in small groups throughout the agricultural areas, were isolated, and in the towns life was insecure and wages low."⁴² Today in South Africa, according to data from 2018, the state, companies, churches or traditional leaders own two thirds of the country's ground. In rural areas, the "White" minority owns 24 percent of the ground. In cities it is 11 percent.

³⁷ Gordon, David Frank/ Hall, Martin/ Lowe, Christopher C. (et al.): South Africa, p. 16.

³⁸ Kepe, Thembele (2012): Land and justice in South Africa: Exploring the ambiguous role of the state in the land claims process. In: African and Asian Studies Vol. 11 (4), pp. 391-409, p. 394.

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ So "[...]the Black majority, had access to only 13 percent of the country's land[...]This land was held in trust by the state, with traditional authorities appointed by the apartheid government administering it under the communal tenure system."; See: Kepe, Thembele (2012): Land and justice in South Africa. In: African and Asian Studies Vol. 11 (4), pp. 391-409, p. 394. Also, Ruth Hall writes that "By 1990 South Africa was marked by a stark racial divide between the 13 percent of land reserved for black occupation and the remainder in so-called white South Africa, dominated by sixty thousand commercial farms covering 70 percent of the country's area." See: Hall, Ruth: Reconciling the past, present, and future, p. 19.

⁴² Gordon, David Frank/ Hall, Martin/ Lowe, Christopher C. (et al.): South Africa, p. 16.

Moreover, there is another aspect to take into account when it comes to land reform and property in South Africa. There is, for instance, the case of the Zulu king Goodwill Zwelithini and his trust company which administers a third of the province of KwaZulu-Natal. The king, as many other influential chiefs, fears expropriation and is, therefore, against a constitution change. But it is to note that millions of people living in areas which are administered by traditional leaders have no chance to own their own piece of land. They can lease it only. And this is an essential hindrance for a successful development of the rural areas in South Africa.⁴³

1.3.1 In detail: Gauteng and the Western Cape

Now, it is time to focus on the two provinces where the research was done: Gauteng and the Western Cape. Firstly, there is “[...]the Gauteng City-Region, a constellation of urban nodes within a radius of 175 km from the centre of Johannesburg.”⁴⁴ In 2011, there were 13 million people living in this area.⁴⁵ Nevertheless, the province of Gauteng itself is smaller and is combined, for instance, out of the cities of Johannesburg and Tshwane (Pretoria). Johannesburg is South Africa’s most productive economic hotspot while Tshwane holds the position as the country’s capital for all the administration. In Gauteng, the results of the Apartheid era are clearly to notice. So in those days, the richer and poorer settling areas were strictly separated from each other.⁴⁶ And “[...]nowhere in the world are the distinctions as clearly marked as in South African cities, nor as starkly based on racial grounds.”⁴⁷ In the areas of Gauteng which are wealthier there is a sort of modern infrastructure which is to compare with, for instance, Western European circumstances. Obviously, the living standard is higher there than it is in the lower developed and poorer parts of the province.⁴⁸

⁴³ Putsch, Christian: Südafrika diskutiert über die Enteignung weisser Landbesitzer. In: Neue Zürcher Zeitung, 27 April 2018, URL: <https://www.nzz.ch/international/verbrannte-erde-in-suedafrika-ld.1381135>, last seen: 5 January 2019.

⁴⁴ Everatt, David (2017): Quality of life in the Gauteng City-Region, South Africa. In: Social Indicators Research Vol.130 (1), pp. 71-86, p. 73.

⁴⁵ In 2014, Christopher Wray mentioned 12,2 million people as inhabitants of the Gauteng City-Region (which were 24 percent of South Africa’s total population). See: Wray, Christopher (2014): Racial integration in the Gauteng City-Region (GCR), South Africa. In: Regional Studies, Regional Science, Vol. 1 (1), pp. 79-81, p. 79.

⁴⁶ Everatt, David (2017): Quality of life in the Gauteng City-Region, South Africa. In: Social Indicators Research Vol.130 (1), pp. 71-86, pp. 73-75.

⁴⁷ Ibid., p. 75.

⁴⁸ Ibid.

*“The poorer areas are located far from work and educational opportunities, often buffered by major highways, industrial parks and the like. Apartheid created literal, physical boundaries between races, and thus between classes, since race and class were so closely correlated under apartheid.”*⁴⁹

Since the end of Apartheid the local as well as the provincial government made huge efforts to fight the housing shortage (which had ended up, for instance, in informal housing or backyard shacks) in the province. But because of unfavourable circumstances many of the Reconstruction and Development Programme (RDP) houses were erected in large complexes in the periphery. In 2011, 80 percent of the population in Gauteng was living in formal housing. But 11 percent lived in informal settlements.⁵⁰ It is to add that “[...]98 % of people now have access to piped water, 96 % have access to a flush toilet, and 87 % access the national grid for lighting energy.”⁵¹ Gauteng is a province which attracts more and more (thousands of) immigrants from South Africa, Europe and from elsewhere. It is to note that the government was able to fulfill, to a large extent, the basic needs of the people. But it is also to consider the fact that in Gauteng there is more socially oriented protest than in other provinces. Therefore, it seems that a specific sort of deprivation is not eliminated yet in the province.⁵²

So as implied above, in the 2014 Gauteng City-Region, the system of Apartheid was still “in effect” when it came to the areas where different racial groups lived. This is because the “White” people still lived separated from the other groups such as “Coloureds”, “Indian/ Asian” people or “Black Africans”. Despite the still prevailing segregation, the same division has diminished in the area of Johannesburg city during the years since 1991.⁵³ Already in 2014, there was “[...]an emerging black, coloured and Indian middle class.”⁵⁴ These people lived in areas as “[...]the traditionally white northern suburbs of the City of Johannesburg centred around Sandton[...].”⁵⁵

There is another example of mixture and separation at the same time:

⁴⁹ Everatt, David (2017): Quality of life in the Gauteng City-Region, South Africa. In: Social Indicators Research Vol.130 (1), pp. 71-86, p. 75.

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Ibid.

⁵³ Wray, Christopher (2014): Racial integration in the Gauteng City-Region (GCR), South Africa. In: Regional Studies, Regional Science, Vol. 1 (1), pp. 79-81, pp. 79/80.

⁵⁴ Ibid., p. 80.

⁵⁵ Ibid., pp. 79/80.

“The recently developed mixed-income, mixed-race housing development of Cosmo City [a settlement area in the north west of Johannesburg] contrasts against the historical low-income black township of Alexandra (established in 1912), which remains predominately black.”⁵⁶

It can be said that, already in 2014, “Some [ethnic] integration is [was] evident, especially in the suburbs south of the Johannesburg central business district (CBD), but to a lesser degree in Soweto which remains [remained] predominantly black.”⁵⁷ In the north-western part of Gauteng, there was significantly less integration. There, at the outer parts of the Gauteng City-Region, Apartheid was still kept “in effect” by the large-scale erection of low-cost settlements in regions which were far away from, for instance, any opportunities to work.⁵⁸ It can be said that, although there was, according to the figures of 2014, “[...]a gradual mixing of races at a suburb level, on a city-regional scale residential settlements remain split along a racial divide which will require generations to change.”⁵⁹

“Many suburbs formerly zoned for whites have become near-impenetrable life-style estates, gated communities and the like, with booms barring entry, backed up by armed guards. Apartheid social geography has effortlessly adapted to class—black middle class families now live in those same estates, cheek by jowl with white middle class families, all safely walled off from ‘the poor’—and as such, apartheid geography has proved remarkably difficult to eradicate or even ameliorate.[...]So while the GCR includes pockets of severe poverty, the region—and Johannesburg in particular—are among the best-off (and best-served) parts of South Africa. Thus the results of quality of life measurement provided below need to be seen in context: they are measurements taken in the wealthiest province-cum-city-region in the country, and cannot be extrapolated to other parts of South Africa.”⁶⁰

As a result, it is to say that there is integration into the Gauteng community of higher earners but this integration is limited. My interview partners, who were five “White” people and one “Black African” interviewee, at the current stage, were representatives of the class of higher or better earners in the Gauteng City-Region. My interviewees had a decent financial and educational background. They were managers, farmers or researchers. So the question arises:

⁵⁶ Wray, Christopher (2014): Racial integration in the Gauteng City-Region (GCR), South Africa. In: Regional Studies, Regional Science, Vol. 1 (1), pp. 79-81, p. 80.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Ibid.

⁶⁰ Everatt, David (2017): Quality of life in the Gauteng City-Region, South Africa. In: Social Indicators Research Vol.130 (1), pp. 71-86, pp. 75/76.

To what extent are the interviewees questioned in the frame of my research in Gauteng a representative example? To what extent is their opinion about the land issue representing the opinion of the poorer masses in the province? This means that I have to deal with the Gauteng interviewees' answers (as well as with the Western Cape's statements) very cautiously and that I have to regard them as a set of answers out of a mass of the same. Maybe, these answers obtained in the process of research could be refuted by another research. This is to keep in mind constantly.

Now, I will describe the Western Cape. "The Western Cape is rich, with a large urban population, modern agriculture and a large number of farm workers."⁶¹ The following fact is almost unique for South Africa. (Just the Northern Cape has almost as many "Coloured" people as the Western Cape.):⁶² The Western Cape is a province with, as said above, 47,5 percent "Coloured" people. My interviewees in this province were mostly "Coloured". Therefore, it seems necessary to say something about the "Coloured" people; about a part of their group identity. To limit the issue of "Coloured" identity, it seems necessary to focus on certain aspects:

*"The existence of multiple forms of identification is an expression of the multilingualism and various religious beliefs found within the coloured population. Both, language and religion are cultural residues yet do not constitute (ethnic) markers that differentiate coloureds as a group.[...]The lack of a coherent group awareness also expressed itself when respondents [of Birgit Pickel's research about 'Coloured' communities in Paarl, Piketberg and Mitchells Plain (Western Cape, South Africa) published in 1997] were asked whether they can think of any important historic events that happened for people classified as coloured in South Africa."*⁶³

So what is to say about "Coloured" identity? First of all, Apartheid was very harsh on "Couloured" people. For instance, there were the Mixed Marriages Act as well as the Group Areas Act which had a severe impact on this population group. So "[...]the majority of respondents [in Pickel's study] named the end of Apartheid or, as an equivalent, the 1994 elections as the most important events for coloured people."⁶⁴ When mentioning these results, it is important to note that there was a wide range of people (28,4 and 15 percent in average)

⁶¹ Gran, Thorvald: Land politics and trust relations in government: Findings from western South Africa. In: Askvik, Steinar/ Bak, Nelleke (edd.): Trust in public institutions in South Africa, Aldershot: Ashgate, 2005, pp. 103-119, p. 107.

⁶² Stats SA. Statistics South Africa: Community Survey. 2016 in brief. Report 03-01-06, p. 21.

⁶³ Pickel, Birgit: Coloured ethnicity and identity. A case study in the former coloured areas in the Western Cape/South Africa, (Demokratie und Entwicklung [Vol. 28]), Hamburg: LIT, 1997, pp. 65/66.

⁶⁴ Ibid., p. 66.

who said they had no idea of history (28,4%) or they didn't know which event was to be seen as such an important one for the "Coloured" (15%). And, as Pickel stated in 1997, there were only 3,04 percent of the questioned in total who said that issues as land restitution were such important events in South Africa's and in the "Coloureds'" history.⁶⁵

This means that enforcing a land reform can be very difficult in the Western Cape. This is because, as it became clear, in the Western Cape, and according to Pickel's case study, there is almost half of the population without a common consciousness when it comes to historic events. Also, land reform measures as restitution are regarded as not really so important by the mass of the "Coloured". There remains the question whether Pickel's case study is representative for the whole province of the Western Cape. Anyway, there is an essential point: The state has to explain the importance of land reform to almost the half of the Western Cape's population, if one regards the outcome of the research as representative for half of the Western Cape's population, to enforce it successfully. But: Does the South African government do that? So, at the end, it is to note that "A history void, which developed out of their historic middle position between Africans and whites, characterises coloured people's thinking."⁶⁶ Finally, it became obvious that boundaries to other population groups did not exist in Pickel's study participants' minds. Such boundaries, which form the "Coloured" as a specific group, existed for every individual through growing up in a common "Coloured" area. So it can be said that "[...]group identity – for those who see themselves as belonging to the coloured community – is based on social factors such as living in the same neighbourhood and having grown up with coloureds rather than on objective cultural or ethnic or even racial criteria."⁶⁷

2. Reasons for the land distribution in 1994 – examples

In this chapter, I will deal, as announced previously, more specifically with the reasons for the land distribution in South Africa in 1994. Here, it seems necessary to focus on two special events; two examples: Namely the Natives Land Act of 1913 and the Native Urban Areas Act of 1923 which were mentioned above. The purpose of this chapter is to give an insight in the content as well as in the application (and the outcomes caused by this application) of these acts. This happens to make the reader understand in what dimensions the land issue of South Africa

⁶⁵ Pickel, Birgit: Coloured ethnicity and identity, p. 67.

⁶⁶ Ibid.

⁶⁷ Ibid.

is debated and with what kind of arguments people have to deal when it comes to the land question.

First of all, the content and the impact of both of the acts is to regard. The first one mentioned, the Natives Land Act of 1913, was not the first legislative measure to dispossess non-“Whites” from their land in South Africa. There were other laws preceding this act. But the act of 1913 can be seen as a peak; as a culmination of the preceding legislation.⁶⁸ So “[...]the 1913 Land Act served as a platform on which numerous racially based state land rights policies were anchored. For example the 1913 Land Act served as a nucleus for the establishment of reserves; otherwise known as Bantustans or ‘homelands’[...]”.⁶⁹

*“[...]its [the Natives Land Act`s] provisions were enforced unevenly and widely resisted. Yet it was a starting point of a new era of political, economic and spatial dualism, and its effects shaped South Africa throughout the 20th century and in large part[...]it is mainly intact today. The Act laid the foundation for segregation and apartheid through most of the rest of the century: the homeland policies of Hendrik Verwoerd, the imposition of state-approved and appointed Bantu Authorities, the system of influx control and the hated ‘pass’ laws, and in the towns and cities, the Group Areas Act.”*⁷⁰

With the act there came several new measures. Now, there were so-called specific areas which were in fact reserves for the natives. These areas comprised approximately seven percent of the Union of South Africa. In brief, the act stated that in these areas only natives were allowed to acquire, in any form, to buy or to rent land. Also, any agreement which transferred rights over such special land was allowed for natives only as well as any agreement by which interest in such a specially designed area was acquired. Also, treaties about servitude referring to these areas were reserved for natives only. Exemptions could be made by the Governor-General of the Union of South Africa. Furthermore, the document pretended to create equality between the different skin colours. This becomes clear by regarding other parts of the act. These said that a native was not allowed to acquire, in any form, to buy or to rent the specially designed land from a non-native and vice versa. Also, natives must not agree to contracts which transferred any rights over such land, to agreements which transferred interest in such land or to a treaty which settled conditions for servitude on such land with non-natives. This was to see vice versa

⁶⁸ Hall, Ruth (2014): The Legacies of the Natives Land Act of 1913. In: Scriptura Vol. 113 (1), pp. 1-13, p. 1.

⁶⁹ Kepe, Thembele (2012): Land and justice in South Africa. In: African and Asian Studies Vol. 11 (4), pp 391-409, p. 394.

⁷⁰ Hall, Ruth (2014): The Legacies of the Natives Land Act of 1913. In: Scriptura Vol. 113 (1), pp. 1-13, p. 1.

as well.⁷¹ The Natives Land Act of 1913 had a massive direct impact: For example, because of the act “[...]black tenants on white farms were to be given notice to leave. Violation of the terms of the Act could elicit a fine of 100 pounds or six months’ imprisonment, among other penalties[...].”⁷² Finally, the theory of Norman Etherington is to mention which says

*“[...]that the reason for the horseshoe-shaped configuration of South Africa’s twentieth-century ‘Bantustans’ is that these form the residue of the ecological districts preferred by people over several centuries. These were for the most part not lands they were reluctantly pushed into, but lands which – through their determined resistance – they managed to defend against the invading colonists.”*⁷³

Now, I will regard the outcomes of the second act mentioned before more detailed: The Native Urban Areas Act. As said before, this act “[...]segregated urban residential space and created ‘influx controls’ to reduce access to cities by blacks.”⁷⁴ Additionally,

*“[...]the Native (Urban Areas) Act of 1923 required all Black African men in cities and towns to carry a permit, called passes, at all times. This resulted in an increase in the outward displacement of African people to locations on the periphery of cities and towns. Other issues experienced in this ‘Segregation City’ (1911–1950) is the lack of provision of adequate housing and infrastructure for non-White African people. This resulted in squatter settlements (slums) mushrooming on the peripheries of major cities.”*⁷⁵

However, according to Maylam, the influence of the act of 1923 is not to overestimate. According to him the act made a basis for segregation in residential areas but there was no enforcement of this.⁷⁶

It is necessary to briefly make clear why at least one of these acts (Natives Land Act) has such an impact on the South African politics of the 21st century; of nowadays. The Natives land Act of 1913 is still a political issue in South Africa. This means that, for instance, the constitution of South Africa mentions, as demonstrated below, the act as orientation for measures of

⁷¹ Hall, Ruth (2014): The Legacies of the Natives Land Act of 1913. In: Scriptura Vol. 113 (1), pp. 1-13, pp. 1/2.

⁷² Ibid., p. 2.

⁷³ Etherington, Norman: The great Treks. The transformation of Southern Africa, 1815-1854, Harlow (inter alia): Longman, 2001, p. XXIII.

⁷⁴ Gordon, David Frank/ Hall, Martin/ Lowe, Christopher C. (et al.): South Africa, p. 16.

⁷⁵ Schoeman, Thea (2018): The spatial influence of Apartheid on the South African city. In: The Geography Teacher Vol. 15 (1), pp. 29-32, p. 29.

⁷⁶ Maylam, Paul (1995): Explaining the Apartheid city. 20 years of South African urban historiography. In: Journal of Southern African Studies Vol. 21 (1) special issue: Urban Studies and Urban Change in Southern Africa, pp. 19-38, p. 27.

restitution in respect of land reform.⁷⁷ Moreover, there was the statement of the leader of the Economic Freedom Fighters (EFF), Julius Malema. In June 2017, “He said the 1913 Native Land Act is still manifested.”⁷⁸ In this respect, Malema mentioned that it would be necessary that the South African state takes all land available in the country and be the custodian of it. The land belonged to all South Africans, Malema said. Furthermore, he stressed the supposed essentiality of the struggle about property ownership and said that the land would be the “[...]beginning and the end of South Africa.”⁷⁹ When we regard the relatively big mass of EFF supporters (the EFF got 6,35 % of all votes in the general election in 2014; and therefore they got 25 seats in the National Assembly),⁸⁰ it is clear that Malema can mobilise a huge mass of supporters by expressing such statements. This means inevitably that the topic of the Natives Land Act of 1913 is still a big issue among South Africans.

3. Political approaches to solve the land question since 1994

Now, there is some general information about the efforts of the South African government after 1994 which is important to understand the process of land reform in South Africa.

Initially, the South African government wanted, by a land reform, to cause a distribution of the land which was marked by more equity than the old one. Furthermore, fighting poverty as well as supporting the economy were goals which were sought to achieve by the government.⁸¹ Other aims were “[...]providing security of tenure; establishing sound land administration; and contributing to national reconciliation.”⁸² Primarily, beneficiaries of a land reform should be “The rural poor (seen as comprising victims of land dispossession, small-scale farmers, farm workers, labour tenants, communal area residents, women and youth)[...]”⁸³

⁷⁷ South African Government: Constitution of the Republic of South Africa, 1996 – chapter 2: Bill of rights. 25. Property. In: South African Government, 2019, URL: <https://www.gov.za/documents/constitution/chapter-2-bill-rights#25>, last seen: 15 March 2019.

⁷⁸ Gerber, Jan: Malema reads property owners the riot act. In: news24, 21 June 2017, URL: <https://www.news24.com/SouthAfrica/News/malema-reads-property-owners-the-riot-act-20170621>, last seen: 18 December 2018.

⁷⁹ Ibid.

⁸⁰ Umraw, Amil: What the numbers tell us about EFF support. In: Huffpost, 22 March 2018; updated 26 March 2018, URL: https://www.huffingtonpost.co.za/2018/03/21/is-the-eff-2019s-dark-horse-lets-look-at-the-numbers_a_23391412/, last seen: 18 December 2018.

⁸¹ Cousins, Ben (2016): Land reform in South Africa is failing. Can it be saved? In: Transformation: Critical Perspectives on Southern Africa Vol. 92 (1), pp. 135-157, pp. 136/137.

⁸² Ibid., p. 137.

⁸³ Ibid.

Before the single presidencies since 1994 until today are to regard it is necessary to look at the 1996 constitution of the Republic of South Africa (which came into effect on the 4th of February 1997).⁸⁴ In this constitution, article 25 is important for this thesis. It says that:

*“No one may be deprived of property except in terms of law of general application, and no law may permit arbitrary deprivation of property.”*⁸⁵

Moreover, article 25 says that:

“Property may be expropriated only in terms of law of general application

a. for a public purpose or in the public interest; and

*b. subject to compensation, the amount of which and the time and manner of payment of which have either been agreed to by those affected or decided or approved by a court.”*⁸⁶

So, according to the constitution of 1996, the following is allowed: “[...]expropriation at compensation levels that are just and equitable rather than simply at market value.”⁸⁷ The compensation must be of such an amount that it is “[...]reflecting an equitable balance between the public interest and the interests of those affected[...].”⁸⁸ In this respect, to define the amount of compensation, there are some aspects which must be regarded, according to the constitution:

*“a. the current use of the property; b. the history of the acquisition and use of the property; c. the market value of the property; d. the extent of direct state investment and subsidy in the acquisition and beneficial capital improvement of the property; and e. the purpose of the expropriation.”*⁸⁹

⁸⁴ South African Government: The constitution of the Republic of South Africa. In: South African Government, 2019, URL: <https://www.gov.za/documents/constitution/constitution-republic-south-africa-1996-1>, last seen: 19 March 2019.

⁸⁵ South African Government: Constitution of the Republic of South Africa, 1996 – chapter 2: Bill of rights. 25. Property.

⁸⁶ Ibid.

⁸⁷ Cousins, Ben (2016): Land reform in South Africa is failing. In: Transformation: Critical Perspectives on Southern Africa Vol. 92 (1), pp. 135-157, p. 136.

⁸⁸ South African Government: Constitution of the Republic of South Africa, 1996 – chapter 2: Bill of rights. 25. Property.

⁸⁹ Ibid.

In section four of article 25 there is to read:

“a. the public interest includes the nation's commitment to land reform, and to reforms to bring about equitable access to all South Africa's natural resources; and

b. property is not limited to land.”⁹⁰

Section five of the article states that the South African “[...]state must take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis.”⁹¹ “It [article 25] provides a right to restitution of land dispossessed after June 1913, and a right to security of tenure, in both cases along with measures for comparable redress (cash compensation or alternative land) when appropriate[...].”⁹²

So what does this mean for this research? The research material as well as the answers of the interviewees presented in this research must be examined for statements in reference to what has been achieved when it comes to land reform? For instance, has poverty been (significantly) reduced? Or has the economy been strengthened or the “security of tenure”? Or have “national reconciliation” or “sound land administration” been enforced? Here, article 25 of the constitution of South Africa demands that the answers of this research’s interviewees must be searched for information regarding people’s thoughts about the article’s content. For instance, what do people think is “public interest”, in fact?

4. Insertion: Redistribution, restitution and tenure reform

In past-1994 South Africa,

“Land reform includes a land redistribution programme, aimed at broadening access to land among the country’s black majority; a land restitution programme to restore land or provide alternative compensation to those dispossessed as a result of racially discriminatory laws and practices since 1913; and a tenure reform programme to secure the rights of people living under insecure arrangements on land owned by others, including the state (in communal areas

⁹⁰ South African Government: Constitution of the Republic of South Africa, 1996 – chapter 2: Bill of rights. 25. Property.

⁹¹ Ibid.

⁹² Cousins, Ben (2016): Land reform in South Africa is failing. In: Transformation: Critical Perspectives on Southern Africa Vol. 92 (1), pp. 135-157, p. 136.

and the former 'Coloured' rural reserves) and private landowners (farmworkers, farm dwellers and labour tenants). ”⁹³

Now, the three initial elements of the land reform (restitution, redistribution and tenure reform) are to regard more closely. Mogashoa and Ramutsindela state that for the South African government it was the biggest challenge to implement tenure reform. There are the areas which were once the so-called “Bantustans”. According to findings of 2013, these lack strongly (profound) legislation to create a tenure reform there. But in these areas such a reform is, according to Mogashoa and Ramutsindela, most necessary. It is to note that there was no attempt to include tenure reform into the Reconstruction and Development Programme (RDP). In this programme, to support land reform, the focus was on restitution and redistribution. These two elements continued to be the main pillars of land reform in South Africa. This is because the government made, since 1994, no great progress in pushing ahead with a tenure reform. For instance, there was the Interim Protection of Informal Land Rights Act 31 (1996). It should “[...]protect communal land from developers rather than change tenure[...].”⁹⁴ Also, “The government’s belated attempt to transform land tenure in the former areas of the “Bantustans” through the Communal Land Rights Act 11 of 2004[...]was found unconstitutional.”⁹⁵ Still in 2013, many “[...]African communities[...]own[ed] land in the form of Communal Property Associations (CPAs) that seem[ed] to straddle two forms of tenure - namely, private and communal.”⁹⁶ So on the countryside, the land which is, by redistribution or restitution, given to non-“Whites” is mostly kept and administrated by CPAs. This happens although there is definitely a difference between redistribution and restitution. So: “[...]land redistribution seeks to open up productive land to the previously marginalised African majority, land restitution aims to restore land rights to victims of racially motivated removals that took place since the promulgation of the Natives Land Act of 1913.”⁹⁷ This, again, shows the importance of the Natives Land Act of 1913 mentioned above.

⁹³ Cousins, Ben (2016): Land reform in South Africa is failing. In: Transformation: Critical Perspectives on Southern Africa Vol. 92 (1), pp. 135-157, p. 136.

⁹⁴ Mogashoa, Monene/ Ramutsindela, Maano (2013): The people’s choice: Options for land ownership in South Africa’s land reform. In: Social Dynamics Vol. 39 (2), pp. 308-316, p. 310.

⁹⁵ Ibid.

⁹⁶ Ibid. For further information: “[...]a CPA represents a legal entity but does not necessarily include all members of a particular community or tribe as defined in common law, and may also exclude a traditional authority. As a legal entity, it holds land in the same way as a trust or consortium; but the government would be concerned if CPAs were to sell the land.”; see: Mogashoa, Monene/ Ramutsindela, Maano (2013): The people’s choice. In: Social Dynamics Vol. 39 (2), pp. 308-316, p. 311.

⁹⁷ Mogashoa, Monene/ Ramutsindela, Maano (2013): The people’s choice. In: Social Dynamics Vol. 39 (2), pp. 308-316, p. 311.

Now, redistribution and restitution are to regard more closely: Finally, in 2013, “[...]land reform policy prescribes[ed] that beneficiaries of land redistribution and land restitution should own land as a common property, with the CPA acting as a legal entity.”⁹⁸ In the past and in respect to redistribution, there was the approach of the Settlement/Land Acquisition Grant (SLAG) which allowed people to manage land together in the form of a community.

In 2000, there was a shift to a political approach which favoured more individual contribution when it came to the acquisition of land. This approach was called Land Redistribution for Agricultural Development (LRAD) and its goal was to enforce the formation of a class consisting out of commercially farming non-“White” persons. There were critical voices which claimed that this shift in policy, which was considered to be part of the Growth, Employment and Redistribution (GEAR) strategy, was favouring a few people better off than the masses and endangering the rural development.

Nevertheless, despite the introduction of LRAD, CPAs were still used as a legal method to hold land.⁹⁹ But, finally, it is to say that:

“Under LRAD, however, there has been a move towards smaller groups, including extended family groups, because of the increased availability of finance in the form of both grants and credit. In addition, the removal of the income ceiling for applicants has facilitated the entrance of black business people into the redistribution programme, who are able to engage more effectively with officials and landowners in order to design projects and obtain parcels of land that match their needs.”¹⁰⁰

Also it is to note that, since 2001, the South African state made state land available for purchase. There were more than 700.000 hectares of land which were provided by this measure. Much of this land was given to “Black African” people who occupied the ground. They obtained a freehold title for this land. Also, municipalities were made able to give land to local poor people, in most of these cases for grazing cattle or similar.¹⁰¹

⁹⁸ Mogashoa, Monene/ Ramutsindela, Maano (2013): The people’s choice. In: Social Dynamics Vol. 39 (2), pp. 308-316, p. 311.

⁹⁹ Ibid. More detailed information about SLAG and LRAD is also to find in: Lahiff, Edward (2007): ‘Willing buyer, willing seller’: South Africa’s failed experiment in market-led agrarian reform. In: Third World Quarterly Vol. 28 (8), pp. 1577-1597, pp. 1580/1581.

¹⁰⁰ Lahiff, Edward (2007): ‘Willing buyer, willing seller’. In: Third World Quarterly Vol. 28 (8), pp. 1577-1597, p. 1581.

¹⁰¹ Ibid.

Then, there is the Proactive Land Acquisition Strategy (PLAS) approach. It is active from 2006 onwards.¹⁰² The PLAS approach focuses on the following:

“[...]the state remains the owner of the land, and occupants can be made to leave if they fail to use their land productively[...]Agricultural production is often seen as the most obvious use of arable land in rural areas of South Africa, and the state insists on ‘productive use’ of this land – usually meaning commercial production at scale[...]”¹⁰³

Since 2012 the South African state (clearly) began to make “[...]a shift away from state-assisted land purchase and transfer of title to beneficiaries (the model adopted by the ANC in 1997), to one [a model] in which the state buys land for redistribution to beneficiaries under leases but does not transfer ownership.”¹⁰⁴ Furthermore, in 2013, there was the State Land Lease and Disposal Policy introduced. Its aim was and is “[...]that small-scale and subsistence farmers may not become land owners but must remain tenants of the state. Only medium-to large-scale farmers have the option to buy farms, but only after having leased the land for 30 to 50 years.”¹⁰⁵ Often, state representatives offer just three month-lasting agreements about taking care of a specific piece of ground to farm-workers. So for this period the people are allowed to stay on the land. Leases are not offered to them because government officials do not trust them to pay the rent. So farm “tenants” are being pushed into the role of quasi-squatters, of mere guards of property. According to Hall and Kepe “‘This unpublicised policy about-turn suggests political risk in the future as large numbers of people around the country discover that their expectations of gaining ownership of the land they now occupy will not be met,’[...]”¹⁰⁶ What does not happen as a result of this situation is investment by the current occupiers of such properties because they don’t know what the future will bring. Poor communities can get leases, and thereby funds, by having a business plan which is approved as well as by having a bigger strategic partner (as agribusiness) only. Hall and Kepe say that this “[...]is ill-suited to their

¹⁰² Staff Writer: Government isn’t redistributing land – it’s renting it with an option to buy after 50 years: report. In: *Businesstech*, 27 February 2017, URL: <https://businesstech.co.za/news/government/160681/government-isnt-redistributing-land-its-renting-it-with-an-option-to-buy-after-50-years-report/>, last seen: 20 November 2018.

¹⁰³ Hall, Ruth/ Kepe, Thembela (2018): Land redistribution in South Africa: Towards decolonisation or recolonisation? In: *Politikon* Vol. 45 (1), pp. 128-137, p. 132.

¹⁰⁴ Bisseker, Claire: The lie of the land. How the government is throttling land reform. In: *financialmail*, 24 August 2017, URL: <https://www.businesslive.co.za/fm/features/2017-08-24-how-the-government-is-throttling-land-reform/>, last seen: 20 November 2018.

¹⁰⁵ *Ibid.*

¹⁰⁶ *Ibid.*

capacity as farm workers and ignores their desire to just be left alone to do a bit of small-scale farming.”¹⁰⁷

Furthermore, it can happen that the strategic partner treats his partners (e.g. the poor communities which are now on the property) as employees and gives them a salary which is below the minimum wage. Also, it is possible, according to Hall and Kepe, because of the manner in which some strategic partnerships are created, that sometimes there are hidden connections between officials and members of agribusiness. So, according to the researchers, there are cases where leases have been given directly to strategic partners while totally neglecting beneficiaries of land reform. This raises a question: Is the South African state just eager to support big (“White”) owned agribusinesses?

*“In short, land reform has become so contorted that it fails to achieve tenure security, poverty reduction, gender equity or sustainable land use. Nor is it creating a smallholder class of black commercial farmers, which was one of its original goals. ‘Elite white companies and black urban businesspeople are benefiting while the state is making it impossible for poor farm workers and small-scale emerging farmers to benefit from land reform,’ says Hall. ‘But without redistribution of power and wealth to those who are the ostensible beneficiaries, is it even land reform?’ On closer analysis, it seems few black urban businesspeople may be benefiting either because, without signed leases, they cannot access state farm-support services or raise the capital to work the farms.”*¹⁰⁸

Another point to mention is a

*“[...]lack of co-ordination [for instance between the Department of Agriculture, Forestry and Fisheries (which says “[...]that it cannot give support where leases are absent.”) and the DRDLR] and oversight to the fact that for the purposes of accounting to parliament, the DRDLR [Department of Rural Development and Land Reform] is interested only in how much of its budget has been spent and how many hectares of farmland have been acquired. There is no incentive for officials to ensure that people have secured leases and are able to move ahead.”*¹⁰⁹

And government can make more “mistakes”: So it is possible, according to the researchers Hall and Kepe, that “In some cases, a sizeable community may get a small farm, while in other cases, government buys a large farm with substantial infrastructure and even livestock, and gives it to

¹⁰⁷ Bisseker, Claire: The lie of the land.

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

a single family.”¹¹⁰ And again, another problem it is seen by Hall and Kepe that there was land which was given (via leasing) to so-called strategic partners and not to beneficiaries. Furthermore, they mentioned that

*“Under the Plas system, beneficiaries only get recapitalisation funding if they have one of these partners, which is usually an existing agribusiness or white farmer, often the previous owner of the land in question. The result is that the process has effectively been ‘captured’ by big business and governmental parties, defeating the entire purpose of the redistribution the duo concluded.”*¹¹¹

As sketched above, under the PLAS approach

*“[...]the state does not transfer title or other independent tenure rights to the land reform beneficiaries.[...]beneficiaries rely on the largesse of the state, irrespective of any discontent they may feel. State officials control even the smallest aspects of life of on these land redistribution farms. For example, state officials expect land reform beneficiaries to seek permission for simple livelihood activities such as piping water to the homesteads from a borehole meant for livestock.”*¹¹²

The result of all these processes under the PLAS approach is mainly that “[...]beneficiaries often find themselves as simply labourers on the land[...].”¹¹³

On restitution: The process of restitution of land demands “[...]that victims of forced removals or their descendants should regroup under a CPA in order to claim the land from which the removal took place. Successful land claimants are required to develop a business plan to be used by the whole group.”¹¹⁴ Nevertheless, often there were conflicts within the groups designated to the CPAs and in most cases those approaches to land reform failed. The government wants the land claimants to continue with the previous owner’s activities – but as a group. Furthermore, the state seems to assume that the claimants, who claim land the first time, are ignorant in respect to farming issues. As a government official stated in 2008:

¹¹⁰ Staff Writer: Government isn’t redistributing land – it’s renting it with an option to buy after 50 years: report.

¹¹¹ Ibid.

¹¹² Hall, Ruth/ Kepe, Thembela (2018): Land redistribution in South Africa. In: *Politikon* Vol. 45 (1), pp. 128-137, p. 133.

¹¹³ Ibid., p. 134.

¹¹⁴ Mogashoa, Monene/ Ramutsindela, Maano (2013): The people’s choice. In: *Social Dynamics* Vol. 39 (2), pp. 308-316, p. 311.

“First-time landowners do not know how they want to use land. Therefore, we encourage and convince them to continue with current activities. We are not imposing commercial farming to beneficiaries, however, we are making sure that the states’ resources are utilised responsibly. If beneficiaries refuse to continue with the current land use, then the proceedings for the land claim will be put to hold and post-settlement funding will not be released until an agreement is reached. By doing so, we are ensuring that beneficiaries do not make a ‘wrong decision’ and that post-settlement grant will be used productively.”¹¹⁵

Now, it is time to look on the different presidencies and the approaches to solve the land question more detailed to compare them with the statements of the interviewees later.

4.1 The presidency of Mandela 1994 – 1999

During the presidency of Nelson Rolihlahla Mandela (died 2013), 1994-1999, the South African government introduced the concept of a “willing buyer” and a “willing seller”. This meant that “The land would be bought from its owners (willing seller) by the government (willing buyer) and then redistributed, in order to maintain public confidence in the land market.”¹¹⁶ So the “willing buyer willing seller” concept was to support redistribution. In general, those years were relatively moderate because ground owners could sell their property for a price at the level of the market value. Furthermore, there were not many expropriations to fulfill the needs of land reform in that time and the compensation which was paid for the land meant for restitution was at the level of the current market value as well. The first years of land reform brought not as much progress as desired. Many of the aims targeted by the government couldn’t be reached. For instance, there was only one percent of farmland used commercially transferred in the frame of redistribution. The initial goal was to transfer 30 percent. Furthermore, there were difficulties in various areas. For example, the phased evolution of a land reform, which was meant to be as a process of constant learning, was interfered by the fact that pilot projects became integral

¹¹⁵ Mogashoa, Monene/ Ramutsindela, Maano (2013): The people’s choice. In: Social Dynamics Vol. 39 (2), pp. 308-316, p. 311.

¹¹⁶ Żukowski, Arkadiusz (2017): Land reform in the Republic of South Africa: Social justice or populism? In: Werkwinkel Vol. 12 (1), pp. 71-84, p. 75.

parts of the political agenda. Additionally, it became a practice to allocate single farms to larger groups of people. They should administrate these farms as a whole and not subdivide it.¹¹⁷

In terms of restitution there was the initial Restitution of Land Rights Act of 1994 “To provide for the restitution of rights in land in respect of which persons or communities were dispossessed under or for the purpose of furthering the objects of any racially based discriminatory law[...].”¹¹⁸ Referring to restitution, the administration was given more power in 1998 but there were not many solved land claims. So until 1999, 41 claims on land were solved only. In addition, it was a big challenge for the Land Claims Commission to ensure that the people to whom land was allocated were supported even after the actual process of restitution.¹¹⁹ It is to say that, still in 2007, there was a massive lack of post-settlement support for beneficiaries of land reform. This was, at this stage, one of the major weaknesses in the country’s land reform efforts. The support after resettlement of beneficiaries was, according to Edward Lahiff, marked by a mixture of problems. On the one hand, beneficiaries of land reform did not have to rely completely or just on the state when it came to such support. Instead, there was, besides a row of public services, a bunch of additional private ones. On the other hand, for beneficiaries there was a need for better access to, for instance, loans, farmer training, logistics or ploughing services. Also, knowledge of how to expand the own business as well as markets in general must have been actually be accessed easier by beneficiaries. Obviously, only a minority of beneficiaries of land reform enjoyed the advantages of services after resettlement.

“[...]the lack of post-settlement support stems from a general failure to conceptualise land reform beyond the land transfer stage, and from poor communication between the national Department of Land Affairs (responsible for land reform) [and nowadays the Department of Rural Development and Land Reform], the nine provincial Departments of Agriculture (responsible for state services to farmers), and local government, responsible for water, electricity and other infrastructure.”¹²⁰

¹¹⁷ Cousins, Ben (2016): Land reform in South Africa is failing. In: Transformation: Critical Perspectives on Southern Africa Vol. 92 (1), pp. 135-157, pp. 136/137.

¹¹⁸ South African Government: Restitution of Land Rights Act. In: South African Government, 2018, URL: <https://www.gov.za/documents/restitution-land-rights-act>, last seen: 2 November 2018, p. 3.

¹¹⁹ Cousins, Ben (2016): Land reform in South Africa is failing. In: Transformation: Critical Perspectives on Southern Africa Vol. 92 (1), pp. 135-157, p. 137.

¹²⁰ Lahiff, Edward (2007): ‘Willing buyer, willing seller’. In: Third World Quarterly Vol. 28 (8), pp. 1577-1597, p. 1590.

So in the years before and up until 2007 it has been recognized by the Ministry of Agriculture and Land Affairs that there has been a lack of post-settlement support for land reform beneficiaries. As a result, in 2004, there was the Comprehensive Agricultural Support Programme (CASP). This was meant to spend 750 million Rand over a time span of five years. Also, there was, since 2005, a newly introduced state programme, which was called Micro-Agricultural Finance Schemes of South Africa (MAFISA), for the enforcement of micro-credits for small farmers. This included beneficiaries of land reform.¹²¹

Finally, in 2007 Lahiff diagnosed that:

*“The well developed (private) agri-business sector that services large-scale commercial agriculture has shown no more than a token interest in extending its operations to new farmers. The principal explanation for this, of course, is that land reform beneficiaries are, on the whole, so cash-strapped that they are not in a position to exert any effective demand for the services on offer, even if these services were geared to their specific needs.”*¹²²

Also, especially for redistribution, to support (new) smallholder farmers, for instance to make them competitive, it is necessary to support

*“[...]agricultural extension and veterinary services, research, mechanical services, credit facilities, transport services, development of irrigation and other infrastructure, training and market information, all specifically targeted to the needs of smallholders. At a wider level, it includes upgrading of roads and bridges in rural areas, construction of market places and storage and processing facilities, such as mills and abattoirs, and support for local providers of agricultural services. Institutional support will also be required to build dynamic farmers’ unions and cooperatives and to expand opportunities for farmer education.”*¹²³

During the years of Mandela’s presidency, the South African government introduced a row of new land laws which had mainly the aim to get more secure rights referring to land. The rights of farmworkers as well as of dwellers were strengthened. There were laws against evictions (driven by capriciousness) of them. Moreover, labour tenants got more rights in reference to ground occupation and use. Also, (former) tenants got the right to apply for ownership of land

¹²¹ Lahiff, Edward (2007): ‘Willing buyer, willing seller’. In: Third World Quarterly Vol. 28 (8), pp. 1577-1597, p. 1590.

¹²² Ibid., pp. 1590/91.

¹²³ Cousins, Ben/ Lahiff, Edward (2005): Smallholder agriculture and land reform in South Africa. In: Ids Bulletin Vol. 36 (2), pp. 127-131, p. 130.

occupied by them. CPAs became an instrument for groups to hold land which was restituted or redistributed. Nevertheless, there was, in regard to communal tenure, an intense debate because of the chiefs who formed a sort of a lobby. Additionally, it is important to note that the South African government took away many former supportive elements which were made available by the state to farmers who were “White”. But: “Large-scale programmes of support for small-scale black farmers and land reform beneficiaries, despite being identified as a key need by many, were notable for their absence.”¹²⁴

4.2 The presidency of Mbeki 1999 – 2008

During the era of president Thabo Mvuyelwa Mbeki (born 1942) there was a first turning point. This means that the focus of land reform was from now on not on the poor any more. The new beneficiaries should be “[...]aspirant black commercial farmers.”¹²⁵ In addition, the government wanted to deracialize the commercial agricultural sector as well as enforce a sort of new efficiency within the market. Earlier policies were overthrown which means that a programme for the purpose of the redistribution of land and the development of the agribusiness was introduced. But the number of those applicants for grants in terms of land redistribution who actually got big grants remained relatively low. Also, a lot of the initial problems experienced during the period 1994-1999 re-occurred. For example, official administrative processes were still not marked by high speed and agility. The different governmental institutions were still not able to coordinate their actions and it was still not allowed to subdivide large farms. Nevertheless, beneficiaries kept on buying such large farms as groups with their single grants combined. It was remarkable that during the Mbeki era there was a focus on farming which was commercial as well as large-scale orientated. This had also further implications: When it came to support people after re-settlement, the terms of farming in large dimensions were still dominating. As a result, when it was talked about the planning of farming the people consulted were mainly from the large-scale farming sector. Therefore, it was often the case that beneficiaries’¹²⁶ “[...]needs, desires and capacities[...]¹²⁷ were not matching the plans of the large-scale orientated planners.

¹²⁴ Cousins, Ben (2016): Land reform in South Africa is failing. In: Transformation: Critical Perspectives on Southern Africa Vol. 92 (1), pp. 135-157, p. 137.

¹²⁵ Ibid.

¹²⁶ Ibid., pp. 137/138.

¹²⁷ Ibid., p. 138.

Additionally, South Africans had the impression that land reform was failing because of the failing of several projects with regard to this topic. In 2005, during a national land conference, there were several new developments: There, it was

“[...]agreed on a review of ‘willing seller, willing buyer’, the expanded use of expropriation, and a proactive role for the state. The following year saw several new policy thrusts: area-based planning, a proactive land acquisition strategy, a draft Expropriation Bill, and reports on foreign land ownership, land ceilings and land taxes[...].”¹²⁸

In 2007, there was a major national conference of the African National Congress (ANC) in Polokwane (Limpopo). There, again, the necessity of, for instance, a land reform was stressed.

Nevertheless, there were not too many results coming out of these processes. For instance, the Proactive Land Acquisition Strategy ended up in the following model: The state just bought farms and beneficiaries of redistribution could lease these farms for a time span of three or even five years. Also, the farmers who produced on a smaller scale were seriously neglected by the state. Mostly, producers of the large-scale sector, who were still a minority, received large state support. Restitution was enforced in this time but there was a row of constraints: there were problems with the budget for the restitution programme as well as with the capacity available and there was a severe neglect when it came to the support of beneficiaries of restitution after settlement. Moreover, the segment of tenure reform was severely neglected by a weak legal system and, for instance, workers were still evicted from commercial farms. Also, there was the attempt to implement the Communal Land Rights Act (passed in 2004 but abolished in 2010). Originally, this project should have transferred land ownership from the side of the state to the power of councils which were traditional and under the power of chiefs.¹²⁹ It never came into effect, but it seems possible that this legislative move left many people in fear that the state could lose its power to the chiefs or similar, authorities.

Now, it is important to keep in mind that one of the two central questions of this thesis is: Why is South Africa's land question not solved yet? Because of this and the information regarded previously it seems necessary to regard the following more closely: Why did the government

¹²⁸ Cousins, Ben (2016): Land reform in South Africa is failing. In: Transformation: Critical Perspectives on Southern Africa Vol. 92 (1), p. 138.

¹²⁹ Ibid. pp. 138/139.

of Thabo Mbeki and he himself put a focus on farming (or rather on business) which was commercial as well as large-scale orientated?

To search for the reasons why Thabo Mbeki and his government supported the large-scale producers requires, again, a look on the times since Mandela's era. After 1994, the South African government under Nelson Mandela adopted a rather market-oriented approach to solve existing economic problems and to search for a new economic beginning. So the new government was convinced by the opinion that the economic policy should be led by a rather free approach; this means the state should withdraw and not (too much) intervene. From now, the market should rule the economy!¹³⁰ At the beginning of the second millennium, Marais noted that

*"[...]the need for a relatively stable social and political platform for revived accumulation in South Africa was a key factor in the 1990 thaw, and the country's eventual passage to democracy. The ANC government assumed and has steadfastly stuck to the task of building stability (which, after all, does not only benefit capital) and administering economic policies that correspond to the modernising imperatives of South African capitalism."*¹³¹

Now, how does this lead to the support of large-scale producers by government? Obviously, for South Africa's economic survival it was extremely important to make sure that the national economy could participate in the global (financial) market; that there was a liberal economy. Because South Africa's economy was severely damaged by, for instance, the isolation in which it had maneuvered itself by insisting on Apartheid. In fact, during the last decades of Apartheid, South Africa's economy was on the losing side.

*"For South African conglomerates (especially, but not only, those most active in the financial and mining sectors), economic liberalisation was essential if they were to wrestle free of a national economy that offered little scope for sustained expansion. In short, they had a pressing need to 'globalise'. The ANC government's embrace of economic orthodoxy was designed precisely to help steer South African capital out of that cul-de-sac."*¹³²

¹³⁰ Marais, Hein: The logic of expediency. Post-apartheid shifts in macroeconomic policy. In: Calland, Richard/ Jacobs, Sean (edd.): Thabo Mbeki's World. The politics and ideology of the South African president, Pietermaritzburg: University of Natal Press/ London & New York: ZED Books, 2002/2003, pp. 83-103, pp. 91/92.

¹³¹ Ibid., p. 95.

¹³² Ibid., p. 95.

Despite official claims, there would have been alternatives to the course of a pure growth of the economy. But the ANC government – by its economic measures – strengthened, on the one hand, the capital in “White” hands. But on the other hand, the government (especially Mbeki) wanted to strengthen, or rather to create, a wealthy “Black African” class to eradicate racism, for instance.¹³³ Nevertheless, under Mbeki there was even more inequality and, for example, the health sector, the civil service, local government or the education sector were not changed in a way that they could help the poor “Black African” masses out of their miserable situation. The role of Mbeki in South African politics, especially in government, was a very dominant one. This led to a parliament which lacked, to a certain extent, democratic values and participated less in politics. However, the main aim of Mandela and Mbeki was to convince international potential partners and to bring international investment to South Africa. For this reason, already under Mandela’s presidency, in 1996, the Growth, Employment and Redistribution (GEAR) programme was introduced as a new, neo-liberal approach which was led by the market to attract foreign investors. Such investors should see that the ANC would stick to the existing economic order in South Africa. So redistributive changes were not included in the GEAR programme. Also, there were, for instance, no higher taxes. Therefore, it is to say that the ANC listened to the concerns of economic representatives.¹³⁴ As Adebajo points out:

*“Mbeki[...]regarded the maintenance of the local white business community’s confidence as well as that of foreign investors as critical to promoting the socio-economic transformation of the country. GEAR was premised on a deregulated private sector driving export-led growth and attracting foreign investment, and was enthusiastically supported by South Africa’s influential big business sector.”*¹³⁵

Moreover, Adebajo states that the ANC surrendered to the commercial sector in South Africa - although, during the euphoric transition in the mid-1990s, the commercial sector would have been willing to make big concessions, obviously. Instead, there was a massive liberalization in reference to the agricultural sector as well as a series of education reforms which were done in a poor manner. Also, state-owned enterprises were privatized in a very poor way. These measures can be said to be part of the reason for lasting poverty as well as inequality in the

¹³³ Marais, Hein: The logic of expediency, pp. 96/97.

¹³⁴ Adebajo, Adekeye: Thabo Mbeki, (Ohio Short Histories of Africa), Athens/ Ohio: Ohio University Press, 2017, pp. 76, 78, 90-92.

¹³⁵ Ibid., p. 92.

Republic of South Africa.¹³⁶ Mbeki's politics failed to create enough jobs or to fight poverty in an appropriate way. Also, Mbeki failed to create "[...]a large class of productive and socially conscious black entrepreneurs."¹³⁷ People (for instance, the Landless People's Movement) were furious about the government's conservative politics and raised against the "[...]exclusion of the poor and the marginalised from society[...]"¹³⁸ So, as demonstrated, the Mbeki government's focus on large(r)-scale producers led to a sort of unrest within the South African population. There was a large group of people who were neglected and left behind by the state which puts his focus on a market-led approach which prioritised, for instance, the large(r)-scale producers. Obviously, because of this focus it was not possible to solve the land issue during Mbeki's presidency.

Finally, there are a few, rather general, facts which are to regard. "Mandela's aim was national unity and racial reconciliation, while Mbeki has focused on creating a modern democracy, conceptualized as a 'developmental state'."¹³⁹ But the ANC after 1994 could be seen as more busy with representing itself than with creating an efficient government.¹⁴⁰

Also, in 2005, the South African government finally abandoned, in the official discourse, the approach of "willing buyer" and "willing seller". New laws or even new policies were under consideration and finally created. For instance, there were measures, which are in effect since the middle of 2016, as the introduction of

*"[...]land ceilings, to prohibit new purchases by foreigners, and to introduce race and gender information in the national deeds registry (Regulation of Land Holdings Bill); to limit the subdivision of high-potential agricultural land (Preservation and Development of Agricultural Land Framework Bill); to transfer ownership of customary land in the former 'reserves' or Bantustans to 'traditional communities' and entrench the powers of traditional leaders in its governance (Communal Land Tenure Bill); to introduce equity ownership schemes for long-term farm workers (Strengthening the Relative Rights of People Working the Land Policy); to promote allocation of small plots to the landless (One Household, One Hectare Policy)."*¹⁴¹

¹³⁶ Adebajo, Adekeye: Thabo Mbeki, pp. 97/98.

¹³⁷ Ibid., p. 101.

¹³⁸ Ibid.

¹³⁹ Cuthbertson, Greg (2008): South Africa's democracy: From celebration to crisis. In: African Identities Vol. 6 (3), pp 293-304, p. 295.

¹⁴⁰ Ibid.

¹⁴¹ Hall, Ruth/ Kepe, Themba (2017): Elite capture and state neglect: New evidence on South Africa's land reform. In: Review of African Political Economy Vol. 44 (151), page. 122-130, pp. 122/123.

Finally and again, it is to stress that the beginning of the PLAS approach took place in Mbeki's era (since 2006), as shown above.

4.3 The presidency of Zuma 2009 – 2018

It could be said that the election of president Jacob Gedleyihlekisa Zuma (born 1942) was the direct result of the failure of president Mbeki's market-led approach; the failure to address the land issue, housing problems, health care and poverty.¹⁴² In 2012, the "willing buyer willing seller" approach was seriously challenged, again: "The department of Rural Development and Land Reform has endorsed the proposal to drop the 'willing buyer, willing seller' approach to land reform, saying the government has been exploited by commercial farmers who inflate land prices."¹⁴³ So the ANC wanted to abolish this approach because it was in favour of an expropriation of land under the circumstances of a compensation which was just as well as equitable as it was written in the constitution of South Africa.

*"Deputy Minister Lechesa Tsenoli said in an interview with the Pretoria News that not enough commercial farmers were showing a willingness to co-operate with the government."*¹⁴⁴

Also, he mentioned the existence of corrupt officials involved in the process of buying land and in the process of the land reform programme as a whole. Furthermore, Tsenoli said that there have been conflicts between some officials and some farmers. This led to a distortion in land prices. But the government still followed unwaveringly its old goal of transferring the land; basically there was still the target of transferring 30 percent of all the agricultural land (82 million hectares) from the hands of mostly "White" commercial farmers to new owners until 2014. Tsenoli even talked about transferring more than 30 percent. But he knew that it was a massive task!¹⁴⁵

There were (and are) efforts to finally introduce the afore-mentioned Expropriation Bill until this current day. For instance, in 2016, there was an Expropriation Bill passed (but not signed into law) which was withdrawn in August 2018 (because of the ANC's intention to change the

¹⁴² Adebajo, Adekeye: Thabo Mbeki, p. 108.

¹⁴³ Magome, Mogomotsi: 'Willing buyer, willing seller to end'. In: IOL, 4 July 2012, URL: <https://www.iol.co.za/business-report/economy/willing-buyer-willing-seller-to-end-1333933>, last seen: 29 October 2018.

¹⁴⁴ Ibid.

¹⁴⁵ Ibid.

constitution for the purpose of enabling expropriation without compensation). According to this bill, the South African state would have had the right to purchase land on a compulsory basis. “The bill was meant to enable the state to pay for land at a value determined by a government adjudicator and then expropriate it for the ‘public interest’, ending the willing-buyer, willing-seller approach to land reform.”¹⁴⁶

Although the 2016 Expropriation Bill never came into effect today, in 2018/ 2019, there are still efforts to sign into law an Expropriation Bill which allows nil compensation (which will be explained in detail further below). Moreover, there is, since the 1st of August 2015, the system of the so-called Valuer-General (enabled by the Property Valuation Act of 2014).¹⁴⁷ This means that this official has “[...]the mandate to support the programme of land reform through providing independent and credible property valuation services[...]”.¹⁴⁸ According to this act, the Valuer-General is responsible for valuing property which is identified for the “[...]purposes of land reform[...]”¹⁴⁹ or which is “[...]identified for (b) acquisition or disposal by a department, for any reason other[...]”.¹⁵⁰ According to the media and figures of May 2017, the South African state still owned, at this stage, 4.323 farms. These were smaller and micro enterprises as well as larger properties. All of them were bought by the government as a result of land claims which were successful. This land was actually meant to be given to new owners which wasn’t the case still in May 2017.¹⁵¹

¹⁴⁶ Bolton, Andrew/ Kumwenda-Mtambo, Olivia/ Macharia, James: South Africa withdraws land expropriation bill passed in 2016. In: Reuters, 28 August 2018, URL: <https://www.reuters.com/article/us-safrica-land/south-africa-withdraws-land-expropriation-bill-passed-in-2016-idUSKCN1LD1O3>, last seen: 9 February 2019.

¹⁴⁷ South African Government: Property Valuation Act: Commencement. In: South African Government, 2019, URL: <https://www.gov.za/documents/property-valuation-act-commencement-act-4-aug-2015-0000>, last seen: 22 March 2019. But in Żukowski, Arkadiusz (2017): Land reform in the Republic of South Africa. In: *Werkwinkel* Vol. 12 (1) pp. 71-84, p. 78 is to read: “[...]the institution of ‘Office of the Valuer-General’ was established from 1st of September 2015 to determine land valuations in forced sales.”

¹⁴⁸ Mbatha, Nhlanhla Cyril: Don’t expect a win: Expropriation has muddied the land reform field. In: *Daily Maverick*, 12 December 2018, URL: <https://www.dailymaverick.co.za/article/2018-12-12-dont-expect-a-win-expropriation-has-muddied-the-land-reform-field/>, last seen: 9 February 2019.

¹⁴⁹ South African Government: Property Valuation Act 17 of 2014. In: South African Government, 2019, URL: <https://www.gov.za/documents/property-valuation-act>, last seen: 22 March 2019, p. 12.

¹⁵⁰ Ibid.

¹⁵¹ Eybers, Johan/ George, Leanne: Govt sits on 4000 farms, yet hints at expropriation. In: *fin24*, 22 May 2017, URL: <https://www.fin24.com/Companies/Agribusiness/govt-sits-on-4-000-farms-yet-hints-at-expropriation-20170522>, last seen: 20 December 2018.

4.4 The presidency of Ramaphosa since 2018

In general, there is not much room for big conclusions in reference to the presidency of the latest South African head of state, Matamela Cyril Ramaphosa (born 1952). But there were a few things to note about the beginning of his term:

“After years of currency attrition, the rand ticked up 9% within days of Ramaphosa’s victory. Business leaders waxed enthusiastic, articulating their hopes that the pattern of successive downgrades by the international ratings agencies will now come to an end.”¹⁵²

In general, this sounds quite positive and as a new beginning with a new president. But what happens currently in reference to land reform? Are there real reasons for enthusiasm and other positive emotions?

The solution finding to the land question is still an ongoing process and therefore, currently, there are several issues to regard: First of all, there is the speech on land reform and expropriation without compensation of president Ramaphosa, which he held on the 31st of July 2018. In this speech he said:

“A proper reading of the constitution and the property clause enables the state to effect expropriation of land with just and equitable compensation and also expropriation without compensation in the public interest. It has become patently clear that our people want the constitution to be more explicit about expropriation of land without compensation as demonstrated in the public hearings. There is also a growing body of opinion in our country that the Constitution as it stands does not impede expropriation of land without compensation.”¹⁵³

This shows that the government of South Africa is aware of the options the current constitution offers. But then there remains one question: Why does the government want to amend the constitution? Ramaphosa said because of the opinion held by the South African “people“. Anyway, there was a commission, the Constitutional Review Committee, established to steer the process of the possible amendment of article 25 of the constitution and, for this purpose, to

¹⁵² Saunderson-Meyer, William (2018): South Africa’s new hope faces daunting challenges. In: The Round Table Vol. 107 (1), pp. 101-102, p. 101.

¹⁵³ [Video] eNCA: Ramaphosa on land expropriation. In: YouTube, 31 July 2018, URL: <https://www.youtube.com/watch?v=N4QkRVwAzn8>, minute: 0:02:05-0:02:57, last seen: 30 September 2018.

hold public hearings. This commission had the task to investigate the necessity of an amendment of the section 25 of the South African constitution to make it possible to expropriate without compensation by the state.¹⁵⁴

Now, it is time to share my knowledge, in reference to a public hearing about the constitutional change, with the reader. I was at this hearing in the city of Beaufort West (Western Cape, South Africa) on the 2nd of August 2018. So being present at this hearing was part of my own field research.¹⁵⁵ The occasion I will talk about was a parliamentary public hearing for the purpose of letting people speak about what they think about the government's intention to amend the constitution of South Africa, especially article 25 (the property clause). "Farmworkers, small-scale farmers, commercial farmers and others mingled in a set-up where those with power, and those without, are on an equal footing. Three minutes speaking time: no more, no less, unless by speaker's choice."¹⁵⁶ At the hearing, there were a lot of people. It took place at the local recreation centre which was packed at the beginning (towards the end more and more people left the audience). The audience there consisted of many "Coloureds" as well as "Black Africans". There were relatively few "Whites". The people attending were mostly older or middle-aged persons. I will not discuss the whole procedure of the hearing in detail but I will mention a few key points: In fact, every speaker had three minutes to talk in front of the audience. "Whites" as well as non-"Whites" had different arguments. It was mentioned that there was, currently, too much unemployment which would affect the local youth. Also, it was stated, by a "White" middle-aged lady, that the South African state already owned much land which he could distribute. Furthermore, people said that land which was, according to some speakers, unused should be taken by the people who didn't own land. There were non-"White" voices, also in the not-speaking crowd, who said things as: "Just take the land!" (or something similar). Moreover, speakers asked why there was so much time lost until the South African government took measures as hearings to solve the land question. In Beaufort West, it was obvious (and said plainly) that there was no broad-based trust in the process of the hearing because of the latest government decision (which was expressed by the late-night speech of

¹⁵⁴ Gerber, Jan: Expropriation without compensation; MPs only expected to report back in November. In: news24, 27 September 2018, URL: <https://www.news24.com/SouthAfrica/News/mps-only-expected-to-report-back-on-expropriation-without-compensation-in-november-20180927>, last seen: 23 March 2019.

¹⁵⁵ I listened to what people said about the constitutional change and made notes after the hearing. Parts of the following analysis are based on these notes. There is a record of the hearing on YouTube which I will use during the following analysis of the hearing as well: URL: <https://www.youtube.com/watch?v=khZmjTE1AzY>.

¹⁵⁶ Merten, Marianne: A platform for hearing the voices long unheard. In: Daily Maverick, 2 August 2018, URL: <https://www.dailymaverick.co.za/article/2018-08-02-a-platform-for-hearing-the-voices-long-unheard/>, last seen: 2 October 2018.

president Ramaphosa on the 31st of July 2018) to amend the constitution. It was demanded that the people should regain their “dignity” and their economic potential by obtaining land. It is to note that:

*“As in Oudtshoorn a day earlier, in Beaufort West there is a sense of impatience for compensationless expropriation. Again, some speakers reminded the parliamentarians there’s an election coming up in 2019 and if nothing happened, ‘we will punish you’, as one put it.”*¹⁵⁷

Furthermore, at the hearing there were small-scale farmers who had many problems with less ground and expanding their business at the same time. Also, it was mentioned by a representative of these farmers that the constitution must be amended but she also said that one had to be very careful when dealing with politicians. “‘The failure of land reform can not be blamed just on willing seller, willing buyer, but the lack of political will,’ she said, adding how small-scale farmers are not being included in land reform discussions.”¹⁵⁸ Moreover, a representative of the District Land Reform Committee mentioned that

*“[...]previous land reform initiatives, SLAG (Settlement Land Acquisition Grant) and LRAD (Land Redistribution for Agricultural Development), ‘failed us’ – and the current PLAS, or Proactive Land Acquisition Strategy, ‘is putting us into uncertainty’.[...]And most if not all of the white speakers are [were] latching on to [such] governance failure as a central reason for opposing any constitutional amendment. Often that argument is [was] accompanied by general words of support for land reform, although the unspoken “Don’t touch me on my farm” nevertheless is [was] clearly heard.”*¹⁵⁹

I will mention another aspect: A speaker who was from the organization AfriForum¹⁶⁰ mentioned the millions of “Black African” and “Coloured” people living already on state ground; according to him these people should obtain title deeds. This would help to solve the land question; help conducting land reform. Also, the member of AfriForum said that the government’s real aim would not be to distribute property within the masses of poor people,

¹⁵⁷ Merten, Marianne: A platform for hearing the voices long unheard.

¹⁵⁸ Ibid.

¹⁵⁹ Ibid.

¹⁶⁰ “AfriForum is a non-governmental organisation, registered as a non-profit company, with the aim of protecting the rights of minorities. While the organisation functions on the internationally recognised principle of the protection of minorities, AfriForum has a specific focus on the rights of Afrikaners as a community living on the southern tip of the continent.” See: AfriForum: About AfriForum. In: AfriForum, 2015, URL: <https://www.afriforum.co.za/about/about-afriforum/>, last seen: 11 February 2019.

but the government wants to own property by itself. According to him, a measure to explicitly allow expropriation without compensation would cause a (total) anarchy in South Africa.¹⁶¹

In general, there was a very heated atmosphere (although I heard in informal conversations that there was more tension at such hearings up in the North of South Africa). But even at this hearing, there were many people shouting, interrupting the speakers, from the side of the audience. When a “White” lady, a Democratic Alliance member spoke against the amendment of the constitution there was much noise and shouting against her. It is to mention that many of the non-“Whites” used Afrikaans to express themselves and some people told personal stories of loss rather than undertaking a profound analysis of the issue of land but they were in favour of expropriation without compensation.¹⁶²

There remains one important issue: Did (as these hearings are already concluded) such public hearings include a real chance to solve the land issue or was it a measure which neglected the emotions and the reality; the real life circumstances of people? To get an answer to this question it is necessary to regard, at least, another two public hearings: The first hearing took place on the 4th of July in Botshabelo, Mangaung (Free State). Not even the ice cold weather kept the people, attending this hearing in a hall which was packed, away. The majority of people speaking in front of the audience said that the constitution (article 25) must be amended to make expropriation of land without compensation a legal possibility. It is to note that there were some people at the hearing (presenters) who were willing to support the amendment of the constitution if jobs were its result.

“Some presenters indicated that the government should be unapologetic when it takes land as land is an integral part of the struggle for freedom. The committee also heard that some families were forced off their land in the country, which is now prime property at lucrative prices, which will be unaffordable to ordinary South Africans. Submitters said it was not only land that was stolen, it was cattle as well. Rural women said: ‘One hectare, one woman.’”¹⁶³

¹⁶¹ [Video] Parliament of the Republic of South Africa: Constitutional Review Committee Beaufort West Western Cape, public hearing part 1. In: YouTube, 2 August 2018, URL: <https://www.youtube.com/watch?v=khZmjTE1AzY>, minute: 1:09:29-1:12:29, last seen: 11 February 2019.

¹⁶² Merten, Marianne: A platform for hearing the voices long unheard.

¹⁶³ APO Group: South Africa: Constitutional Review Committee sees packed Hall in Botshabelo. In: CNBCAfrica.com, 4 July 2018, URL: <https://www.cnbc africa.com/apo/2018/07/04/south-africa-constitutional-review-committee-sees-packed-hall-in-botshabelo/>, last seen: 24 March 2019.

Referring to the amendment of section 25 of the constitution, there were other voices as well which were ranging from the demand for an equal land distribution among all South Africans (not depending on their skin colour) or the demand for a compromise (which would, according to the corresponding presenter, enforce Black Economic Empowerment as well as a skill transfer much more than a plain taking away of land or farms) to fearful voices which saw a threat of food insecurity or a threat for their livelihood.¹⁶⁴

The other public hearing I want to refer to was held on the 30th of June 2018 in Thohoyandou (Limpopo). There, the chairperson was allegedly attacked by four men after there was a presenter of the Democratic Alliance who, allegedly and according to Economic Freedom Fighters members, spoke more than one time to the committee.

“Throughout the hearings in Limpopo, tensions have been palpable. DA members, agricultural unions and white farmers were in the minority in the vote against amending the Constitution. In all four towns that the committee sat in, including its last sitting in Thohoyandou, the overwhelming opinion was that Section 25 be amended to allow for land expropriation without compensation. One participant, who did not name himself, said once land expropriation takes place, the state should then become the full custodian of the land. ‘Then we can deal with the white arrogance,’ he said. He added that once the land is in the state’s hands it can be shared with the people, who will then also have their dignity returned to them. Another man said that the only compensation farmers should be given is their mirrors, knives and spices, which is all they had when they took the land.”¹⁶⁵

These observations show that, obviously, the South African government has to make a huge effort to convince people; to show them that there is something done for the people; that land reform measures are done which fulfill the citizens’ interest. This is the huge challenge of the future! Furthermore, it was demonstrated that there is a conflict between the state and its citizens which is about the creation of, for instance, jobs; the state must deliver (jobs or measures to fight poverty) to satisfy the citizens. It must address the urgent problems of the people’s daily lives. There is a demand for land reform in South Africa, but many premises have to be taken into account as, for instance, food security. Any government undertaking a land reform has to maintain the balance between listening to economic needs and the people’s

¹⁶⁴ APO Group: South Africa: Constitutional Review Committee sees packed Hall in Botshabelo.

¹⁶⁵ Mitchley, Alex: Land: The people speak - Limpopo public hearings end in alleged attack. In: news24, 30 June 2018, URL: <https://www.news24.com/SouthAfrica/News/land-the-people-speak-limpopo-public-hearings-end-in-alleged-attack-20180630>, last seen: 29 October 2018.

needs. The tension which was partly visible at the hearings shows that the topic of land reform is burdened with emotions. These emotions the government has to take into account; it has to reconcile the different groups within the country (although there is not even a uniform opinion within the groups themselves)¹⁶⁶ and this seems possible by giving people the authentic impression that their feelings, desires and fears are taken for serious. Educated and trained personnel is needed for this reason.

Now, it is time to get back to Ramaphosa's speech: Furthermore, he told the audience in front of the TV screens

*"[...]that a comprehensive land reform programme that enables equitable access to land will unlock economic growth by bringing more land in South Africa to full use and enable the productive participation of millions of South Africans in the economy. Accordingly, the ANC will, through the parliamentary process, finalise a proposed amendment to the constitution that outlines more clearly the conditions under which expropriation of land without compensation can be effected."*¹⁶⁷

According to Terence Corrigan (who "is a project manager at the Institute of Race Relations (IRR) [in Johannesburg], a think tank that promotes political and economic freedom.")¹⁶⁸ "This is [was] despite – again in his [Ramaphosa's] own words – that 'there is also a growing body of opinion, by a number of South Africans, that the Constitution as it stands does not impede expropriation of land without compensation'."¹⁶⁹ Nevertheless, as Corrigan states, president Ramaphosa wants to change the constitution of South Africa despite there, according to Corrigan, being no reason to do so because of the existing conditions the constitution provided for expropriation without compensation. Moreover, Corrigan says that the government of South Africa, with its plans, is on a path which would lead to severe economic constraints. This is, according to Corrigan, because expropriation without compensation would deter investors from abroad or from South Africa itself. Also, Corrigan says:

¹⁶⁶ This became obvious by many informal conversations during the field research and by the interviews I conducted in South Africa as well.

¹⁶⁷ [Video] eNCA: Ramaphosa on land expropriation, minute 3.02-3.44.

¹⁶⁸ Corrigan, Terence: Implications of Ramaphosa's announcement on land dire. In: news24, 2 August 2018, URL: <https://www.news24.com/Columnists/GuestColumn/implications-of-ramaphosas-announcement-on-land-dire-20180802>, last seen: 1 October 2018.

¹⁶⁹ Ibid.

“Nothing has injected greater concern and insecurity into business' views on South Africa than the prospect of assets being subject to confiscation. It places jobs and social mobility further from the country's reach. [...]

Expropriation without compensation does nothing to address the real problems besetting land reform. It does nothing to give land reform priority in policy making and budgets, defective project design, administrative incapacity and inadequate post-settlement support. Quite the contrary – by undermining South Africa's attractiveness for investment, it places the resources that could underwrite a successful land reform process further beyond reach.

Moreover, expropriation without compensation thrusts ideological and political distractions into the debate. These draw attention away from finding durable solutions, and (whether intentionally or not) encourage polarisation.”¹⁷⁰

It seems, according to Corrigan, that the government itself impedes the solution to the land issue. In this researcher's opinion, it has the wrong aims and the wrong focus to solve this question. As a result, a few questions arise: What does the South African government officially want? And what is the real aim of a land reform? Is it to get as many South Africans, as beneficiaries of a land reform, as possible in a form of dependence?

The presidency of Ramaphosa began on the 15th February 2018. Because of the intensification of the land debate during the time until now (January 2019) it is mainly my aim to focus on the last events regarding the land issue. Regarding the latest attempts to impose expropriation without compensation, or at least to make it more possible as it is now,¹⁷¹ there are two aspects to regard. Firstly, there is the effort to change the constitution of 1996, and more specifically article 25. Another point is that there is a new draft version of the Expropriation Bill. This is an attempt to make expropriation without compensation possible even if a change of the constitution fails. Because the constitution change still needs time I will focus here on the latest draft of the Expropriation Bill, issued for public comment on the 21st of December 2018.¹⁷² This draft says that compensation must still be “[...]just and equitable[...]¹⁷³. But: The decisive

¹⁷⁰ Corrigan, Terence: Implications of Ramaphosa's announcement on land dire.

¹⁷¹ Because in the current article 25 of the South African constitution of 1996 there is to read about “[...]just and equitable[...]

compensation. See: South African Government: Constitution of the Republic of South Africa, 1996 – chapter 2: Bill of rights. 25. Property.

¹⁷² South African Government: Expropriation Bill: Draft. In: South African Government, 2019, URL: <https://www.gov.za/documents/expropriation-bill-draft-comments-invited-21-dec-2018-0000>, last seen: 15 March 2019, p. 116.

¹⁷³ Ibid., p. 151.

aspect is that there is a passage (chapter five, paragraph three) in this draft bill which says that it can be "just and equitable", and therefore legal, to pay no compensation at all "[...]where land is expropriated in the public interest, having regard to all relevant circumstances[...]"¹⁷⁴ There are mentioned five specific cases (circumstances) in which "land is expropriated in the public interest": When

*"(a) Where the land is occupied or used by a labour tenant, as defined in the Land Reform (Labour Tenants) Act, 1996 (Act No. 3 of 1996); (b) where the land is held for purely speculative purposes; (c) where the land is owned by a state-owned corporation or other state-owned entity; (d) where the owner of the land has abandoned the land; (e) where the market value of the land is equivalent to, or less than, the present value of direct state investment or subsidy in the acquisition and beneficial capital improvement of the land."*¹⁷⁵

Now, an interesting question would be: How does this latest bill affect the opinions and emotions of South Africans; of farmers and non-farmers as well as of farm workers. But this can not be covered by this thesis.

5. Case study: Interviews in the Republic of South Africa

5.1 Premises and circumstances – questions and questioning

Now, this chapter will deal mainly with the questions of the interviews which were made to support this thesis. In the following chapter it shall become clear, as said above, how people from the South African agricultural sector and from other sectors related to property or land or from sectors not related to property or agricultural affairs regarded approaches to solve the land question in the country. I will, referring to the land issue, search for emotions and feelings (for instance hopes (in 1994), dreams, fears, motivations etc.) of the people interviewed. Also: What did they experience when it comes to land reform throughout the last decades? What experiences keep on staying in the minds of the people affected? And how are specific (non-)political events or processes remembered? Again: Did the people affected by the land issue expect too much from the state and from political reform? Where were and are (hidden) conflicts which impeded the effectiveness of political reform and thereby impeded the

¹⁷⁴ South African Government: Expropriation Bill: Draft, p. 153.

¹⁷⁵ Ibid.

effectiveness of solutions to the land question? And what consequences has the ongoing of the land issue for the single individual?

But before I come to this aspect the circumstances of the interviews as well as the creation of the questions have to be regarded.

Now, I will begin with the creation of the questions. (And I will deal with the most important questions only. I will refer to a wider variety of questions in the following chapter.) The initial issue was what questions I could ask to get information which combined feelings and facts and which respected the criteria defined above. These criteria were as following: Questions should function as “ice-breakers” and they should give the interviewee the possibility to talk freely. So that the conversation could go into any direction but would be still sticking to the land question. By doing so, by creating a conversation which could remain in terms, concepts and images which are known to the interviewer (me), misinterpreting or overlooking specific (for instance) emotional elements of answers should be avoided. By giving the interviewee free space to maneuver during the interview they were invited to develop an own identity during the interview. This identity was supposed to give the single characters an aura of singularity and thereby a stigmatization of the single interviewees should be avoided as well. The intention, by creating a mixture out of open and more specific questions, was to give the interviewees the chance to work their personal life story (or elements of it) in a broader concept which they could develop by themselves during the conversation.

So it seemed necessary to ask a variation of more open and more specific questions. Of course, I also had to create different questions for farmers or farm workers and managers from the agribusiness. These categories were my initial ones and for all other people I interviewed (researchers or managers not from the agribusiness sector) I had either to use these initial questionnaires or modify them by adding or altering questions. In the following part of the thesis, I will deal with the initial three questionnaires. Added or altered questions I will deal with in the analysis chapter (this is because I often set them up spontaneously during the conversation).

At first, a few general things: Again, one of my personal aims was to create a relaxed atmosphere. To reach this goal it was useful to ask the interviewees questions about their life circumstances, their daily work and general facts about the sector in which they were working. There were some, in my opinion, crucial questions in this sections: Firstly, “What do you enjoy

most about farming? What does the word 'land' mean for you? What do you think means 'land' to the average South African?" These were questions I asked, for instance, the farmers and the farmworkers. By doing so I intended to find the interviewees' identity. How did they describe themselves and, consequently, in what way did they "classify" themselves? Especially, the questions "What does the word 'land' mean for you? What do you think means 'land' to the average South African?" should reveal in what way ground was (or is) important to South Africans. The relation between ground and the interviewees was important to find (hidden) emotions.

Furthermore, there was another significant question in the first sections of the questionnaire when it came to the case of farmworkers: "Please tell me about the most moving moment in your life as a farmworker." This "most moving moment" should give the interviewee the possibility to speak about nearly everything; about the work and the boss, about the leisure time, the nature or something else. Important was that interviewee did not have the impression to be forced to give a specific sort of answer.

In all three cases I prepared questions to ask for conflicts occurring between farmers and farmworkers or just between farmworkers. Also, I asked: "What is the origin of such conflicts? Are these conflicts always embedded in the agricultural sector or can we find here special, South African rooted, conflicts?" Originally, I did this to discover whether there was a special potential of aggressiveness which made a solution to the land issue very difficult or impossible. To me, for the purpose of this thesis, it is also important whether the South African government introduced (introduces) measures (laws, acts, regulations etc.) which were (are) completely neglecting people's emotions as well as reality and the circumstances under which daily life on South African farms took and takes place. For this reason, the previous chapters examined the different presidencies which shall later be compared with the actual findings of my field research.

In the case of the questionnaire for managers from agribusiness I had to apply another sort of questions. For instance: "When you talk to farmers or to other representatives of the agribusiness; do you notice some pressure on them?" Or: "In your opinion - what does it mean to run a farm successfully?" By preparing these questions (especially by asking the second one) I wanted to discover another perspective. What was the image of being a successful farmer in South Africa and what was people's image of farming in general? Thereby, it seemed possible to get twofold information: On the one hand, it should become obvious in what dimension

farming was seen by some South Africans. On the other hand, it should become clear where these single interviewees locate themselves; in what specific economic or political mindset. Thereby, potential conflicts with the state should become visible.

Another criterion for the creation of interview questions was the fact that I was a West European, “White”, male researcher who was a non-expert to the field of agriculture (which my interviewees obviously knew). This made me, though I tried to speak in Afrikaans with some of the questioned, already an intruder; a stranger from a different world. The questions, therefore, had to be set up in a neutral manner. The difficulty was to maintain this standard on the one hand and, to avoid stigmatizations, to comprehend a part of the South African mindset on the other hand. (Of course, there is no uniform South African mindset or mentality. But: In my opinion, it can be said that there must be some elements which melt the South African society together; although I can not deal with these in detail, now. Of course, there have been clashes within this society. Nevertheless, it is a striking point that there has been no civil war in South Africa in the 1990s as it happened in other countries as Yugoslavia. So there must be (a) common element(s).) To do so I dealt, in the last thematic section of all three questionnaires, straightly with the land issue.

Here, I wanted to discover the feelings and emotions of the interviewees as well as the opinions of the interviewees about, for instance, certain political measures. I also wanted to know how people experienced the past decades. The questions which had to be created had to explore, in an objective manner, how a South African of any age, sex or skin colour experienced the past two and a half decades. The crucial element in questioning the people, to create trust to gain valuable information, was to regard them as authorities on the topic and to show this to the interviewees by questions as: “To what extent do you think a land reform is necessary in South Africa?” Here, the participants’ experts’ report was decisively needed! Furthermore, by asking “What does ‘public interest’ mean for you?” I wanted to understand a part of the mindset of the South Africans I talked to. Consequently, I wanted to see where were (hidden) conflicts between the state and the interviewees.

Now, I will look on the three initial questionnaires’ sections which regard the land issue more detailed. To get to the first initial questionnaire: To reach the goal of asking a mixture out of neutral and emotional questions and to create a loosened atmosphere to give the farmers interviewed space to maneuver during the conversation I set up questions as “How did you experience the political change in 1994; what have been your fears/ hopes/ dreams?” Or I asked

rather specific things as: “When it was introduced in the 1990s: what did you think about the “willing buyer - willing seller” - concept?” Also, the interviewees’ relation to the state was important to me: “To what extent do you trust the South African state’s knowledge of how to handle agricultural affairs?” It is important to stress that these are some of the questions I set up especially for the interviews with the farmers.

For the second initial questionnaire, the one for the interviews with other people as farmworkers, I used, for the part of the interview dealing straightly with the land issue, mostly the same questions (which will be shown later) as for the farmers.

For the third form of the questionnaire, the one for (agribusiness) managers or researchers, I applied the same set of questions, as before, when it came to the land question itself.

5.2 Key statements and state measures

5.2.1 Finding an identity

In this chapter, the central aim is to regard the statements (answers) of the interviewees, obtained during the various interviews conducted in Gauteng and the Western Cape, and compare them with the political measures enforced by the South African government to solve the land question. To support this effort, I will also deal with (recent) scientific literature and go even more into detail when it comes to specific aspects of the South African land reform efforts. Again: Why is the land question not solved yet? This remains the thesis’ central issue. Where are (hidden) conflicts between South African citizens and the state (respectively its measures to solve the land question) and what were, for instance, feelings of South Africans towards such measures?

The interviewees’ answers will be examined according to a specific scheme: First of all, it seems not necessary to look for each single question and each answer belonging to it but for different aspects and topics. So questions and answers will be combined and examined in groups. This is to categorize and to classify the answers and to put them into a broader framework. When treating the answers it is important to analyze them with regard to their content and the aspects mentioned in the previous chapter.

This means that the questions and answers shall be examined with regard to: Firstly, what do the people say? What were their feelings, emotions, hopes, expectations, dreams or fears in

regard to the land issue and in respect to topics related to land? What did the interviewees experience and how did they remember specific events? Did people expect too much from the state or, more general, from political reform? A resulting major question is: Where are (hidden) conflicts between the interest of the citizens and the interest of the state which impede a solution to the land question? For instance, as said above: Did (does) the South African government introduce measures (laws, acts, regulations etc.) which were (are) completely neglecting people's emotions as well as the reality and the circumstances under which daily life on South African farms took and takes place? A minor question is: What consequences does the ongoing land issue have for single individuals?

But to deal with these questions in an appropriate manner it seems necessary to start with the introduction of me to my interview partners, because this was the part where initial trust could be generated and, thereby, the basis for an informative-valuable conversation could be created. When it comes to the analysis of the interviews a few questions arise. For example: Who introduced me? What was my relationship to the interviewees? Where was the interview conducted? Were there other people in the same room? Were all doors and windows closed? Did the interviewee read the policy of confidentiality or did I explain it properly? Was by these means trust and a relaxed atmosphere created? Here, it is not possible to deal with each interview separately because I deal with the answers of different interviewees as parts of larger groups of answers. Therefore, I will now sketch the circumstances of the interviews. All of the interviews were conducted at places where either no one else was there and where all windows and doors were closed (for instance in the interviewee's office) or nobody gave (too much) attention to us (the interviewee(s), in some cases the interpreters and me). For this reason, there were interviews conducted in a restaurant, for example. One interview was done by telephone. In some cases I was introduced by another person (friends or colleagues of the interview partner, the interviewee's boss) to the interviewee. It is to note that during some interviews there were the employers of certain interviewees present. Furthermore, my relationship to the interviewees was marked, as mentioned further above, by my position as a privileged student from Europe, from a non-agricultural sector, or rather subject. Most of my interviewees noticed that or noticed at least that I was a non-expert when it came to agricultural affairs. The atmosphere during almost each interview was mainly friendly and relaxed (apart from the moments when the interviewees' emotions came up; then there was tension, of course) and I could not notice any big reservations to me. Apart from the interviews with farm workers. There, the interviewees were partly more reserved, or at least cautious. Before each interview, the policy of

confidentiality was explained to or read by the interviewee(s) and sufficient time was spent to eliminate all misunderstandings and uncertainties.

Now, I will deal with each interview as a combination of sets of different topics and aspects. I will not deal with the single blocks of questions as designed in the questionnaires but sum up answers which lead to similar aspects and I will display the most important questions and answers only. But what I will do is to deal with the interviewees according to their belonging to a specific professional group. I will begin with showing the statements of the group of the farmers interviewed.

As sketched previously, the first set of questions dealt, for instance, with the personal situation of the interviewees, with their work as well as with their relation to the topic of land reform or agriculture. The main intention here, as said above, was to make my interview partners feel comfortable. In my opinion, a more important section was, for example, how the single interviewees described their relation to the land (or the ground).

Now, I will focus on a basic question and, based on that, treat different aspects: What is South Africans' relation to the land? First of all, the following statements of a "White" South African farmer from Gauteng (interviewee X2) deliver a first impression of farming life and of a rather personal view held of that sort of life. That is the reason why I will now present a longer part of the interview with X2; to show the reader farming life and to give a deep impression of the mindset of the people there.

Interviewer: *"I see, so it's very hard work on the farm?"*

X2: *"Yes, it's 24/7 – people don't see that. They see the meat in the butchery and on the shelves, or the restaurant, they don't see what goes into this. It's not just about getting animals, selling them and getting more. It's a 24 hour job – there is no overtime, you do whatever you need to do. Farming is your life, it's your existence, it's not an 8 to 5 job – if you want that, you must go to the city."*

Interviewer: *"What do you enjoy most about farming?"*

X2: *"The openness, the clean air, the interaction with the animals. The society is different in the countryside, we talk to each other, we all know each other. Given the fact that we live in a very dangerous era for the farmers in South Africa, we need to engage with one other, we organise regular night patrols together. We set up road blocks from time to time. We do surprise visits. All of that means we need to engage with one another, we cannot stay on our own. We*

need help, we need people from the outside. We need to have keys to each other's gate, we need to have people that we can call in, they need to be able to get in with their cars - you cannot expect people to run up from your gate – you have to share information, you have to be vigilant[...]”

Interviewer: *“I see. So when you talk about the freedom and the air, about what you enjoy about the countryside – what does the word ‘land’ mean to you?”*

X2: *“The word ‘land’ – how can I put it? Obviously, it's an asset, it's something that you have to manage very well, it's nice to work in the open, it's nice to work on a farm, some people think it's the ultimate way to live, but it's hard work and you need to make sure that the land gives you returns and keeps producing so you can work with the land, so it's a tool if you like, it's a tool – you can't put the animals in the air, I can't put the animals in the city, I need land, I need grass, I need feed, I need water, even the vast area because if an animal walks it gets healthier. You get some farms where people keep the animals in a kraal and just feed them, no exercise. We don't believe in that for various reasons. We want the animals to be happy, we want them to move freely, because it produces a better meat, or a better quality product.*

So land is definitely, at the end of the day, maybe the biggest tools that a farmer has. You can have tractors, the house, the irrigation, but if you don't have the basis – the foundational tool, which is the land, you cannot do anything, really.

Interviewer: *“What do you think ‘land’ means to the average South African?”*

X2: *“To the average South African, land means wealth, land means we are going to be free, land means we are going to be ok, and stay for free, land means I'm not going to pay, land means I can stay in a nice open area. They have or there are various trains of thought on what land means and what it means to acquire land, and I think most of the people in South Africa are being told stories and they respond to those stories and it becomes part of their belief system and that's the only thing they can talk about.”¹⁷⁶*

Now, these first statements I will examine more closely. First of all, it is remarkable that the interviewee mentions that “Farming is your life, it's your existence[...]”. This means he identifies himself with his business a lot. Moreover, he explains that nowadays it is quite dangerous to be a farmer in South Africa. He mentions a constant pressure which is on the farmers to protect themselves and their families as well as their farms. Interviewee X2 also says

¹⁷⁶ Source: Interview X2.

that land is the basis, the foundation, for wealth; “[...]an asset[...]”. This farmer’s deep relation to the land, to his ground, is obvious. But it seems also that he could start farming anywhere where he got ground for this purpose. X2 also mentions that, for the average South African, land is a source of freedom and wealth. Furthermore, what does the interviewee mean by “those stories” which are, according to him, told to the majority of the South African people when it comes to the acquirement of land? In this respect, the interviewee mentions “The fact that, or rather the story that the white people just got their land, that a fully producing commercial farm is something that the government gave us[...]”.¹⁷⁷

At this stage, a few questions inevitably arise: What do other farmers interviewed say in respect to these issues? Are they also deeply attached to farming or even to their ground? Or: What is their relation to ground? And: Are (strictly) technocratic approaches, done by the South African state, suitable to solve the land question? Are such approaches suitable to “overcome” or at least to respect the identity of farmers and to create an atmosphere of tolerance and openness towards new ideas to solve the land issue?

For this reason, it is necessary to compare the statements of interviewee X2 with the statements of other interviewees. First of all, X2 mentions a constant pressure on the farmers. Despite this, he, according to a first impression, is attached to farming but not to a specific (!) piece of ground.

It is to state that the other farmers interviewed mention similar feelings towards their land or ground. Interviewee X12 (also a “White” South African farmer from the Western Cape) says the following:

*“For me, I try not to be too attached to the land. It’s more an economic opportunity for me[...]For me, a farm is a way of living between lifestyle and economic activity that is happening here. It’s nothing to do with tradition or anything like that. If we have to sell the farm for a better opportunity we would look into it[...]”*¹⁷⁸

¹⁷⁷ Source: Interview X2.

¹⁷⁸ Source: Interview X12.

Also, he says:

*“From my perspective it’s that you need to get land, it’s like a business, it’s extremely hard to run, it’s hard to make it successful. Unless you are extraordinarily good. So for me, I think South Africans think it’s [land] wealth, it’s money, but from experience I don’t think it’s that.”*¹⁷⁹

The third “White” farmer interviewed from the Western Cape (interviewee X13) says that he sees land as “[...]another commodity in farming, commodity in business. Just as gold is, just as water is just as air is.”¹⁸⁰ He also says that land is seen by the average South African as something where they can build their houses on.¹⁸¹ Also, the “Coloured” farmer interviewed has his opinion about land. He explains that you have to do something with your ground; that you should or have to create wealth from it.¹⁸²

As a result, we can see that most of the farmers interviewed hold more or less similar views when it comes to their relation to ground: For them, land is definitely something you have to work with; something you can create wealth from (not easily but by hard work!), but nothing to which they would be too attached to. The plain ground is nothing than a “commodity” and a means for business. One thing is to add: Interviewee X8 (the “Coloured” farmer) gave me a rather different answer (maybe because the interpreter set up a different question to make it more understandable) when it came to the aspect of what does the average South African think of when the word “land” is mentioned.

Interpreter (To X8): *“What does the community feel about ground?”*

Interpreter (To me; translates X8): *“People in town they don’t understand land/ ground. Most people don’t have any knowledge of how to farm. But if they can get ground they want land/ ground.”*¹⁸³

Furthermore: To explore whether South African farmers identify deeply with “land” it seems useful to describe what means South African identity. Because the farmers in my study are “White” and “Coloured” people it seems necessary to focus briefly on the identity of these groups. What does the literature say about being “White” or “Coloured” in South Africa and of the identification with ground? When we regard the literature we have to admit that there are

¹⁷⁹ Source: Interview X12.

¹⁸⁰ Source: Interview X13.

¹⁸¹ Ibid.

¹⁸² Source: Interview X8.

¹⁸³ Ibid.

voices which say that in South Africa there is no simple description of identity. First of all, there are “The social, political, and economic discrepancies between the White group and the three other ethnic groups[...]”.¹⁸⁴ Moreover, there are the different, group-specific, experiences during Apartheid. Additionally and according to a hypothesis in a study which was conducted by Adams, De Bruin and Van de Vijver members of the “White” group are, because of their cultural background, more individualistic, on the one hand. On the other hand, people from the groups of the “Black African”, “Coloured” or “Indian/Asian” are supposed to be more collective-oriented. According to these authors, people from more individualistic cultures focus more on themselves and try to distinguish themselves from other persons in contrast to collective-oriented people who try to focus on inclusion in a specific social group. The findings of the three authors’ study showed that this hypothesis was more or less right, but there was no overall significance in the single value chains. The statement that members of the “White” group are more individualistic and “Black African”, “Coloured” and “Indian/Asian” people are more collective-oriented was not fully confirmed. That means, for instance, that “White” study participants were quite self-orientated but these values were not extraordinarily high. But also one finding was that members of the “White” group were at least, if not strictly group-orientated, quite friendly towards their ethnicity-members. The members of the “Coloured” ethnicity showed very little interest in strictly individualistic behaviour but they were very strongly interested in the interaction with other people.¹⁸⁵

This approach can be used to underline, more or less, the first statements of the interviewees: Because it stresses that the “White” interviewees, although probably quite friendly towards other “White” people, fit in a scheme where people, at least to some extent, want to prosper on an individual basis and to make profit with the means given to them. So it seems that Business-orientation strikes traditionalism. But there are small limitations of this idea, because there are emotions and feelings, for instance, towards Africa (and thereby maybe also towards the land itself?). This is expressed when interviewee X13 says: “I don’t want to go there [overseas], I’m an African.”¹⁸⁶ But also the “Coloured” farmer says that you have to use your ground effectively; that you should or have to create wealth from it. So this statement fits rather in the “White” people-scheme but can be also understood as a neutral one. But as a result, it can be said that the literature supports the statements of the interviewees at large and, furthermore, that

¹⁸⁴ Adams, Byron G./ De Bruin, Gideon P./ Van de Vijver, Fons J. R. (2012): Identity in South Africa: Examining self-descriptions across ethnic groups. In: International Journal of Intercultural Relations Vol. 36 (3), pp. 377-388, p. 379.

¹⁸⁵ Ibid., pp. 379, 383/384.

¹⁸⁶ Source: Interview X13.

there is no single South African identity. But there is a specific “farmer identity” of mainly business-orientation, pragmatism and emotionalism. This identity seems not so much specifically ground-related.

5.2.2 Dealing with people

Now, I will combine these findings with the ones in the previous chapters. Again, as shown above, the following question is important:

Can (strictly) technocratic approaches of the South African state solve the land question? Are such approaches suitable to “overcome” or at least to respect the “farmer identity” (the pragmatic, business-orientated and emotional identity of farmers) and to create an atmosphere of tolerance and openness within the groups towards new ideas to solve the land issue? To solve this question the interview passages above have to be regarded, again.

Then, there was the question of what is the average South African’s relation to ground or land. By this question I wanted to explore what most people think about land. But: I asked “White” and “Coloured” farmers. So it is possible that they only knew their own group and the information was therefore insufficient. However, it became clear that the interviewees had different opinions. But key elements of the statements of the farmers was that for the average South African land would be easy money, freedom and independency and that a huge amount of people doesn’t know how to farm. This means that there are the first signs of an ideological conflict between farmers and a lot of people within the country. At least, there are some reservations of the farmers questioned in the sense that they believe the average South African does not know much about farming. Probably, this makes the experience of handing over or simply the transfer of land (ground) to new and inexperienced farmers more difficult for the faction of the “old” and established farmers. So we have discovered a stumbling block for the process of land reform. But there are more aspects to regard. Moreover, the actions of the South African State or the South African government have to be regarded. So first of all: What did the state or especially the government do to overcome or at least to respect the “farmer identity” during the past decades?

After 1994, in post-Apartheid South Africa, obviously, there were created elements in legislation which respected the people with individualistic behaviour and the people with more community spirit. So did, in my opinion, article 25 of the constitution of 1996. Article 25 is, in essence, a combination of the interests of individuals who want to profit and of the interests

of the community or people who have a stronger community spirit. Because there are some key elements of this article as, for instance, the regulation that an expropriation of property can only take place if there is a public interest or purpose for this expropriation. This limitation should satisfy the needs of the (national) community and also protect the individual's needs; his or her property.

Also, there has to be just as well as equitable compensation. The market value (which is, however, not completely neglected) is not the final or only criterion. There must be a consensus about the amount of the compensation made by those affected or a regulation by court. Finally, it is essentially necessary that the compensation is of an amount which represents the interests of the public and the people affected by the expropriation. By respecting, for example, the property's market value or the current use of the property during the process of defining the amount of compensation there is given the foundation for respecting two important aspects. So on the one hand, the individual's mindset, the not so much ground-related "farmer identity" which is marked (as shown above) by pragmatism, business-orientation and emotionalism, is respected by taking into account, for instance, the individual's effort which he or she has put into his or her farm. On the other hand, both the community and the individual are respected by arranging a fair consensus about the amount of compensation.

To answer one of the questions from above (whether (purely) technocratic approaches are suitable to "overcome" or at least to respect the "farmer identity" and to create an atmosphere of tolerance and openness) in a decisive manner, the focus can be set on the case of the emerging "Black African" farmers. For this reason, the work of Bitzer and Bijman is interesting. In an article of 2014, these researchers deal with the relation of emerging South African farmers and so-called strategic partners from the spheres of agribusiness. The authors mentioned that there "[...]86 per cent of all commercial farmland was owned by white farmers, who had enjoyed state subsidies and complete protection from black competition under apartheid[...]"¹⁸⁷ in pre 1994 South Africa and that it was one of the post 1994 South African government's major objectives to support "[...]commercialisation of black, smallholder farmers, following the example of large-scale commercial farmers[...]"¹⁸⁸

Now, why do I mention here that the South African government post 1994 should have respected the identity of the established "White" farmers? As said previously, they owned most

¹⁸⁷ Bijman, Jos/ Bitzer, Verena (2014): Old oranges in new boxes? Strategic partnerships between emerging farmers and agribusinesses in South Africa. In: Journal of Southern African Studies Vol. 40 (1), pp. 167-183, p. 168.

¹⁸⁸ Ibid.

of the agricultural land and therefore it seems necessary, to guarantee a stable state and a stable as well as non-harmful transition of property, to respect these established farmers.

Moreover, Bitzer and Bijman stated that:

*“Paternalistic relationships between old and new farm owners remained in place, while change in existing farming operations was largely rhetorical rather than implemented in practice. Moreover, land reform projects in which groups of beneficiaries were supported to purchase commercial farms often failed, due to inadequate post-settlement support to equip new landowners with the expertise and resources to succeed in high-value, export-oriented agriculture.”*¹⁸⁹

Finally, an assumption must be made on the basis of the data available (as a result of my personal research in South Africa in July/ August 2018); the assumption is that the so-called “farmer identity” is also to find within the minds of representatives of agribusiness. This I can say because of the fact that for a sample of such representatives a farmer must be sort of a businessman as well as a pragmatic person.¹⁹⁰

Now, it is to focus on the question of whether the so-called “farmer (or agribusiness) identity” was respected by the government’s efforts to support the commercialisation of “Black African” farmers and whether the new “Black African” farmers were respected as well. Was tolerance (of agribusiness and “Black African” farmers) towards the government’s approaches to solve the land question created? Or again: What amount of trust in government was (or could be) created by the measures of the government?

The so-called strategic partnerships which are arrangements between emerging farmers (who are the beneficiaries of land reform) agribusiness actors (strategic partners) and the state, and which are more or less inevitable for beneficiaries (because of the fact that having a strategic partner is, by now, the precondition for getting funds by the state) are a measure which started to occur in the first years of the second millennium.

¹⁸⁹ Bijman, Jos/ Bitzer, Verena (2014): Old oranges in new boxes? In: Journal of Southern African Studies Vol. 40 (1), pp. 167-183, p. 169.

¹⁹⁰ Source: Interviews X4, X5.

“Partnerships are promoted with the goal of ‘graduating smallholder [black] farmers into commercial farmers’ through assistance in farm production, skills development and access to markets, while simultaneously recognising the interests of agribusiness to secure and even expand their operations.”¹⁹¹

Bijman’s and Bitzer’s article of 2014 included specific examples when it comes to the case of having a strategic partner: In general, the procedure is as follows: The government facilitates an arrangement between a strategic partner (agribusiness) and an emerging farmer. This is to minimize the risk for the emerging “Black African” farmer and to give him or her more access to export markets. This article mentioned the examples of six strategic partnerships in the Eastern Cape Province of South Africa. The study dealt with six citrus growing farms only. In these cases it was tried, by the means and until the end of the strategic partnerships, to transform these farms into commercial enterprises. Thereby, the emerging farmers should be made independent. The principle was as follows: The strategic partners should support the emerging farmers with their expertise (including, for instance, training, help in administrative and technical questions and help with complying with the standards of export markets) to make it possible that there are (more) successful “Black African” farmers who run and own their farms.¹⁹² As compensation they (the strategic partners) should get

“[...]exclusive rights to process and/or market the products of emerging farmers, thereby obtaining competitive advantage by maintaining consistency and increasing quantity of supply and offering a wider variety of products to their customers.[...]Individual tasks, responsibilities and commitments of the partnership actors are specified in long-term contracts (at least five years).”¹⁹³

Now, what was the outcome of this specific case study? The article of Bitzer and Bijman leads to the conclusion that emerging farmers can be immensely supported by the creation of strategic partnerships with an established agribusiness.

But furthermore, they stated that there are also negative aspects of such a partnership. Because it is doubtful whether the emerging farmers can become really independent by these partnerships. This is because the strategic partners determine which sort of knowledge is exchanged or given to the farmers. The partners want to make sure that the farmers’ products

¹⁹¹ Bijman, Jos/ Bitzer, Verena (2014): Old oranges in new boxes? In: Journal of Southern African Studies Vol. 40 (1), pp. 167-183, p. 170.

¹⁹² Ibid., pp. 173/174.

¹⁹³ Ibid., p. 174.

comply with export markets' quality standards. Also, the farmers and their partners often make joint decisions on production issues only; not so much on strategic marketing issues or similar. So the strategic partnerships often resemble contract farming arrangements. There, the farmer has access to the information necessary for him or her sticking to contract requirements only. Therefore, transformation by strategic partnerships stays limited. Old power structures are not changed by this, for instance in reference to property or production. Moreover, the focus of strategic partnerships is still on export and large-scale farming.

So, in fact, the study of Bijman and Bitzer states that emerging farmers get more market access by strategic partnerships; but they don't experience real empowerment. This stresses the argument of limited transformation of existing structures.¹⁹⁴

Finally, the two researchers' study says:

*“The primary challenge then is to discover how such partnerships can move beyond conventional contract farming arrangements to fulfil the hopes vested in them. From a practical point of view, our study suggests that both policy and extension officers should place more emphasis on broadening the scope of knowledge transfer and capacity building of emerging farmers.[...]renewed attention should be given to exploring opportunities in the domestic market. So far, government relies on the strategic partners of emerging farmers to identify opportunities for them, which risks ignoring opportunities that exceed the interests and operations of the strategic partners. Finally, on a more fundamental level, policy makers need to move beyond a pragmatic approach to partnerships, to analyse them within the wider dynamics of the agrifood sector to understand their transformative potential and their limitations.”*¹⁹⁵

As said above, the “farmer” or “agribusiness identity” consists mainly out of business-orientation, pragmatism (where I will lay my focus on) and emotionalism (but, regarding emotionalism, obviously not so much in reference to ground itself). The South African state, respectively its government and its subdivisions, tried to respect, by its initial efforts (which included the need to have a strategic partner to get support in the frame of land reform, but also the system of expertise in exchange for rights on the products of the emerging farmers) both sides: the emerging “Black African” farmers and agribusiness. This is because the needs of both factions seemed to be satisfied by this approach. It was an approach, a system, which was meant

¹⁹⁴ Bijman, Jos/ Bitzer, Verena (2014): Old oranges in new boxes? In: Journal of Southern African Studies Vol. 40 (1), pp. 167-183, pp. 181/182.

¹⁹⁵ Ibid., p. 183.

to support the “Black African” farmers as well as to give the supporting agribusiness (the strategic partners) some benefit. Furthermore, the contracts were used to last for at least five years. This means definitely a sort of stability within the strategic partnership arrangement and shows that the government had in mind the benefit of both factions. So it was demonstrated that business-orientation and pragmatism, obviously, tried to be respected by the South African government’s approach of creating a strategic partnership between emerging farmers and existing agribusiness.

But what happened in fact? As described above, on the one hand, the business-orientated “farmer” or “agribusiness identity” was definitely respected by contract elements as, for instance, the right to steer the distribution of the emerging farmers’ products. Also, it was said that emerging farmers definitely need support to become bigger or more able farmers and to improve product quality. On the other hand, the emerging farmers were, by these strategic partnerships, brought into the position of one who takes an order and who is probably not independent and not involved in the issues of strategic marketing. Old structures, for instance in the property sector, can not be changed or threatened by this system. The emerging farmer remains a dependent.

For this reason, the approach of the government to solve the land question by the means of strategic partnerships has obviously failed because of the reason that it does not respect the “Black African” farmers’ needs. Therefore, there is no chance to create trust within the faction of the emerging farmers towards the state and its representatives. Probably, the same applies for the government’s approaches to solve the land issue.

Now, the question of whether (strictly) technocratic approaches of the South African state can solve the land question is to answer. It has been shown that such approaches are partly useful to solve the land question in South Africa. On the one hand, agribusiness is supported by the strategic partners system. On the other hand, the emerging farmers are more or less left behind. On this side, there is probably no trust either in the strategic partner or in the general approach of the government created.

Now, it seems to be important to demonstrate what do non-farmers (not from the agribusiness sector) and farm workers think about land; what does this word mean to them? This is being done mainly to show what other parts of the South African population think about ground and what other aspects than the “farmer identity” the South African state should take into account in its approaches to solve the land issue.

A question (more or less) about the meaning of the word land was asked the following four persons only (here, I will mention two samples only. This could, of course, be seen as a weakness of this study at this specific stage; but it is still to take into account that people from very different (educational) backgrounds were questioned): A researcher (“Black African”) as well as three farm workers (“Coloured”). The researcher speaks about land as a financial issue; as money. Moreover, he mentions that

“[...]apart from just the economy there is a connection to the land, a spiritual connectedness to the land question. There is ancestral reclaiming towards the question of land that most white people don’t understand. To them, land is about farming, to us African people, to reclaim ourselves, to reclaim our culture, to reclaim our tradition and to decolonialise ourselves[...]we need to reclaim land.[...]So African people subscribe to the idea that my power and my existence lies with those who are deceased. So where you bury the deceased is important.”¹⁹⁶

The first farm worker says the following:

“We have ground as estates. We plant lucerne what can be food for the sheep. And you can make a garden on this land and plant vegetables; ground, for me, can be a place where I can set up my house and found my [Interpreter: Family.] family. Yes.”¹⁹⁷

Another interviewee adds: “Family.”¹⁹⁸ Then there is the following conversation: “So. Land is people.” [interviewer] “Land is people.” [first interviewee out of X9/X10/X11] “And for you two?” [interviewer to the other two interviewees] “No answer!” [another interviewee out of X9/X10/X11].¹⁹⁹

Moreover, the first farm worker out of X9/X10/X11 says:

“But what happens in the case of, for example, the Khoisan and their ancestors who stayed a long time on the land and they [industry or whoever] just set up factories and they [Khoisan] have the right to go back and to say ‘This is my land’ because their ancestors stayed there. They can take the land back. So in some cases it is seen as [unclear] the Khoisan; the Khoisan said that they have been deprived of their ground; so they come back and demand land.”²⁰⁰

¹⁹⁶ Source: Interview X6.

¹⁹⁷ Source: Interview X9/X10/X11.

¹⁹⁸ Ibid.

¹⁹⁹ Ibid.

²⁰⁰ Ibid.

This all implies that they (the researcher and the farm workers interviewed) obviously all share a point of view which says that land means a sort of a commodity; a device to make a living out of it. But land is obviously seen also as a device to maintain a (spiritual) connection the other people or to the ancestors. So there are two continuities within the minds of people from very different (educational) backgrounds. Here, it is to stress that the Khoisan people are mentioned as an example of the right to claim land because of the ancestors staying on a piece of land for a long time or a long time ago.

In conclusion, this means that the sample of a non-farmer (here a researcher) and farm workers think also in a way which can be compared to the “farmer” or “agribusiness identity”: Regarding land as a commodity and as something (purely) financial matches the pragmatic and business-orientated parts of this “identity”. Also, there is an emotional aspect in the way that the sample regards land but this emotionality is, in my opinion, more focused on land than the one of the “farmer” or “agribusiness” identity. So, finally, this means that the South African government has to respect people’s emotions, business-orientation and pragmatism. Otherwise, there will probably be a conflict between the state’s institutions and the citizens.

5.2.3 The conditions of expropriation

Now, I want to deal, inter alia, with the topic of expropriation. As shown above, there is a passage in article 25 which defines the public interest for which an expropriation can take place. There, it is said that

*“a. the public interest includes the nation's commitment to land reform, and to reforms to bring about equitable access to all South Africa's natural resources; and
b. property is not limited to land.”*²⁰¹

The next section of article 25 stresses this principle of “equitable access to all South Africa's natural resources” which means equitable access to, for instance, land.²⁰²

But what do the South Africans interviewed think is public interest, in fact? Again, let us start with the farmers: It became clear that the “White” farmers I interviewed have rather similar opinions or approaches. X13 thinks that the South African government must be made (more)

²⁰¹ South African Government: Constitution of the Republic of South Africa, 1996 – chapter 2: Bill of rights. 25. Property.

²⁰² Ibid.

accountable for its actions. Furthermore, he says that thereby trust in the government must be created. Also, he mentions, as X12 did, that unemployment is one of the big (biggest) problems in South Africa and that more and more people must get to be employed to serve the public interest; to create a stable country.²⁰³ Interviewee X2 mentions that public interest for him means “[...]the greater good, [for] the benefit of all the citizens[...].”²⁰⁴ He continues:

*“[...]then expropriation without compensation can work. And it’s small pieces of land that is being targeted. But on the scale that the government wants to target this, it is actually horrific, they can literally, if article 25 of the constitution is changed, walk in and tell you, you have 2 days or a week to vacate[...]but you must leave all the farm implements and the ploughs and everything because that is all part of the package.[...]Remember that the farmer might have a loan for the implements, he might even have a loan for the farm. The same as in Zimbabwe.[...]So, you’re going to get unfairness, you are going to get the same thing that is happening to Zimbabwe, maybe just on a different scale.”*²⁰⁵

Giving this example of “[...]small pieces of land[...].” means that X2 thinks that there are cases where it is legitimate to expropriate even without compensation. But he mentions that on the scale the government intends to do it, there will be chaos and unfair circumstances which will lead to a “South African” Zimbabwe. Finally, the looming picture of a new Zimbabwe is still in this farmer’s mind, despite (?) the existence of the pragmatic, business-oriented and emotional farmer identity as shown above. Also, X15, another “White” farmer, states that transparency is needed when it comes to the question of what would be public interest. Tax money should not be wasted and efforts must be visible; for instance in fixing the roads or something similar.²⁰⁶

²⁰³ Source: Interviews X12, X13.

²⁰⁴ Source: Interviews X2.

²⁰⁵ Source: Interview X2. Because of the fact that Zimbabwe is mentioned here it seems necessary to give the reader a brief (!) impression of how the land reform in Zimbabwe developed. Therefore, it is possible to give attention to “newer” reform efforts only.: In 1992, there was the Land Acquisition Act. This act allowed the president of Zimbabwe to buy any land if it was in the general interest. 30 days before expropriation the government had to send a letter to the property owner concerned. After this the current owner had no more right to improve the land or to have it at his disposal. But he had the right to hand in an appeal against the expropriation order or to hand in his claims for compensation. Compensation was mandatory but the time frame for paying it was not defined clearly. There was much corruption during the process of expropriation and land reform. So many officials (government members, for instance) were able to get farms very cheap. In 2000, there were occupations of more than 1000 farms by former participants of the war in Zimbabwe. See: Englert, Birgit: Die Geschichte der Enteignungen. Landpolitik und Landreform in Zimbabwe 1890-2000, (Studien zur Afrikanischen Geschichte [Vol. 27]), Hamburg: LIT, 2001, partly also: Vienna, Univ., Dipl.-Arb., 2000, pp. 145, 147, 153, 161.

²⁰⁶ Source: Interview X15.

It is striking that, according to an Afrobarometer²⁰⁷ survey of 2013 “63% agree or strongly agree[d] with the statement that: ‘Parliament should ensure that the President explains to it on a regular basis how his government spends taxpayers’ money’.”²⁰⁸

Now, I will show what the “Coloured” farmer (X8) says by giving an excerpt from the interview:

TK (interviewer): What does public interest mean to you?

Interpreter (To X8): What do you think is good for the public/ for all in reference to ground?

*X8: What happens now I don’t think it’s a good thing for anyone. Everything that they’re busy with now – not everyone has an understanding. If you don’t have knowledge you can’t start something.*²⁰⁹

As a result, it is to state that the “White” farmers interviewed say that public interest has something to do with transparency; people should see, according to these farmers, what happens with their tax money and thereby trust in the government could be created. To reach this goal projects which fight problems as unemployment or similar must be started and the outcome of these projects must be something which creates a stable South Africa; which serves a common well-being of all the citizens in the country. But there is also a critical voice which says that the state must not “exaggerate” when it comes to expropriation without compensation, even if it could be legitimate in small-scale cases, because of the danger of becoming a second Zimbabwe. The “Coloured” farmer has a slightly different answer for us (maybe because he was asked about public interest explicitly in reference to ground): But nevertheless, he says that the current situation (and probably he means the efforts to expropriate land without compensation) is not a good one at all because many people are without true knowledge about these processes. So public interest in reference to ground means for him doing something which people can understand and reconstruct in their minds. Therefore, it is possible to say that, again, transparency is the keyword when it comes to this interviewee’s understanding of public interest. So keywords when it comes to South African farmer’s understanding of public interest are: Transparency, trust and stability.

²⁰⁷ “Afrobarometer is a pan-African, non-partisan research network that conducts public attitude surveys on democracy, governance, economic conditions, and related issues in more than 35 countries in Africa.” See: Afrobarometer: About Afrobarometer. In: Afrobarometer, 2019, URL: <http://www.afrobarometer.org/about>, last seen: 4 March 2019.

²⁰⁸ Calland, Richard/ Seedat, Shameela (2015): Institutional renaissance or populist Fandango? In: *Verfassung und Recht in Übersee* Vol. 48 (3), pp. 304-328, p. 307.

²⁰⁹ Source: Interview X8.

Non-farmers I interviewed (managers (from the agribusiness) and researchers) mention quite different opinions when it comes to what is public interest. They say that public interest for them is either to use land for a specific purpose which is besides meant to be suitable to the qualities of the ground. Or there is the opinion that public interest is simply transparent political processes; visible to everyone. There is the point of view that there must be some sort of equal distribution of land as well as reasonable spending of public money. Here is to find a relatively positive opinion about land redistribution – but the interviewee stresses that there must be, according to him, compensation for land.²¹⁰ Also, there is a strikingly different answer for what public interest could be: The “Black African” interviewee says that “Public interest means the participation of ordinary people into discourse of great interest. Economic interest for the public.”²¹¹ Furthermore, he mentions that in South Africa a mass of people, mainly on the countryside, does not participate in politics because they have no profound understanding of politics and therefore they don’t hold the officials accountable. He says that there is just a minority living in the cities taking actively part in politics and holding the officials accountable. “But in general, they live in rural areas and haven’t taken an interest in the political discourse or making sure there is no corruption or making sure that the land is given back to people.”²¹² The answer of interviewee X7, again a “White” researcher, is also that there should be, when it comes to land reform, some sort of reasonable spending of public money strictly in the name of land restitution or redistribution (which excludes, for instance, financing golf estates by institutions of the state in the name of land reform). And according to him the rights of current property owners must be taken into account as well. He adds that he considers the principle of expropriation as unavoidable in South Africa.²¹³

Also, the farm workers interviewed for this field research were all asked what public interest would be to them. For a better understanding of the question it was tried to be altered by me and the interpreter present at the interview. But the answer of one of the three interviewees is very clear:

²¹⁰ Source: Interviews X3, X4, X5.

²¹¹ Source: Interview X6.

²¹² Ibid.

²¹³ Source: Interview X7.

*“He [the interviewer] has asked before what can be done for the public; for the national community – for example, as I pay my taxes; people have to know where their money goes to and what is done with the money; that has to be public. So people can see changes and that all the promises of a better life and so on will be fulfilled.”*²¹⁴

Another one of the three farm workers interviewed also mentions that

*“[...]it is a problem. Look, if people make a promise to you; if they say that within a few months the land issue will be more or less settled and you see no change after a while, you don’t see where your resources go to – then you have a problem. That’s what, as you watch TV, people worry much about [...]”*²¹⁵

Furthermore, the interpreter asks the interviewees X9/X10/X11:

*“The question is: Is it more important for you [X9/X10/X11] to see where your taxes go to. For instance, you pay taxes and if you go to a government hospital and that is where your taxes must go to. So what is more important; is it more important to get land or is it more important to see what happens with your money, actually?”*²¹⁶

Only one of the interviewees answers. He says that both aspects would be equally important. Furthermore, there is the following conversation with another one of those interviewees:

*“Do you think the government has enough knowledge to build up the land – can they do it; can the state do it? Do you trust in the state; in the government?” [interpreter to X9/X10/X11] “I would say if corruption was eliminated then they can...” [one out of X9/X10/X11] “Maybe they have to go back to Mandela’s era...” [interpreter to X9/X10/X11] “Yes...Yes...” [same interviewee out of X9/X10/X11].*²¹⁷

So as well for this sample of farm workers public interest is transparency and a fight against corruption; to see what happens with the tax money of the people. The fact that this is seen as important as to get land stresses the urgent need for the government of South Africa to ensure transparency and to deliver results; to show people that something is done with their tax money and that there are promises fulfilled as well as that there is something done against corruption. As a result, it was demonstrated that the desire for transparency in reference to the South African state’s actions, for example the spending of money, is a continuity which is to find within the

²¹⁴ Source: Interview X9/X10/X11.

²¹⁵ Ibid.

²¹⁶ Ibid.

²¹⁷ Ibid.

mind of farmers, non-farmers and farm workers. This is striking because it shows where the state would have to become active. This kind of activity surely would help to create trust in government and in the state, in general. Thus, this would help to lay a basis for the solution to the land issue; people would trust the state and its measures and would be open for new approaches to solve the land question. Of course, no amount of trust in the state will be able to help solving the land issue if the government tries to keep people in, for instance, permanent dependency and shows them that they are not seen as equal partners in reference to land reform. Rather, the state should avoid a conflict with its citizens and act in a comprehensible and stable manner. This means respecting people's fears and feelings; on that basis it should be possible to include all of the citizens on an equal basis when it comes to land reform. Images of a new Zimbabwe or fears that, for example, the rights of a minority will be trampled should be fought by the government and its divisions by taking measures to show actively that people's emotions are taken seriously.

5.2.4 Government's actions versus the citizens?

Let us stick to the issue of trust. What did the South African state or the government do to carry out actions which supported trust in the state/ the government and which brought stability? The actions of the state were shown previously. But even more important: How were (are) such actions perceived by the South African citizens? Or: What feelings, hopes and dreams – emotions – had or have South African citizens when it comes to the topic of land reform, or rather specific land reform measures? These are questions I will try to answer in the next passages.

Again, let us start with the farmers. One of the most significant question when it comes to personal opinions about the land reform itself I asked the farmer interviewees was about the “willing buyer willing seller” concept: What do the interviewees think of that concept? To find this out it seems useful to start with a quote from interviewee X2 (the “White” farmer from the Gauteng Province):

“Obviously, that is the concept that is most known to us, Somebody is the seller, and another person wants to buy the farm, It's a natural process, there is nothing to it. Government also engaged in this process. And as I've mentioned, 95% of those farms, within 2 years, were desolate. They were highly productive farms, previously.[...]I have black friends that are

farmers and they are successful, but the majority thinks it's easy. They think if you have a farm things just happen, but it doesn't."²¹⁸

By this statement there are two or three aspects stressed. On the one hand, "willing buyer willing seller" is seen as something normal, as if there were no real alternatives. On the other hand, there is implied a demonstration of a massive lack of trust in the government's ability to support a successful handing over of the farms to new farmers; to support these new farmers in their business which they are not used to. Finally, X2 says by this statement that he thinks that most of the landless people in South Africa have no idea about farming and farming life. So according to him there is a massive lack of knowledge; of expertise.

As it turned out, most of the farmer interviewees think that the "willing buyer willing seller" concept is one which is an absolutely normal thing, or at least a simply fair, a better process than anything else because it gives you security about your property; that you own it, for instance. Furthermore, there are voices which say that this concept is unaffordable and that it is more about the post-settlement support than about just carrying out the "willing buyer willing seller" concept by doing the transaction of the ground.²¹⁹

The non-farmers interviewed (managers (from the agribusiness), researchers) are divided in opinion. One side of them thinks that the "willing buyer willing seller" concept is a good one; a "natural" principle or simply one with the potential to function. But also within this faction there is a voice which says that "willing buyer willing seller" is (or was) not the only solution but that it is part of a broader solution; that means that there has (had) to be, according to interviewee X5, some kind of assistance to the new farmer on the piece of land redistributed by "willing buyer willing seller". The other faction is more critical towards "willing buyer willing seller": This means that, on the one hand, a "Black African" researcher says that there was a massive lack of will to participate in this approach on the side of the established "White" farmers. On the other hand, the second part of this "pessimistic" faction, a "White" researcher, mentions that this specific approach has never really worked or has never really been tried; that, for instance, the South African government has spent not enough money for this project. Also, he claims that the state is still lacking the expertise to make a proper deal when it comes to negotiating property deals or that the government of South Africa is lacking energy and creativity in respect to land reform.²²⁰

²¹⁸ Source: Interview X2.

²¹⁹ Source: Interviews X2, X8, X12, X13.

²²⁰ Source: Interviews X3, X4, X5, X6, X7.

As demonstrated, there is the chance for a (big) conflict between the citizens and the state (for instance, the government and its subdivisions) whenever there is no support for newly settled or resettled farmers. Obviously, within this study's sample, there is a rather positive view towards the "willing buyer willing seller" approach, one of the post-1994 South African government's approaches to solve the land issue. But: In the time of 1994 and still nowadays, there were and are the hopes, fears and dreams of this study's participants, which encompassed, for instance, the fear that South Africa might degenerate into a sort of a shambles; that, as it was said by an interviewee, everything the Europeans had built up would be destroyed (but during the interview with this farmer interviewee, for instance, there was a very strong optimism, a very strong will to survive and a will to stay on his farm to notice). So in the farmer interviews the case of Zimbabwe and its ruin is mentioned as well. But there was the hope, back in 1994, that there would be no or not that much corruption and mismanagement within, for instance, the South African government. Non-farmers mention, as a fear of the 1994 period and as current one, the glooming scenario of South Africa becoming a second Zimbabwe, or they mention at least the case of Zimbabwe and its land issue. Even if the fear of the interviewees who are farmers and non-farmers, that South Africa could become a second Zimbabwe, is more or less limited or even right there – the fact that the keyword "Zimbabwe" is mentioned in relatively many (5 out of 10) interviews is striking in the sense that it shows a common fear, or at least a common concern, of farmers and non-farmers (here except farm workers)! As a 1994 hope of non-farmers there was the imagination of a giving-back of the land; of an "abolishment" of the injustices of the 1913 Natives Land Act; as well as a more just division of the national wealth and the end of the racial divide. There was, obviously, the hope of overcoming the own national past.²²¹

These hopes, fears and dreams seem not to be fulfilled or calmed down by, for example, the current Proactive Land Acquisition Strategy and State Land Lease and Disposal Policy approaches which make the (small-scale and subsistence) farmers (absolute) dependents of the state or the strategic partners. This fulfillment of dreams or calming down of fears seem not to happen because of various reasons: Firstly, still nowadays, farmers and non-farmers interviewed are concerned about, for instance, a Zimbabwe-like situation in South Africa. They obviously fear, for instance, food scarcity, poverty, violence (killings, for example) and

²²¹ Source: Interviews X2, X3, X5, X6, X7, X13. The interview question used to find this out was (approximately) "[...]when you saw the political change in 1994, what were your fears, or hopes and dreams in those days?".

expropriation of land without compensation (impoverishment of previous owners and administration of farms by incompetent people).²²²

But: There are a few things to consider when it comes to, for instance, the PLAS and the State Land Lease and Disposal Policy approaches. These attempts to solve the land question in South Africa encompass the potential to create (massive) unrest including violence (killings) because of the fact that people (subsistence and small-scale farmers) are driven into a (permanent) dependency or are forced to act productively and commercially; otherwise they are left behind. This development is exactly one of the things interviewees of my own study fear. It is a development which creates jealousy; maybe even violence resulting from that; as well as chaos. The named approaches seem to have the potential to create an even more divided society out of productive dependents and the masses of people left behind (how many people will be left behind depends probably on how the state sets his demands on potential beneficiaries of land reform). Nevertheless, it is to take into account that, still in 2012, researcher Thembela Kepe stated that: “More often than not economic development in land reform projects in rural areas takes the form of a commercial farming enterprise, with the successful claimants either as owners or partners of those businesses.”²²³ It is to note that in 2017

*“Landowners who are not white own 26.7% of agricultural ground and control more than 46% of South Africa’s agricultural potential. Twice as much land has been transferred to black entrepreneurs and farmers through ordinary commercial purchases than the state has managed to buy for black owners as part of its land redistribution programme[...] In KwaZulu-Natal and Limpopo, which have some of the nation’s most fertile land, more than half of agricultural land is owned by black people. [...] White farmers’ ownership of agricultural ground declined from 85.1% in 1994 (82.5 million hectares) to 73.3% in December 2016, and? altogether 5 million hectares of agricultural ground was bought by black people in this period, as well as 1.7 million hectares for purposes other than agriculture. In the same period, government purchased and redistributed only 2.1 million hectares of agricultural ground. In addition, provincial governments and municipalities bought and redistributed about 600 000 hectares of land[...]”.*²²⁴

²²² Source: Interviews X2, X3, X5, X6, X13.

²²³ Kepe, Thembela (2012): Land and justice in South Africa. In: African and Asian Studies Vol. 11 (4), pp. 391-409, p. 404.

²²⁴ De Lange, Jan: Who owns SA’s land? In: news24, 29 October 2017, URL: <https://www.news24.com/SouthAfrica/News/who-owns-sas-land-20171028>, last seen: 11 February 2019.

There are, in a different magazine, partially different numbers referring to the amount of land (in ha) which was redistributed until 2018: It is said, by the Minister for Rural Development and Land Reform, Maite Nkoane-Mashabane, that there were 4.871.115 ha redistributed. Referring to restitution, there were, according to the minister, 3.522.155 ha restituted until 2018. The number of the people who chose money instead of ground was at 2.920.386 at the end of this year. The minister also mentioned that, from 1994 until 2004, there were 39.901 ha state's ground which was given to beneficiaries of land reform (but not in the frame of restitution or redistribution). So if the numbers issued by the minister are correct the government has, since 1994, already 11.300.000 ha of land given to beneficiaries of land reform in the frame of restitution or redistribution.

This is half of the amount that the government wanted to give to beneficiaries in 1994 at the beginning of the land reform programme in South Africa.²²⁵ This means that there is definitely some progress when it comes to land reform and there is probably a stronger group of successful non-“White” farmers than expected. But this is, in many of the cases, also probably not to trace back to a successful state programme of land reform only.

Nevertheless, the above-sketched scenario could mean that there is, at least on “my” interviewees' side, no motivation to support some of the state's, the government's, latest approaches to solve the land issue. Of course, this short insight is not representative for the whole South African society, but it is a well-selected sample of people who represent different positions and areas of activity within this society. Of course, the interviewees selected belong to the better-earning segment of society. This has to be taken into account as well when regarding the statements as an example.

Another aspect is to regard more detailed: In respect to one of the statement from above – that the government of South Africa is lacking energy and creativity in respect to land reform – there is a central question: What is the rhetoric of the government in relation to this topic? How does the South African state, or rather its representatives, try to convince people of their measures for land reform; to legitimize its measures in respect to land reform; and can this attempt to

²²⁵ Van Wyk, Joylene: Grondhervorming: Helfte van oordragteiken bereik? In: Landbou.com, 24 January 2019. In: netwerk24, URL: <https://www.netwerk24.com/landbou/Nuus/grondhervorming-helfte-van-oordragteiken-bereik-20190123>, last seen: 11 February 2019. (It is also to regard that in 2010 “The Minister of Rural Development and Land Affairs, Gugile Nkwinti, has acknowledged that more than 90% of land given to emerging farmers is not functional[...]”. See: Kepe, Thembele (2012): Land and justice in South Africa. In: African and Asian Studies Vol. 11 (4), pp. 391-409, pp. 404/405.)

convince the citizens be successful? For this reason, the article of researcher Thembela Kepe (of 2012) is to mention. Here, the author deals with rural land claims and restitution. She says:

*“For rural areas I have observed that policy implementation processes in regard to land claims that have been ‘resolved’ assume, at a minimum, three key messages. These are that justice has been done; there was/is consensus among the claimants; and that some economic development project is a necessity.”*²²⁶

Now, I will deal with the firstly-mentioned key aspect. By the Restitution of Land Rights Act of 1994 it is clearly said that those people affected by injustices happened after 19 June 1913, caused by the 1913 Natives land Act, shall be the primary beneficiaries of restitution. There are two aspects of justice which are encompassed by the Restitution Act of 1994: Firstly, there is included the postulate for “[...]’social justice’ referring to the overall fairness in the division of rewards and burdens in a given society. By implication, it also means that inequality that disadvantages one group compared to the other, such as illegal dispossession of land, is regarded as an injustice.”²²⁷ The second postulate included in this act is that there should be, in land claim processes, always a procedure tethered to the principles of law.

*“In South Africa’s land restitution program procedural justice means that victims of land dispossession will be able to receive fair treatment within the legal system when they lodge a claim for their lost land rights. In government documents about land restitution, as well as the speeches made by government officials during land hand-over ceremonies that follow ‘successful’ land claims, however, it is social justice that is implicit. Procedural justice appears to be assumed to have taken place during the land claim process. The rhetoric by government, through its publications and speeches, implies that social justice in regard to land has been done.”*²²⁸

A representative of the government, namely the former Minister of Agriculture and Land Affairs Lulama Marytheresa Xingwana (born 1955; in office from 2006 to 2009), mentioned in a speech, when she attended a handing-overs of restituted land to claimants in 2006, that by this handing-over the injustices (here forced removals) of the Apartheid era done to these beneficiaries would be coming to an end. Former Minister of Agriculture and Land Affairs Angela Thoko Dididza (born 1965; in office from 1999 to 2006) mentioned in a yearly report

²²⁶ Kepe, Thembela (2012): Land and justice in South Africa. In: African and Asian Studies Vol. 11 (4), pp. 391-409, pp. 397/398.

²²⁷ Ibid., p. 398.

²²⁸ Ibid.

in 2005 that the government had restored, by the means of restitution, the dignity of masses of people who had been suppressed and dispossessed because of their ethnic origin.²²⁹

But there is a question remaining: To what extent are social and procedural justice fulfilled in the frame of the topic of land reform and the (current) processes?

To answer this question the following quote from Kepe is interesting. It is to say

*“[...]that, despite the publicized good intentions by the state, justice for rural land claimants is more real on paper than in practice. Land policy and legislation, in terms of land justice, are commendable, but in practice, justice is not necessarily rooted on a key tenet, which is fairness. Several researchers have pointed to a number of constraints that the state has in ensuring that there is land justice for people who lost land before and during apartheid. These include, but not limited to, the high cost of land restitution, lack of qualified personnel and the constitutional guarantee that property rights of people who held land during apartheid will be protected[...] Lack of properly trained staff, local people’s mistrust of government, and absence of political will, appear to be making it impossible to take time to resolve local differences and allow for divergent agendas to co-exist[...] [although there is already a large number of rural land claims which were solved by the state’s organs]”.*²³⁰

Furthermore, it is to stress that the South African government focuses on a “doctrine” which demands the most productive way of using the land given to beneficiaries in the frame of land reform. This means that the government seems to be obsessed by the effort to support, for instance, commercial farming. Also, there is a massive influence of the state on the use of the land given to beneficiaries. Usually, the state’s institutions deny this influencing behaviour.²³¹ And it is exactly this aspect which has the potential to cause distrust towards the state! Also, Kepe says “[...]that many of the state’s shortcomings in regard to justice for people who lost land under apartheid can be blamed on the neoliberal character of South Africa’s land reform program, which has limited it to a shallow distributional model.”²³² Also, in South Africa it can be noticed that “[...]land has come to be treated more as a commodity, rather than as something that represents multiple meanings for different segments of society[...]”.²³³

Also, the following quote of Kepe is to take into account:

²²⁹ Kepe, Thembela (2012): Land and justice in South Africa. In: African and Asian Studies Vol. 11 (4), pp. 391-409, pp. 398/399.

²³⁰ Ibid., pp. 405/406.

²³¹ Ibid., p. 406.

²³² Ibid.

²³³ Ibid. (This process; this change of the meaning of the word “land” was also noticed and mentioned actively by one of my interviewees, a “White” farmer. See: Interview X13.)

*“While there is no denying that the injustice of land dispossession is being addressed, at least on paper, through returning land rights to rightful owners, closer examination of many cases of group land claims in rural South Africa raises questions about completeness and certainty of justice that is often pronounced by government. There is evidence that in terms of both procedural justice and social justice, general fairness has not always existed for land claimants.”*²³⁴

An example of a restitution claim: There was the case of the Khanyayo people in the area what is nowadays the Eastern Cape beginning in 1996. In this case, the Khanyayo claimed 17.400 hectares in the area of the Mkambati Nature Reserve. They had been forcibly removed from their land in 1920. For the Mkambati area (and the whole Wild Coast) government had development plans and therefore the Khanyayo were seen as a disruptive element by them. For this reason, government (for example, the Department of Land Affairs; nowadays called the Department of Rural Development and Land Reform) tried to expedite the process of resolving the land claim to make development happen; the Khanyayo should be convinced to withdraw their land claim. At the end, this gained priority over obeying judicial rules and procedures. The Khanyayo people surrendered to government pressure and withdrew their claim in 1999. There were negotiations until 2004 which resulted, for instance, in the creation of the Mkambati Land Trust which had the task to administer the area of the Mkambati Nature Reserve (as such a reserve) in the name of Khanyayo village and further villages from the (same) Thaweni Tribal Authority.²³⁵ Nevertheless,

*“The coercion of the Khanyayo to withdraw their claim meant that there was no due process in terms of procedural justice. Giving financial compensation only to relatives of people who had homesteads on the land under claim, to the exclusion of other owners who only used the land for hunting, collection of natural resources and grazing, puts into question the existence of social justice.”*²³⁶

There are more reasons why the Mkambati claim was not really successfully resolved but the circumstances described above seem to be enough to say that there was an unjust process taking place. So as Kepe says: “In short, claims of justice for the land claimants during the celebratory speeches by government officials are not matched by reality on the ground.”²³⁷

²³⁴ Kepe, Thembele (2012): Land and justice in South Africa. In: African and Asian Studies Vol. 11 (4), pp. 391-409, p. 399.

²³⁵ Ibid., pp. 399-401.

²³⁶ Ibid., p. 401.

²³⁷ Ibid.

Now, it is to ask: Can there be a success in convincing the citizens of the legitimization of land reform or is there an unsolvable conflict between them and the state, respectively the governmental organs and its subdivisions?

As it was shown above, the South African state acts in a way that has much potential to create distrust and anger among citizens. Moreover, although the state's declarations of applying social and procedural justice, the state acts in almost an "intruding" way referring to the framework in what land, which is given to beneficiaries, can or rather must be used. Also, the state's measures and (lacking) resources lead to a failing of social and procedural justice in the frame of land reform.

Another question referring to the current measures of the government was specifically about expropriation without compensation and what people think about this approach. It turned out, as sketched above, that expropriation without compensation is regarded as doable, as reasonable in case that it is done on a small-scale basis and it is for the "[...]the greater good, for the benefit of all the citizens[...]"²³⁸ But there is fear, or at least concern, about the constitution change, as demonstrated by X2's quote (see also above):

*"[...]But on the scale that the government wants to target this, it is actually horrific, they can literally, if article 25 of the constitution is changed, walk in and tell you, you have 2 days or a week to vacate[...]but you must leave all the farm implements and the ploughs and everything because that is all part of the package.[...]Remember that the farmer might have a loan for the implements, he might even have a loan for the farm. The same as in Zimbabwe.[...]So, you're going to get unfairness, you are going to get the same thing that is happening to Zimbabwe, maybe just on a different scale."*²³⁹

Farmer X12 expresses a more or less different answer than the question was designed for:

²³⁸ Source: Interview X2.

²³⁹ Ibid.

“I understand that the poor need to be looked after. That’s very simple for me, it’s just the government. What are the government doing, they need to win votes so they will take the land and give it to whoever, but it’s not going to be done properly because everything they have done has not been done properly – every state company thing they do, they take everything and it’s destroyed. We sold a farm ourselves to the government, and every other government farm in my area that I know has not worked. So I have no faith in them taking my farm and giving to someone and it doesn’t work. I do understand that inequality has to be fixed but through jobs, not just through taking land.”²⁴⁰

As a result, the statements of the two farmers interviewed specifically about expropriation without compensation mean that those farmers have no trust in the state or in the government and in its capability to create a solution to the land question which leads to a stable and fair situation in South Africa. In fact, farmer X12 says, on the one hand, that it is simply the wrong approach to fight inequality by just giving people land; according to him jobs are the solution. The blame is here, in X12’s statement, definitely on the government and it is accused to be incompetent and this implies that there is a lack of post-settlement support. But on the other hand, he [X12] shows an understanding for the needs of the poor people in the country. This implies the possibility of negotiations and a consensus between the “richer” land-owning people and the poor. So, obviously, and at least in this single case, there is a chance for the positive outcome of a land reform. But how do other people interviewed, researchers for instance, think about this; about the approach of expropriation without compensation? Interviewee X6, the „Black African” researcher, also fears that expropriation without compensation will make South Africa another Zimbabwe. He demands, to discuss the land issue, “[...]a more rational way[...]”.²⁴¹ The “White” researcher (X7) says the following:

“What concerns me though, is about the formula that is being put forward. Expropriation without compensation. The way that shifts the relationship between the state and the citizen. That it empowers the state, which has not always shown itself to act in the people’s best interests, to intrude into people’s livelihoods. People say oh well, it’s just going to hit white farmers, well think again. In South Africa, we get expropriated all the time to build things all the time, to build roads or to build dams.”²⁴²

²⁴⁰ Source: Interview X12.

²⁴¹ Source: Interview X6.

²⁴² Source: Interview X7.

So X7 fears that the state starts to “abuse” its power and to expropriate much more than just farms without compensation.

Another question which is very important regarding the feelings, the emotions, about land reform is whether the interviewees see a land reform as necessary in South Africa.

Interview partner X2 says:

*“I think to some extent it is, but the problem is, people say they want farms but they don’t know what it is to farm. They want a piece of land and to get the government to build them a small little 2 or 3 room house, stay for free, have some free electricity and some free water.”*²⁴³

Farmer X12 mentions that a sort of land restitution is necessary and that

*“I [X12] have heard of farms that have been taken over by their workers slowly, and that, I think, is positive for me. The way they are doing it now is not positive, but I myself don’t really have a plan for this, but, it has to be done almost with a free hand and not just the government coming in changing everything. It has to be done through education and knowledge. It’s all about that for me.”*²⁴⁴

Furthermore, X12 says that South Africans, in fact, want to have jobs and money and that just giving them land will not help to solve problems such as unemployment. According to X12, there is a lot more than the land issue. There is, for instance, massive corruption.²⁴⁵ So X12 and all the other farmers (whether “White” or “Coloured”) interviewed mention other issues, which seem, in some cases, in their opinion to be even more relevant than the land question itself. There are things mentioned as corruption, the country’s bad infrastructure, incompetence within the government or huge problems with the education system.²⁴⁶

5.2.5 Beyond the pure land issue

This means that land reform is not the only big issue in South Africa. There are a lot more huge problems within the national system which seem to be neglected by the government which obviously highlights the land question. This process is recognized by the farmers questioned during this field research. So, finally, it is on the government to recognize which problems are

²⁴³ Source: Interview X2.

²⁴⁴ Source: Interview X12.

²⁴⁵ Ibid.

²⁴⁶ Source: Interviews X2, X8, X12, X13, X15.

the most important and it is on the government to address the issues mentioned before besides the land question. Postponing addressing the other big issues of the country will most probably cause a deep distrust of the farmers faction towards the South African government and its representatives. But: This sort of distrust is already to find in the interviewees' statements – as shown already. To stress this again, two statements of (as examples) a “White” farmer (X15) and the “Coloured” farmer (X8) interviewed are to regard:

Interviewer: *“To what extent do you trust the South African state's knowledge of how to handle agricultural affairs?”*

X15: *“Zero! No faith in them! Because: What did the government change in South Africa during the last years?!? Only thing; no separation anymore; but: just promises and no fulfillment; especially before voting time! No change!”*

Interpreter (to X8; the “Coloured” farmer): *“No, but how is your feeling about the government - your personal feeling? [unclear]”*

Interpreter (translates X8's answer): *“It [the government] makes promises and nothing happens.”*²⁴⁷

This issue of trust in government seems to be a crucial one. Because, in my opinion, trust is sort of the mortar which keeps a society, a government and the citizens, together and which enables a society to handle big problems but it also gives the government the power to handle such tasks.²⁴⁸ In the afore-mentioned cases it seems that (some of) the South African farmers have absolutely no trust in their government when it comes to agricultural affairs. But what does the scientific literature say when it comes to the level of trust which the South African society or even government representatives or bureaucrats have in their government (departments) or specifically in land reform? Are there any special hints which even tell us that there is absolutely no hope to regain a certain amount of trust in, for instance, land reform?

In reference to this aspect, it seems necessary to focus for a moment on the South African youth because they will be the upcoming voters of the future, especially in 2019.²⁴⁹ So it is important how South Africa's youth is educated when it comes to politics and by whom.

²⁴⁷ Source: Interviews X8, X15.

²⁴⁸ The same theory is to find in: Gran, Thorvald: Land politics and trust relations in government, p. 104.

²⁴⁹ The same thought was one of the methodological foundations of Esau's, Roman's and Rondganger's case study; see: Esau, Michelle Vera/ Roman, Nicolette Vanessa/ Rondganger, Carol Hilary (2018): Family political socialisation and its effect on youth trust in government: A South African perspective. In: Politikon, pp. 1-16, p. 10.

For this reason, the work of Esau, Roman and Rondganger of 2018 seems to be of significant importance. Because in their article they dealt with “[...]the effect of family politicisation on youth trust in government.”²⁵⁰ A decisive result of the authors’ case study was that “In summary, families are talking about politics, have certain trust predispositions towards government and where these are communicated, may influence the predispositions of their children towards government.”²⁵¹ This parents’ trust in government mentioned here is in contrast to the results of my own case study, but the participants of Esau’s, Roman’s and Rondganger’s case study were, in contrast to my participants, mostly female “Coloured” grade 10 pupils.²⁵²

Therefore, a different result was to expect because I questioned adults only. The three authors of the case study mentioned here stated

“[...]that trust is a precondition for cooperative relations between government and citizens, and that the family is transmitting trust cues through their discussions with their children, [and that therefore] the direction of these cues can affect the traditions of democracy[....]These findings suggest that the family is an agency of political socialisation within the context of South Africa. Therefore, efforts should be made to augment what is happening in the space of the family environment[...]”²⁵³

So, as it was said before, the importance of the family with its influence on the future voters is not to underestimate and further research could stress this aspect even more. Because of the fact that I have my own frame which I have to stick to in this thesis I will not go further into detail referring to this aspect. But: As I said above, it is important how South Africa’s youth is educated when it comes to politics and by whom. And as a result, the question of whether there is hope to regain trust in the government, the state or specifically in the land reform seems to be dependent on the amount and content of debates about politics within families and on the amount of trust in government parents pass on to their children.

Now, it would be important to discuss the aspect of the (potential) parents’ attitude(s) towards the government or towards the state. This can not be done within the scope of this thesis. But there is one point to refer to: I already mentioned examples of how adult citizens ((potential)

²⁵⁰ Esau, Michelle Vera/ Roman, Nicolette Vanessa/ Rondganger, Carol Hilary (2018): Family political socialisation and its effect on youth trust in government. In: Politikon, pp. 1-16, p. 1.

²⁵¹ Ibid., p. 13.

²⁵² Ibid., p. 10.

²⁵³ Ibid., p. 13.

parents) have no trust in the South African government. There would be necessary more quantitative research to find out what is the opinion of a majority of the South African population, or rather what is the opinion of population groups and what are the divisions within these groups.

An interesting question would be: What else does scientific literature say in regard to the importance of trust in the government or in the state? For this reason, the article “Trust in the post-Apartheid government of South Africa: The roles of identity and policy performance“ of Steinar Askvik of 2008 is to take into account. In this work, Askvik, as another author who did so, says that “Trust in public institutions may be seen as a fundamental condition for the effective functioning and viability of any democratic political regime.”²⁵⁴ Moreover, he thinks that trust in government is a critical factor for South Africa’s existence; for the ability of the state’s representatives to work – so trust is so important because of the injustices of the past and the predominant social inequality. Askvik mentions the argument that distrust in a society weakens its public institutions. Also, he says that it is claimed within researchers’ circles that there is a lack of trust in local government in South Africa’s society and that this weakens the efforts to strengthen local democracy. This is because, this distrust creates a lack of civic participation, for instance. Furthermore, Askvik mentions a study of 2004 which points to a (possible) lack of trust within South Africa’s population. This is shown by the fact that there are people who do not pay local government’s service charges. These people believe that the state is not capable of spending the money collected in an appropriate manner.

Askvik refers to a definition of trust which said that trust is something which leads to the following situation: An individual makes him- or herself, voluntarily, vulnerable to an individual, to another object or to an organization or something similar – to something which could harm the individual firstly mentioned.²⁵⁵

Now, it seems necessary to do some research about trust on an even deeper level; about the trust of bureaucrats and politicians in each other and in land reform. Also, this seems important to define the extent to what a land reform can be successful. So: To regard, when it comes to trust, is the article “Land politics and trust relations in government: Findings from western South Africa” of Thorvald Gran. In this work Gran deals, while focusing on the Western Cape and the Northern Cape, explicitly with the land issue in South Africa. He puts a central question at the beginning which seems very important: What was the effect of the change of the land reform

²⁵⁴ Askvik, Steinar (2008): Trust in the post-Apartheid government of South Africa: The Roles of identity and policy performance. In: Commonwealth & Comparative Politics Vol. 46 (4), pp. 516-539, p. 516.

²⁵⁵ Ibid.,p. 518.

programme (to the support of an emerging class of commercial farmers) on the trust of, for instance, land reform stakeholders in the land reform in western South Africa? To solve this question Gran has conducted a case study. But first of all, he explains his idea of trust: That trust is something which keeps a society functioning. It is essential, according to him, for the aim that state organs function efficiently. The aim of Gran's study was to regard "[...]trust relationships amongst bureaucrats and politicians in the Northern and Western Cape Provinces with regard to land reform issues[...]"²⁵⁶ and to search, for example, for the "[...]Engagement of stakeholders in land reform[...]"²⁵⁷ He found out that "If we see generalised trust as a common culture, South Africa is still a low trust society. The ANC government and the new democratic, semi-federal state created a burst of symbolic trust, trust in expectations rather than trust in experience[...]"²⁵⁸ It is to note that on the countryside the farm labour was quite isolated from the rest of the country and because of that this burst didn't affect them much. However, the migrant workers, who had their families in the homelands, had high expectations in the new government or in the state. But the masses of poor people who were confined to a specific piece of land and who tried to make a living there had expectations which were weaker. In general, the new trust has become much weaker. This is because, for instance, traditional chiefs still are to a great extent in power of "[...]people's daily lives, education health and land. The symbolic trust has not transformed to experience-based trust because receiving land under reasonably secure tenure is not the same as being able to use it."²⁵⁹ In the case of poor families, there is often a lack of resources and managing land which is collectively administered (which is common in South Africa) turns out to be not easy. As a result, "[...]trust has deteriorated[...]"²⁶⁰ But now specifically on the trust relationships between bureaucrats and politicians: Gran, by his case study, found out that "Politicians Doubt the Effectiveness and Loyalty of the Land Bureaucracy".²⁶¹ But now in detail: He found out that, in general, in the Western Cape and in the Northern Cape Province the provincial politicians characterized the Department of Land Affairs (DLA) (nowadays the Department of Rural Development and Land Reform, but here named as DLA) (the national and the provincial one) and the provincial Department of Agriculture (DoA) as a weak organization. There were 50 participants in this case study; bureaucrats and politicians. When they were asked about the cooperation between the DoA and the DLA only 13 percent stated that the cooperation between both of these

²⁵⁶ Gran, Thorvald: Land politics and trust relations in government, p. 104.

²⁵⁷ Ibid.

²⁵⁸ Ibid., p. 107.

²⁵⁹ Ibid.

²⁶⁰ Ibid.

²⁶¹ Ibid., p. 115.

bureaucracies was okay. A majority of 87 percent stated that there was a need for (massive) betterment. As a result, it is to say that there is much distance and distrust between the DLA and the DoA. And there is another problem in land reform resulting from this distrust: Even if people get a piece of land by an arrangement with the DLA the implementation of infrastructure necessary is still in the hands of the DoA. And in many cases this infrastructure is not materialised. “Disarray in management of newly acquired land and reproduction of the poverty setting from the original homestead is often the result.”²⁶²

Moreover, according to Gran’s study,

*“[...]commercialisation has more support in the agricultural bureaucracies than in the provincial legislatures. Distrust between sectors (industry and agriculture) between institutions, between legislatures and public administration, between departments (DLA and DoA) and between political parties (elsewhere called pillarisation) was [within the study] the rule rather than the exception.”*²⁶³

The DLA could, when it comes to land reform, as one of its competences, focus on people who live on the countryside and whose living conditions are marked by communal tenure or a form of subsistence economy. But those people are not regarded by government in terms of land reform. But “As a national department with provincial offices independent of provincial government, it [the DLA] has the potential to radically develop and influence government policy.”²⁶⁴ Furthermore, the DoA is still focused, with all its knowledge and competences, on large-scale farming. And to turn this to a focus on the people on the countryside above-mentioned will be a long-lasting process, if it is possible at all. In general, it is to say that the expectations of what government would deliver were quite high in 1994. But since then, the trust based on these expectations shrunk.²⁶⁵ This is also shown by interviews with non-farmers (except farm workers) I conducted. First of all, two of the non-farmer interviewees (a manager from the agribusiness sector and a researcher) questioned for their attitude towards the necessity of a land reform in South Africa both say that a land reform, or more specifically redistribution and restitution, are absolutely necessary.²⁶⁶ But: Furthermore, I questioned this group of interviewees about their trust in government or in the state respectively its representatives. The outcome is that the “White” interviewee says he has absolutely no trust in the state’s capabilities

²⁶² Gran, Thorvald: Land politics and trust relations in government, p. 115.

²⁶³ Ibid., p. 116.

²⁶⁴ Ibid.

²⁶⁵ Ibid., pp. 116/117.

²⁶⁶ Source: Interviews X6, X7.

to handle agricultural affairs.²⁶⁷ The “Black African” interviewee says that “[...]they have done well in creating the wealthy white elite. But, they have not done well in creating the black wealthy elite.”²⁶⁸ The “White” manager questioned mentions, for instance, reasons as general incompetence or a lack of technical skills for his distrust. Also, he says there was, generally, more optimism in reference to the state in the era of Mandela and that the EFF’s current hatred against “White” people causes distrust towards the state.²⁶⁹

These were the statements of wealthier people, but also when it comes to the poorer masses it is to say that trust “[...]in the rural areas is transformed to faith in traditional leadership and paternal authority (in extended families). Unemployment and landlessness increases the feeling of risk, even danger and forces many to withdraw from the democratic process.”²⁷⁰ Because the South African state mainly focuses on commercialisation and emerging farmers (people who live on communal tenure or simply pursue subsistence agriculture on the countryside are neglected) there is distrust. The state, or rather public institutions, doesn’t seem to trust the subsistence and communal oriented people. There are no special schools or administrative offices or processes for these people to include them. Finally, it is to say that

“Drawing the rural millions into the democratic process seems to be dependent on an appropriate infrastructure for bricolage [subsistence and communal oriented forms of living/ agriculture] being put in place, bricolage and traditional-bound societies being connected ‘softly’ into the modern (through education connecting the specific local with general/ globally valid knowledge) and communities being connected into markets.[...]Lack of infrastructure for the cultural economy of bricolage isolates and impoverishes rural communities.”²⁷¹

The South African government should, in order to support a successful development of the rural areas (to fight poverty and unemployment, for example), respect the “bricoleurs” sort of living and economic behaviour, for instance. Another possibility is that the private commercial sector opens its doors for the “bricoleurs” and supports the creation of new market and job opportunities on the countryside. “A key problem in the existing land administrations is the lack of personnel with cultural values, knowledge and experience from the bricolage rural areas. (An

²⁶⁷ Source: Interview X7.

²⁶⁸ Source: Interview X6.

²⁶⁹ Source: Interview X7.

²⁷⁰ Gran, Thorvald: Land politics and trust relations in government, p. 117.

²⁷¹ Ibid.

expanded system of rural schools and ‘community’ public administrations could mitigate the problem.)”²⁷²

6. Conclusion

Now, what do all these findings mean? That shall be the central question of this final chapter. I want to remind the respected reader about the main question of this thesis:

How did the approaches to solve the land question in post-Apartheid South Africa develop and why is the land question not solved until now?

To answer this question I presented, supported by the descriptions of the geographical regions where the research for this field study was done, various approaches of the South African government to solve the land issue as well as the resulting consequences. This led to several striking aspects which I want to summarize in the following sections.

First of all, I decided to take several aspects into account. For example: What were phrases and statements which were repeated during the single interviews? What did or does the state do in order to satisfy the hopes and needs of the people; is the state neglecting the life circumstances (including emotions!) of the people in its effort to solve the land issue? Where were or are conflicts between the state’s and the citizens’ interests?

Finally, there were two essential dimensions which came onto the surface of the big ocean of data, facts and feelings: The material and the emotional one. The material dimension is mainly the sphere in which the facts, for instance the political approaches to solve the land issue, float. The emotional aspect, obviously, includes people’s feelings. I realized, while evaluating the interviews in comparison with other sources (scientific literature and newspaper (or magazine) articles), what were essential elements of South Africa’s society. During the process, I came to the conclusion that the country’s fate, to say it in such a pompous manner, partly (!) depends on the government’s ability to convince people to support its land reform. This is crucial because the amount of trust and confidence which people have in their government seems to be one of the decisive aspects in reference to the extent to which the government can try to pursue land reform. In South Africa, the creation of trust and confidence in the government seems to be based on the ability of the government to react to people’s emotions; to their life

²⁷² Gran, Thorvald: Land politics and trust relations in government, p. 117.

circumstances; to their (daily) hopes, fears, troubles and desires. Therefore, the ability to develop a sense for the different mentalities of the South African citizens should be probably one of the crucial skills of a South African government official, nowadays. The reason for this was sketched, for instance, by showing a few details of the two researched provinces, Gauteng and Western Cape. It was demonstrated that there are (many) separations between the different (ethnic) groups, at least in Gauteng. There, Apartheid has not ended in some dimensions and in the Western Cape a big part of the population, the „Coloureds“, (probably) has to be convinced in reference to the importance of land reform. Their mindset, for example shaped by Apartheid and by their position between “Whites” and “Black Africans”, has to be taken into account. To make a first attempt to answer the question why the land issue is not solved yet: The government, in fact, neglects in some way the real life circumstances of people; it neglects the fact that there are (ethnic) boundaries and, therefore, there are different points of view. To give these differences a common roof, and to respect identities as the afore-mentioned “farmer identity”, is probably the huge challenge for any South African government to avoid conflicts between the state and its citizens. But this can only be achieved by giving every population group, and especially young (or future) voters, the impression that their (emotional) needs are taken for serious. Also, the state has to provide adequate post-settlement support to take the needs of the new farmers and beneficiaries of land reform into account.

But the question of why the land issue is not solved yet needs a more detailed answer. As I said, there are two spheres: The emotional and the material one. Here, the emotional aspect is the one to deal with. As said before, emotions mean feelings; dreams, hopes, fears, happiness and much more. But: Since 1994, what did the South African government do to respect the citizens’ emotions; to take them into account in reference to political approaches to solve the land question?

As I found out by my research, there were numerous approaches by the government. There were, for instance and in this order, the Settlement/Land Acquisition Grant approach, the Land Redistribution for Agricultural Development strategy, the Proactive Land Acquisition Strategy (PLAS) approach or the State Land Lease and Disposal Policy. Although it was shown that the state’s apparatus often is and was marked by incompetence or inefficiency (or even distrust between the different state’s organs or parties), especially the last two approaches are focusing on a system in which the state remains owner of the land and the actual beneficiary of land reform becomes a dependent of the state. The question of the strategic partners is an issue as well. The necessity, enforced by the state by its PLAS-approach, to have such a strategic partner

to get public funds is to see very critically. Because of the fact that established agribusiness or previous farmers can get the actual control over properties which were meant to be redistributed; this is one of the reasons why land reform failed in the past. It is possible to say that land reform in South Africa has completely failed in reference to security of tenure, fighting poverty, gender equity or the sustainable use of land. There is, according to researchers, no new class of smallholder “Black African” commercial farmers and old power structures are not changed; people who should be beneficiaries of land reform (for instance farm workers or small-scale emerging farmers) are not supported while big “White” companies and a few “Black African” business people are benefitting. What is striking is that the even some government departments don’t seem to be interested in working together and thereby not support a change in the processes regarding to land reform. Again, it seems that it is a strategic course probably set to make the beneficiaries of land reform permanent dependents. It is obvious that the South African state, in regard to redistribution or to restitution, has set a course which strictly focuses on the development of a class of beneficiaries, which means new farmers, of whom the state is completely in control. During the presidencies of Mandela, Mbeki, Zuma and Ramaphosa it was (is) remarkable that there was a considerable shift: While land reform was mainly a program for the poor under Mandela, it changed to a concept which had as an aim the support of farming which was commercial as well as large-scale orientated.

Bout now on the field research: The findings of my research make it obvious that there were several statements repeatedly said (during the interviews). First of all, there was the obviously deeply imbedded fear, within the faction of farmers and non-farmers, of South Africa becoming a Zimbabwe-similar country in reference to, for example, expropriation without compensation and the (economic) situation resulting from that. My research shows that there are fears of South African farmers and non-farmers because of the glooming scenario of, for instance, food scarcity, poverty and violence. The South African governments of the past didn’t take these fears actively into account because of the fact that they stuck to their political path which supported the economic success of big agribusiness and a few beneficiaries of land reform and wealthier people.

As another reason for why the land issue of South Africa is not solved yet, there is corruption. And resulting from that is a cry to fight it. This sort of statement occurs in the interviews with farmers and farm workers as well. Besides, there are more problems mentioned causing, for example, injustices, disparities and tensions within the society. So, as said previously (and as it was “confirmed” by in-official talks with locals), the South African state puts too much political

weight on the land issue itself and it seems that it neglects the other severe problems causing trouble in South Africa. This is because of the fact that there are several arguments: Firstly, since the days of Nelson Mandela as president, the South African governments missed it to significantly (!) improve, for example, national or local infrastructure, the education system or the health system. Among my interviewees, there was the opinion that the state still does nothing referring to that until nowadays. Also, unemployment still was mentioned as a big issue in the country. So according to the literature and, even more important, referring to the emotional focus of this work, the South African state has proven that it neglects the feelings, the desires and hopes, of its citizens. Again, this becomes even clearer when there is recognized the fact that there is, against the hopes and expectations of many citizens who witnessed the political change in 1994, still nepotism as well as corruption within the state's organs.

So this leads us to one very important aspect of this work: Absolutely perceptible in South Africa is a massive lack of trust in the state or in the government itself. In this work, this was shown by several examples. For instance, all the farmers ("White" or "Coloured") interviewed don't trust the state or the state's knowledge of how to handle agricultural affairs or they simply don't think the state will do anything to improve the general situation. Furthermore, and more specifically, there was not done enough for the purpose of post-settlement support. This is recognized by the literature, officials and by my interviewees as well. But it is remarkable that "White", "Black African" or "Coloured" interviewees all mention other problems as, for instance corruption or bad infrastructure, either in the same breath with land reform or as even more important than land reform itself. So the question has to be raised whether the land issue has become an empty question; a matter of mere political rhetoric and populism without any true, realistic circumstances-based content.

Also, in reference to the question of expropriation without compensation it became obvious that there are other problems as unemployment which, according to a farmer interviewee, have to be fixed first. The fact that there is no (or not much) trust in government on the side of some of the interviewed farmers or researchers and the fact that they fear a new Zimbabwe in South Africa or a power-abusing state is striking.

So there is one (?) essential question which arises: The South African government has to decide what it will do in reference to the land question. Will it still focus on the present economic-political course which prefers to support the large-scale farming and the success of a few or will it take into account completely new parameters? For example, will the government take

into account the mindsets of the different groups of the country as a decisive factor to set political-economic aims? One of the keywords here is infrastructure creation.

Moreover, there is one aspect to stress: It seems absolutely necessary to make efforts to include the rural masses into politics on the one hand; to make them participate actively and to give them the opportunity to inform themselves and to educate them in agricultural affairs on the other hand. This would put some pressure on the government because politicians would become more and more accountable for their actions. And this would create trust because of the fact that politicians would have to take into account the voices of the masses which would argue on a basis of knowledge and awareness. Also, there could be less distrust of the farmers in reference to the farming skills towards the landless masses and thereby a consensus among the South African citizens as well. This is only one aspect of the topic but it leads to a crucial question: Will the government only take into account the masses' voices or will it also respect the minorities with their special fears, needs and hopes and search thereby for consensus within the population. This includes the search for a compromise with traditional leaders as well. One question is unavoidable: How to deal with the claims of minorities as the Khoisan? They, for instance, have been (much) longer on the land than the "White" or the "Black African" people.²⁷³ So a debate which revolves around the question of who has legitimate demands on land must take (more) into account such facts or search for new premises.

To conclude this thesis there is the following to say: The land issue in South Africa is definitely not solved yet – despite the efforts of the (previous) government(s) to do so. This is mainly because of the fact that the South African government and the state's organs obviously neglected the necessity to respect the needs and desires, the hopes and the fears of the mass of the South Africans until now. But doing so would enable the state to generate trust in itself and especially in reference to its ability to handle agricultural affairs. In and post 1994 the citizens had huge expectations that there would be massive improvements within the system. But the state, and especially the ANC, failed to deliver and in most cases there remain empty promises only. The current debate over land reform seems as a mere populist instrument to mobilize the masses – also in regard to the upcoming national elections. One can say – as Lahiff does – that reasons as a complicated application process, the financial limitations of the land reform programme and an ineffective bureaucratic apparatus are hindering the land reform process massively. But obviously these are just a few factors. Instead, the South African government has often accused for the failure of land reform the "[...]resistance from landowners and the

²⁷³ This question and this point arose a few times in informal conversations during my field research.

high prices being demanded for land[...].²⁷⁴ But, as said before, there is much more as the (hidden) conflicts (as distrust resulting from non-delivering of jobs by the state, for instance) between the state and the citizens. So the South African government can decide: Either they can continue with blaming the people or they can start to respect the people's mindsets and thereby reduce the distrust towards the state which makes a land reform so difficult. This has to happen first; before the land issue can be solved. To reach this, to generate trust in the South African government, there have to be substantial improvements in South Africa, for example in infrastructure or education or the fight against corruption. So, as stated above, the land issue is not the one and only problem in South Africa and the government must set its priorities urgently; it should address the country's citizens' actual needs and hopes and show them that something is done with their money which is good for the majority and for the minorities in South Africa as well. Furthermore, the state has to reconcile the different groups of the country and it must show the individual that his sorrows, fears and wishes are taken for serious by qualified personnel (in the frame of land reform). Also, land reform measures must fulfill the citizens' interest; which takes into account, for instance, food security or the people's desire for dignity and treating the people of South Africa as equal partners of government.

Finally, it becomes obvious that, although there were (huge) efforts in land reform, there remains a lot of work to do for any future government and for this reason, the upcoming elections of 2019 will probably become another big turning point in South Africa's history.

²⁷⁴ Lahiff, Edward (2007): 'Willing buyer, willing seller'. In: Third World Quarterly Vol. 28 (8), pp. 1577-1597, p. 1581.

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- 3) Interview X4: Interview with a “White” manager (from agribusiness); conducted on the 23rd of July 2018 in Pretoria, Gauteng, South Africa.
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- 5) Interview X6: Interview with a “Black African” researcher; conducted on the 26th of July 2018 in Johannesburg, Gauteng, South Africa.
- 6) Interview X7: Interview with a “White” researcher; conducted on the 27th of July 2018 in Johannesburg, Gauteng, South Africa.
- 7) Interview X8: Interview with a “Coloured” farmer; conducted on the 1st of August 2018 in Laingsburg, Western Cape, South Africa.
- 8) Interview X9/X10/X11: Interview with three “Coloured” farm workers; conducted on the 3rd of August 2018 in Murraysburg, Western Cape, South Africa.
- 9) Interview X12: Interview with a “White” farmer; conducted on the 6th of August 2018 in Murraysburg, Western Cape, South Africa.

10) Interview X13: Interview with a “White” farmer; conducted on the 7th of August 2018 in Graaff-Reinet, Eastern Cape, South Africa.

11) Interview X15: Interview (via telephone) with a “White” farmer; conducted on the 9th of August 2018 in Murraysburg, Western Cape, South Africa.

List of abbreviations

ANC: African National Congress

CASP: Comprehensive Agricultural Support Programme

CBD: Johannesburg Central Business District

CPA: Communal Property Association

DoA: Department of Agriculture

DLA: Department of Land Affairs (today: Department of Rural Development and Land Reform)

EFF: Economic Freedom Fighters

GCR: Gauteng City-Region

GEAR: Growth, Employment and Redistribution

IRR: Institute of Race Relations

LRAD: Land Redistribution for Agricultural Development

MAFISA: Micro-Agricultural Finance Schemes of South Africa

PLAS: Proactive Land Acquisition Strategy

RDP: Reconstruction and Development Programme

Summary

The master's thesis "The land question in South Africa – a society's touchstone" is written by Thomas Marc Krizek, B.A. in 2019 and deals with the land issue in South Africa. The central question is: How did the approaches to solve the land question in post-Apartheid South Africa develop and why is the land question not solved until now?

The actual work starts with the methods which are used for the interviews conducted for this study. After this, there is an introduction of the South African provinces of Western Cape and Gauteng (where the research was done). The author presents the local people and the specifics of the regions to the reader. The next parts of the thesis mainly deal with the developments which the author classifies as responsible for the current land distribution situation. There, he deals with, inter alia, the single presidencies since 1994.

To deal with the thesis' main question the author has been doing interviews in the Republic of South Africa during July/ August 2018. So this is a qualitative study. The interviews include talks with different partners from the agricultural branch and other ones. The focus of the interviews and the literature- and sources-based research (and thereby of the thesis) is on conflicts between the South African state and its citizens. In this respect, one of the most important questions is how South Africans perceive(d) the state's measures to solve the land issue. The focus is on the citizens' emotions and the author tries to show the fears or expectations of people. Thereby, he wants to make visible the discrepancies between the expectations of South Africans and the state's measures, for instance.

Resulting from this thesis, there is, for example, the fact that there is a huge amount of distrust towards the state and its representatives. This makes a solution to the land question even more difficult. The citizens' massive distrust needs to be seen as a (hidden) conflict within the state of South Africa. Also, there is the fact that the South African state, respectively the current government and the former ones, do (did) nothing to create trust in itself among the broad mass of South Africans. In this work the author shows that it is a common view among the interviewees that the state is incompetent, makes empty promises and does nothing to improve the general situation in the country.

Finally, these facts prove that the South African state has to solve the trust issue before the land issue. Therefore, it has to make substantial improvements happen in the country.

Zusammenfassung

Die Masterarbeit “The land question in South Africa – a society’s touchstone” ist von Thomas Marc Krizek, B.A. im Jahr 2019 geschrieben und behandelt die Landfrage in Südafrika. Die zentrale Frage ist: Welche Ansätze wurden bisher gemacht, um die Landfrage im post-Apartheid Südafrika zu lösen und weshalb ist die Landfrage bis heute nicht gelöst? Die eigentliche Arbeit beginnt mit den Methoden, welche im Rahmen der für diese Studie durchgeführten Interviews genutzt werden. Hiernach gibt es eine Einführung in die südafrikanischen Provinzen Gauteng und Western Cape (wo die Forschung getätigt wurde). Der Autor präsentiert dem Leser die lokale Bevölkerung und die Besonderheiten der Regionen. Die nächsten Teile der Arbeit behandeln hauptsächlich die Entwicklungen, welche der Autor als verantwortlich für die gegenwärtige Landverteilung erachtet. Hier behandelt er, unter anderem, die einzelnen Präsidentschaften seit 1994.

Um die Hauptfrage dieser Arbeit zu behandeln, hat der Autor Interviews in der Republik Südafrika im Juli/ August 2018 durchgeführt. Daher ist dies eine qualitative Studie. Die Interviews umfassen Gespräche mit verschiedenen Partnern aus dem landwirtschaftlichen Sektor und anderen Bereichen. Der Fokus der Interviews und der literatur- und quellengestützten Forschung (und damit der Arbeit) liegt auf Konflikten zwischen dem südafrikanischen Staat und seinen Bürgern. Diesbezüglich ist eine der wichtigsten Fragen, wie Südafrikaner die staatlichen Maßnahmen, um die Landfrage zu lösen, wahrnehmen und wahrnehmen. Der Fokus liegt dabei auf den Emotionen der Bürger und der Autor versucht die Ängste oder Erwartungen der Menschen zu zeigen. Dadurch will er beispielsweise die Diskrepanzen zwischen den Erwartungen der Südafrikaner und den staatlichen Maßnahmen anschaulich machen.

Diese Arbeit hat zum Beispiel zum Ergebnis, dass es massives Mißtrauen gegenüber dem Staat und seinen Repräsentanten gibt. Dies macht eine Lösung der Landfrage noch schwieriger. Das massive Mißtrauen der Bürger muss als (versteckter) Konflikt im Staat Südafrika gesehen werden. Auch besteht die Tatsache, dass der südafrikanische Staat, beziehungsweise die gegenwärtige Regierung und ihre Vorgänger, nichts tun (oder taten), um das Vertrauen der südafrikanischen Massen in sich zu stärken. In dieser Arbeit zeigt der Autor, dass es eine gemeinsame Ansicht der Interviewpartner ist, dass der Staat inkompetent ist, leere Versprechungen macht und nichts tut, um die allgemeine Situation im Land zu verbessern.

Letztendlich zeigen diese Fakten, dass der südafrikansiche Staat zuerst Vertrauen erwecken muss, bevor er die Lanfrage löst. Daher muss er für fundamentale Verbesserungen im Land sorgen.