

NATIONAL LAND COMMITTEE

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NATIONAL LAND COMMITTEE PRESS STATEMENT ON THE GOVERNMENT WHITE PAPER ON LAND REFORM 12/3/91

The National Land Committee's initial response to the government White Paper on Land Reform is one of disbelief. The document far from being a proposal for a serious land reform, is based on extending the existing system of land rights, without abolishing existing inequalities or dealing with the apartheid legacy and a long history of dispossession.

The white paper explicitly refuses to consider the restoration of land to communities who were forcibly removed. It says this is not feasible and demands that these communities should accept their present position. We believe this to be an unreasonable and unfair demand.

For us, the starting point of any programme of land reform has to be the willingness to acknowledge and rectify the wrongs of the past. Unless this is done, no attempt to change the system of land rights will have any legitimacy or credibility.

For decades the millions of victims of forced removals have waited for their land to be given back to them. Their entirely reasonable expectation is that now that the legislation which dispossessed them is being abolished, they should be allowed to get their land and homes back. The fact that most of this land is still in state hands, makes it a demand that would be easy to meet.

NLC believes that the government's refusal to restore communities to the land to which they have legal claim and historical rights, discredits the white paper.

The government is attempting to retain, as far as possible, the present apartheid geography. It rejects redistribution, talks about differential standards, insists that individual tenure is the best form of land-holding and severely circumscribes the capacity of communities to farm communally without state intervention.

All of these measures have been taken without any community consultation. Despite President De Klerk's claims in his preface of

widespread consultation, not one community with whom NLC works, has ever been asked what they want from a future land dispensation. As such the white paper has excluded a vital constituency - the only one that can make these proposals workable on the ground.

From its starting point, that the past must be forgotten, the government does attempt to upgrade ownership rights. Were it not for the parameters of the white paper as a whole, this would be a move that we would welcome, with the proviso that it takes place in a way that does not dispossess the very poor.

The white paper and its related legislation are due to go through parliament in a very short period of time. We question why at a time when national constitutional negotiations are about to take place, the government is in such a hurry to institute these changes. It seems to us that this is a pre-emptive move designed to entrench a system of land tenure and ownership that will serve the interests of the present government into the future, and make it much harder for a democratic state to introduce more fundamental reforms.

NLC calls on the government to scrap the clause in the white paper which rejects land restoration and to consult with the communities who are coming forward to make their land claims. This can be the only basis upon which to build a meaningful land reform.

ANC PRESS STATEMENT ON THE GOVERNMENT WHITE PAPER ON LAND REFORM.
12\3\91

The ANC's response to the government white paper on land reform is one of outrage and deep disappointment.

In his preface to the document the State President states that "this document is also the result of extensive consultations, deliberations and negotiation." The ANC would like to make it clear that we were never consulted on the document, and that the communities who have been the victims of land dispossession were also not given the opportunity to express their views on the matter.

The emotion and potential conflict around land referred to by the State President emanates from the history of dispossession and the policy of apartheid that robbed the majority of South Africans of the land.

The white paper on land reform does not acknowledge this at all. On the contrary it presents a view of the history of black dispossession that absolves the white population of all responsibility for the existing unequal land dispensation. In the ANC's view until the present government recognises the reasons for the present situation and commits itself to rectifying the wrongs of the past, no attempted land reform can ever hope to win legitimacy or credibility from the majority of our people.

In the white paper the government takes the geography of apartheid as its starting point and explicitly refuses to deal with the landlessness and dispossession that is the direct legacy of apartheid's policy of forced removal and bantustan consolidation. In section A 2.11 (f) of the document it says that a programme to restore land to communities who were forced to give up their land on account of past policies or other historical reasons "would not be feasible." Instead it maintains that the "present position should be accepted".

For the ANC restoration of land to the victims of forced removal must form the underpinning of any credible land policy.

The white paper explicitly rules out the possibility of any redistribution of agricultural land. The ANC believes that in order to rectify the gross imbalance in land ownership redistribution cannot be left simply to the market. This is not only our view, National African Federated Chamber of Commerce (NAFCOC) in its recent land policy paper makes the same point.

In our view the document also perpetuates racist perceptions and practices and so maintains the situation where there is one set of standards and practices for whites and one for blacks.

For example, in the sections of the white paper dealing with the abolition of the Group Areas Act and urban land provision, the notion of "standards" becomes a thinly veiled protection of white privilege. For example on Page 11 B4.4.3 the document states that "...at this stage the accent should be on minimum standards and the systematic upgrading thereof. Those who have already reached

a high standard, are entitled to a higher order of services and to the maintenance of values appropriate to their lifestyle." (our emphasis) We can but wonder who this refers to. Again, in the accompanying document on page 10 the government says that "Town planning and the expansion of towns will be regulated in accordance with the needs and level of sophistication of the community concerned" We ask who will determine this level of sophistication and on what basis?

The approach to communal tenure also worries us deeply. The government maintains it will allow the system to continue to exist, but has also constrained it by a high level of administrative intervention which will make it very difficult for communities to maintain this system.

Yet nowhere is there any suggestion that white farmers be subject to similar state control procedures to ensure that they farm within the carrying capacity of the land and do not build their houses on high potential land.

The pressures in the white paper to force black communities to choose individual over communal tenure reminds us of the disastrous experience of the betterment policy which destroyed the remaining base of black agriculture in the 1940's and 1950's.

The white paper also does not deal with the pressing need to restructure the commercial agricultural sector. The Development Bank of Southern Africa (DBSA) among others has pointed out the crisis in this sector, its indebtedness, the environmental damage caused by mono-cropping etc. Surely a land reform for a new South Africa must overcome the dualism inherent in our present reality and address the challenges of one agricultural system in one country.

The ANC is committed to a fundamental land reform that will entitle all South Africans to equal access to land. This of necessity implies dealing with the apartheid legacy and restructuring our agricultural economy and spatial reality in a fundamental sense.

In our view the white paper does not do this. This is regrettable, since its attempts to provide ownership rights to blacks who are presently tenants would otherwise be seen as a positive move.

Finally, this document is not a land reform document as it claims. Its effect is to codify the present state of dispossession under the cover of free market proposals. All this emphasises the need for speedy progress in negotiations for a constitution that will be democratic and serves the interests of all the people.

Land Reform means land redistribution. This document explicitly rejects land redistribution.

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