Peace, Development, and the Unresolved Land Issue in South Africa

Anna Jarstad
Department of Government, Uppsala University, Sweden

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Power sharing where former enemies form joint governments are common stipulations in peace agreements. However, such governments often mean political deadlock and about half break down into a return to civil war (Jarstad & Nilsson, 2008). South Africa is a case where power sharing involving parties representing both Blacks and Whites eased the transition from apartheid to democracy, and its success has often been referred to as a “miracle” (Sparks, 2003, p. vii). Yet, a quarter century after the end of apartheid, it is clear that a major issue that was not resolved during the peace negotiations—the land issue—still shapes the character of the peace. Thus, the case of South Africa highlights the crucial but often overlooked role of land issues in peace building.

During the campaign ahead of the May 2019 general elections, the land issue became a major polarising factor. The radical left-wing party Economic Freedom Fighters (EFF) gained 44 seats (+19 since the election in 2014) out of the total 400 in the National Assembly, and about half of the Afrikaner population (who traditionally were farmers, boers in Afrikaans) voted for a small right-wing nationalist Afrikaans party, Freedom Front Plus (FF+). This party gained 10 seats (+6 compared to 2014) (The South African, 2019). Despite their small size, the rhetoric increases insecurity in the country. Frustration over lagging land reform contributes to land occupations and threats against White farmers. This may be spurred on by EFF’s demands for confiscation of land without compensation, even though EFF’s leader Julius Malema (2018) says that they do not support violence against White farmers, “at least for now.” The FF+, in turn, has publicly warned of civil war if the EFF pushes through its demands (SABC News, 2019). The election results thus reflect a very polarised South Africa. What can this tell us about the miracle of peace in South Africa? What are the consequences of the unresolved land issue?

Since the abolishment of apartheid, South Africa has undergone tremendous changes where those previously excluded from power—the Black majority—have gained power in democratic elections and where Whites and Blacks work together in government agencies. However, the great economic inequalities during apartheid have even been exacerbated during the democratic era (World Bank, 2018). South Africa is now the country with the highest Gini coefficient, implying the greatest income gap between rich and poor in the world (OECD, 2020). As this income gap corresponds to racial lines, it means that few Black South Africans can afford to buy land. Hence, according to the latest Land Audit Report

Corresponding Author:
Anna Jarstad, Department of Government, Uppsala University, 752 36 Uppsala, Sweden.
Email: anna.jarstad@statsvet.uu.se
(2017), 72% of arable land is owned by Whites who account for less than 10% of the total population (World Bank, 2016). The segregation is also reflected in the residential areas, where some areas are considered White, whereas others are Indian or Black. During apartheid, South Africa was largely a “non-contact” society where intergroup relations outside work was illegal, and in many residential areas and former “homeland” territories, not much has changed (Foster & Wale, 2017, p. 72). In a survey from 2000 to 2001, 76% of Black respondents reported that they had hardly any or no contact outside of work with other groups (Gibson, 2004). Thus, the level of economic and social racial segregation is very high.

The attempts to solve the land issues imply a difficult balance between implementing land restitution and the right to return, and the protection of property rights (Hall, 2004). According to Weideman (2004), the attempts to solve the land issues in South Africa have developed into a three-part, legalistic, demand-driven, market-based (i.e. willing buyer and willing seller) land reform programme. For long, the property clause in the Constitution (Section 25) of 1996, which was a key demand of the White regime in the negotiations to retain economic power, delayed land redistribution. The Reconstruction and Development Programme instead includes the provisions of social grant projects, the adoption of affirmative action, Black economic empowerment, and preferential government procurement rules. Apart from institutional obstacles to the land policy, there are also competing meanings of land in contemporary South Africa (Walker, 2012). Justice is often seen as an important aspect of peace, but as it is articulated in the White Paper on Land (1997), it remains unclear what land justice entails. In December 2018, the parliament voted in favour of beginning the process of amending the Constitution to provide for the possibility of expropriation without compensation. After an extensive public consultation process, a revised draft bill was sent out for another round of public consultation (J. Lekala, personal communication, January 20, 2020; BusinessTech, 2019).

Drawing on interviews conducted with activists in three informal settlements in Johannesburg: Thembelihle, Protea South, and Makausa in March 2017 (in total 11 interviews), as well as interviews with the Orania Movement and an MP for FF+ in the White community Orania, Northern Cape (four interviews), and in the rural and in the rural area around Hogsback in Eastern Cape (two interviews) in November 2019, I demonstrate how the unresolved land issue affects the various parts of society and has profound consequences for the character of peace in South Africa, the level of security, health issues, economic development, and the issue of citizenship and belonging.

Landless Rural Poor and Farmers

During apartheid, a large share of the population was evicted from fertile land and moved into so-called homelands. According to the Natives Land Act of 1913, no Black person had the right to individually own land. Instead, the chiefs control communal land, and even today, very few Blacks in rural areas own the land they live on. Instead, some are tenants and pay rent, whilst other people just live illegally on occupied soil (Sihlongonyane, 2005).

Despite being a relative wealthy country, there is great food insecurity. In 2018, 26% of the South African households were experiencing hunger, and in rural areas, the level of malnutrition was even higher as 36% experienced hunger (Oxford, 2018). This issue is exacerbated by several years of drought in the country, which has killed a lot of livestock and has forced farmers to abandon their soil. In addition to the lack of sufficient fertile land available for agrarian reform, this means that the job opportunities in the countryside are even more at risk, with increased poverty as a consequence.

There are still very few Black commercial farmers (Land Audit Report, 2017). The reasons include the following: First, that it is extremely costly to run a modern commercial farm, with the need for irrigation and expensive machines, and few rich individuals are interested in agriculture, which needs both hard manual labour and a long-
term engagement before making profit. Second, since Black people have not been allowed to own land, there is no tradition of large-scale farming, and the lack of know-how has made many of the few Black owned farms collapse.²

Both Black and White farmers also face security threats and testify of tense relations with the neighbouring communities (Burger, 2017). Amongst White farmers, there are fears that they will be given a choice of leaving the country or getting killed.³ This fear is exacerbated by the leader of EFF, Julius Malema, who during political rallies often sings a song that includes the phrase “Kill the Boer.” After conviction for hate speech in 2011, Malema (2019) has replaced it with “Kiss the Boer,” but the song still includes lines like “shoot the Boer” and gestures of guns being fired. Malema (2018) has also publicly said: “We are not calling for the slaughter of White people, at least for now...” The increased political polarisation gives rise to fears of farm occupation, farm murders, and forced removal from farms without any compensation for machines or land. Many White farmers also do not believe that they would find another type of job, especially since affirmative action policies favour those that we discriminated against during apartheid. This is also a reason why not many farmers sign up as “willing sellers,” in line with the official governmental policy to redress the injustices in land distribution.⁴

The Land Issue in the Cities

The demand for land reform is not limited to an agrarian reform. Due to the lack of land ownership and livelihoods in the countryside, many rural poor move to the cities and erect shacks on occupied soil in informal settlements. Despite not owning the land, there are often self-acclaimed landlords who demand rents from other shack dwellers.⁵ Over time, many of these informal settlements have taken on more formal characteristics, where the city has provided the area with running water, toilets, and sometimes even electricity. Such developments are often results of service delivery protest, where inhabitants in informal settlements block roads and demand decent living conditions. Protestors often refer to their rights according to the Constitution, which states that everyone has the right to live in dignity and that land belongs to everyone who uses it. This line of reasoning is also used when inhabitants in informal settlements refuse to pay for electricity and water: The interviewees claim that due to past injustices during apartheid and because they are poor, they have a right to service delivery without paying for it, in order to live in dignity.⁶

Even when service is delivered, it can cause conflicts, as it is often the case that only part of the informal settlement is upgraded with electricity and running water, which causes jealousy or speculations about corruption.⁷ An upgrading often means that the inhabitants have to be relocated to another area during construction, which causes fear that someone else moves into the new houses. For this reason, upgrading often involves forceful eviction and police brutality and renders people homeless.⁸

Concluding Remarks

The unresolved land issue has severe consequences for the character of peace in South Africa. A first consequence is its contribution to the high level of violence and feelings of insecurity. This affects inhabitants in informal settlements who fear evictions and the police brutality often associated with it. Farmers fear land occupations, where people illegally set up structures on their property as well as violent physical attacks. Second, it also affects the health of many South Africans, especially the large share of the population who are constricted in informal settlement without sanitation, electricity, and water and the landless poor in the rural areas. A third consequence is that it hampers economic development. Without secure land rights, few invest in a proper house in an informal settlement, and uncertainty about the policy of confiscation of land without compensation makes farmers hesitant to invest, which could threaten food security. The lack of a land reform means that poor people remain poor and the inequality gap is increasing.
In addition, the land issue is of fundamental symbolic importance and brings to a head the issue of justice, whom the land belongs to, and who has the right to live on it. The issue of belonging and citizenship is perhaps the most important issue for justice and lasting peace. It shows how the legacy of aspects left unresolved in peace accords may continue to condition power relations long after agreements have been reached and that the unresolved land issue continues to hamper peaceful relations in South Africa. Agreement on land justice, which could improve the quality of peace, remains elusive.

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ORCID iD
Anna Jarstad https://orcid.org/0000-0001-8048-1868

Notes
1. Whilst there is no such thing as different human races in biological terms, in South Africa many people still refer to themselves and others in racialised terms such as Black and White, and this is also how I use them here.
2. Interview farmer, November 28, 2019, Hogsback, Eastern Cape, South Africa.
3. Interview Orania movement, November 22, 2019, Orania, Northern Cape, South Africa.
4. Interview Orania movement, November 22, 2019, Orania, Northern Cape, South Africa.
5. Interview activist 1, March 27, 2017, Thembelihle informal settlement, Johannesburg, Gauteng, South Africa.
8. Interview activist 4, March 29, 2017, Protea South informal settlement, Johannesburg, Gauteng, South Africa.

References


Author Biography

Anna Jarstad is a professor at the Department of Government, Uppsala University, Sweden. She currently leads a project on Relational Peace, which seeks to define, characterise, and analyse different varieties of peace that evolve after civil war (varietiesofpeace.net). She has also done research on power sharing—when former combatants form joint governments—and the nexus of democratisation and peacebuilding in war-torn societies, especially in Afghanistan, Bosnia-Herzegovina, Cyprus, Kosovo, Macedonia, and South Africa.