

AZANIAN PEOPLE'S ORGANISATION

**Submission to Parliament on
the Review of Section 25 of the
Constitution:**

Repossess the Land to Correct the Historical Injustices of Colonialism and
Apartheid



Table of Contents

1. Introduction	2
2. Retracing colonial and apartheid Legal Interventions to Dispossess Black People of their lands..	3
3. An Overview of Policy Positions on the Repossession of Land by the Black Consciousness Movement.....	4
3.1 South African Students Organisation (SASO).....	4
3.2 Black People’s Convention (BPC)	5
3.3 Black Consciousness Movement of Azania (BCMA).....	6
3.4 Azanian People’s Organisation (AZAPO).....	7
4. Constitutional and Legal Responses to Realise Land Repossession and Redistribution.....	8
5. Removal of Section 25 from the Country’s Constitution in Order to Effect Land Repossession ...	9
6. Historical Lessons of Land Repossession Struggles.....	11
7. Revolutionary Lessons on Agrarian Reform.....	12
7.1 Tanzania	12
7.2 Zimbabwe.....	14
7.3 Cuba	16
8. A compelling economic case for the Redistribution of Land to increase jobs, productivity in agriculture and to eliminate poverty and equality	17
9. The Socio-Cultural Significance of Land : The African Perspective	19
10. Foreign Ownership of Land.....	20
11. Poor Government Data and Information on Who Owns South African Land Where, and for What Purpose.	22
12. AZAPO and the Black Consciousness Movement Consistent Land Repossession post 1994 .	24
13. Further Policy Proposals on Effective and Expeditious Redistribution of Land.....	25
14. Conclusion.....	Error! Bookmark not defined.
15. Bibliography	30

AZAPO SUBMISSION TO PARLIAMENT ON THE REPOSSESSION OF LAND – DRAFT

31 May 2018

“Awaking on Friday morning, June 20, 1913, the South African Native found himself, not actually a slave, but a pariah in the land of his birth.”¹ Solomon Tshekisho Plaatje.

1. Introduction

From its very inception, The Black Consciousness Movement (**BCM**) has always asserted the centrality of land to its national liberation struggle. Our movement has always understood and foregrounded that our liberation struggle would be incomplete or ineffectual without the reconquest of our land.

The Azanian People’s Organisation (**AZAPO**) welcomes the recognition by Parliament at last, that the “sunset clauses” agreed to during the Kempton Park Negotiated Settlement; and the incorporation of the land question in the constitution, were not meant to strengthen constitutional democracy. To the contrary, they were used to hobble and to constrain any future democratic government from bringing forth a truly egalitarian society, to which agrarian reform is a fundamental imperative.

Section 25 of the Constitution of South Africa perpetuates an injustice against Black People while at the same time entrenching white privilege and supremacy, by making it impossible for land to be repossessed. It does this through the protection of land and private property, most of which was illegally acquired. This in turn prevents land from being fairly and justly redistributed to landless Blacks in order to address poverty, unemployment, food security and to facilitate cultural expression.

Reflecting on the place of the land in the national liberation struggle, the former member of the Black Consciousness Movement of Azania (**BCMA**), Bangani Tsotsi (1982), in what stands out as the most eloquent exposition of the national question in the struggle for a free Azania to date; and how this relates to the land and social questions, advanced the **BCM**’s position as follows:

*“Imperialism manifested itself in Azania, in its worst form, the form of settler colonialism. Not content with the appropriation of raw materials, their processing in its own industries and their eventual sale to the subject nation at exorbitant prices, imperialism took over occupancy, possession and ownership of the land. Thus it becomes about that the history of Azania is the history of land dispossession and attempts at repossession.”*² Tsotsi, B. *On the National Question* (1982).

¹ Opening line in S.T. Plaatje’s book. *Native Life In South Africa*, which documented the dispossession of African lands after the Native Land Act of 1913, was passed by the Union Government in South Africa.

² *Solidarity*, official organ of the Black Consciousness Movement of Azania, No 9, 1982.

The excerpt above captures **AZAPO**'s principled position on the historical injustice of land dispossession, and explains that usurpation of land from the indigenous African people was the principal form of colonial conquest of our people, and their subsequent subjugation. The intensification of their domination and exploitation was effected primarily through systematic theft and robbery of their land, since the arrival of European invaders on African soil.

2. Retracing colonial and apartheid Legal Interventions to Dispossess Black People of their lands

A variety of brutal measures and a myriad of draconian laws accounted for the dislocation, impoverishment and the complete domination of Black people by the white settler minority.

Land dispossession was also the common denominator and basis upon which most colonial and apartheid laws were hinged. Without a reference to land and geographic space, the Native Land Act of 1913, Group Areas Act, Bantu Authorities Act, Separate Amenities Act, Bantu Administration Act, and many of the most crude and brutal acts of colonialism and apartheid would not have been successfully implemented.

AZAPO concurs with the direction given by the former President of our organisation, Comrade Pandelani Nefolovhodwe, who has done extensive research and developmental work on land issues and peoples' agriculture, wherein he states that legislative interventions are imperative and necessary to undo the this odious legacy created by colonialism and apartheid on the face of our land:

Given that the majority of land dispossession happened through formal government interventions, and contrary to the assumed mantra that the majority of land dispossession happened through conquest, it is this correct to assert that the undoing of this injustice ought to occur through legislative interventions, and the principal actions towards this goal has to be the expunction of Section 25 of the Constitution. This must that be supplemented by other statutes that will strengthen expropriation and state and social land ownership interventions. Nefolovhodwe,

Kloppers GJ and Pienaar (2014) provide a very useful overview of how land dispossession of Black People happened over the years, and they aver that, "The most prominent instrument used by the apartheid regime to establish and enforce its policy of racial segregation was legislative intervention." ³

The Natives Land Act 27 of 1913

The Native Trust and Land Act 18 of 1936

The Group Areas Act 41 of 1950

The Group Areas Act 36 of 1966

³ The Historical Context of Land Reform in South Africa and Early Policies. Kloppers HJ and Pienaar GJ (2014).

The majority of the laws under the former and successive colonial and apartheid regimes were anchored on land and the designation of territory, in order to effect racial discrimination, social stratification and economic subservience of Black people.

Whilst the call for submissions takes on an overly legalistic approach to resolving the land question in South Africa, **AZAPO** has elected also to make a revolutionary, historical, ideological, economic, agricultural and socio-economic case and rationale, for the land to be repossessed from the colonial, white settler land usurpers.

AZAPO contends that they obtained this land violently and illegally in the first place, and nothing short of reversing, this injustice will restore the dignity as well as fulfil the historical aspirations of our people to have the land returned to them. This will be achieved, among other things, by vesting it under the ownership of the State for the benefit of all citizens, and not just a select white minority.

All revolutions in the world were primarily based on land, and post the defeat of the imperialists and colonialists, the democratic governments, proceeded to put land under social ownership under the custody of the state. The state then proceeded to parcel out land in a fair and equal manner for settlement, production and social usage.

We have hope and trust that this parliamentary process will help us to attain similar goals, without the need to resort to arms and violence. Unless this is achieved, the struggle for a truly liberated Azania will remain a continuing objective on the part of **AZAPO**, the majority of Black People and those who stand by the values of justice and fairness.

3. An Overview of Policy Positions on the Repossession of Land by the Black Consciousness Movement

Various components and formations of the Black Consciousness Movement have affirmed the core locus of the land in the prosecution of our revolutionary struggle. We recapitulate here, for the benefit of parliament and the Azanian people in general, our steadfastly held positions on the repossession of land, through the unrelenting 50 years of the struggle of Black Consciousness Movement.

3.1 South African Students Organisation (SASO)

SASO was the first formation of the Black Consciousness Movement in Azania when it was founded in 1969. This university-based student liberation movement underlined the fundamental importance of addressing both psychological and physical liberation as part of the struggle to free Black people from the shackles of living in a racist society.

While **SASO** did not expressly and directly address itself to the issue of land in its founding document, the very two first principles of the **SASO** Policy Manifesto can be interpreted to speak to this fundamental problem when it states:

“1. SASO is a Black Student Organization working for the liberation of the Black man, first from psychological oppression by themselves through induced inferiority complex, and secondly from the physical one accruing out of living in a white racist society.

2. We define Black people as those who are by law or tradition politically, economically and socially discriminated against as a group in the South African society and identifying themselves as a unit in the struggle towards the realization of their aspirations.”⁴

These two first principles of Black Consciousness were both directed to the national question, which fundamentally speaks to “consciousness”- ideology- as well as the physical attributes of oppression, which manifest themselves in spatial terms: lack of access to land, poor housing, lack of roads, inferior and inadequate schools, hospitals; and all things physical such as recreational facilities.

They underscore that our people were discriminated and dispossessed through laws, tradition, politically, economically and socially. Therefore, in order to reverse this history of discrimination, dispossession and deprivation, it will take continuous struggle and the promulgation of more just and fairer laws.

AZAPO asserts that, expunging Section 25 of the Constitution is the first logical act in the process of dismantling the physical discrimination against Black People, which is principally manifested through deprivation of land.

3.2 Black People’s Convention (BPC)

The sister and parent body to **SASO** the Black Peoples Convention (BPC), adopted a Programme of Action; ***Towards A Free Azania – Projection: Future State***, at its Conference held in King Williamstown in 1975.

This programme enunciated the principles that will guide the Black Consciousness Movement in order to deal comprehensively with the landless situation of Black People in Azania. The very first resolution of this Conference was on land, and it was articulated as follows:

“Para. 6. Ownership of the land, sea and air space shall be vested in the state

Para. 7. All citizens with reasonable need for land on which to have a home shall be allocated proportionate land for this purpose.

Para 8. Distribution of land to organised groups is it for sporting, religious, farming, industrial, trading, and commercial or any other such purposes shall be done in accordance with a central National Plan.”⁵

The above position as reflected in the BPC Manifesto makes it clear that land must be a socially owned commodity and will be distributed based on need by the state. What this

⁴ **SASO** Policy Manifesto, circa 1973.

⁵ The Quest For A True Humanity, January 78. Published after the BPC was banned on 19 October 1977.

position makes incontrovertibly clear is that land will primarily serve a developmental and social purpose. It will not, unlike it is the case at present, be used as a speculative profit making asset.

3.3 Black Consciousness Movement of Azania (BCMA)

Similarly, the Black Consciousness Movement of Azania, which was the exiled wing of the Black Consciousness Movement constituted on 12 April 1980 in London, also advanced a position on land, which affirms the historical position of the larger **BCM** since its inception in 1968. This is contained in the **BCMA** Basic Document, Our Urgent Tasks and in its Declaration of Principles.

It is in these documents that the most comprehensive and expansive policy of the **BCM** on land, building upon those previously adopted by **SASO** and **BPC**, are found:

“We the people of Azania engaged in the struggle for the reconquest of our land, under the guidance and the leadership of the Black Consciousness Movement of Azania, basing ourselves on the spirit of Towards a Free Azania- Projection: Future State, adopted at the 1975 Congress of the Black People’s Convention at King Williamstown, hereby commit us to:

Build a strong, socialist self-reliant economy.

- a. Let the ownership of the land, sea and air space be vested in the State.*
- b. Distribute the land to organised groups for farming, commercial, housing, sporting or any other purposes in accordance with a central National Plan.*
- c. Strive for the introduction of cooperative farms on existing farmlands and assist these with farming equipment and methods.*
- d. Organise villages into cooperatives farming units and provide these with modern farming methods, machinery, agricultural advisors, veterinary services, dams, fertilizers, seeds, marketing services, etc., for purposes of improving living standards in the countryside, and bridging the gap between the urban and rural areas.*
- e. Establish agricultural produce factories in the farming areas.*
- f. Nationalise all heavy industry , major commercial undertakings, multinational monopolies and syndicates*
- g. Expand heavy industry in order to benefit all other sectors of the economy and to combat industrial dependence.*
- h. Nationalise all banks and insurance companies in order to streamline and regulate economic activity, growth and development.*
- i. Assert complete state control of foreign trade, diversify the economy and strive for self-reliance in economic development programmes.*
- j. Improve land, sea and air communication throughout the country in order to advance the nation’s trade.*
- k. Control the prices of all domestic products and limit the import of luxury goods.*
- l. Put under state control all mining and fishing industries.*

- m. Trade with all friendly countries, irrespective of their political system
- n. Put all energy-producing undertakings and related industries under the control of the state.”

In addition, the excerpt below constitutes the very first clause in the **Declaration of Principles** by the **BCMA**, and gives emphasis to the primacy of the reconquest of land in the efforts of the **BCM** towards national liberation. It establishes a nexus between the return of the land and the attainment of full democratic rights.

*“The national liberation struggle is based upon the minimum demands of the oppressed masses of Azania, namely, the reconquest of all our land and its resources and the attainment of full democratic rights.”*⁶

3.4 Azanian People’s Organisation (AZAPO)

The Azanian People’s Organisation (**AZAPO**), was the natural successor to all the above organisations, and in the same vein, adopted further iterations through resolutions and constitutional precepts, that sought to reinforce and crystallize its predecessor sister **BCM** formations on the land and agrarian struggle in our country.

The constitution of **AZAPO** reaffirms the fundamental standpoint on land as a core objective of the national liberation struggle in its preamble, where it states that, it is:

“Motivated and inspired by our individual and collective quest for liberation, return of the land to its rightful owners, justice, peace and equality of persons.”

It goes on further to express these aims and objectives as the core mission of **AZAPO**, with the land as a top priority in the list:

- “(i) To organise, mobilise and lead the oppressed people of Azania towards the elimination of neo-colonialism, capitalism, imperialism and all other forms of oppression in our country.*
- (ii) To reconquer the land for fair and equitable distribution amongst all Azanians.*
- (iii) To recapture and restore political, economic and social power and control to all Azanians.*
- (iv) To establish a revolutionary national democracy in Azania.*
- (v) To establish a democratic, socialist Republic of Azania.*
- (vi) To work towards the unity of all people in order to maximise efforts at the total liberation of all the oppressed and exploited.*
- (vii) In keeping with the above, employ all means at our disposal for the attainment of the aims, goals and objectives of the organisation.”*⁷

AZAPO participates in this parliamentary process to work together with those who are sincere about resolving this intractable problem, so that we can form a new Azanian Nation bereft of the racial, economic and social cleavages of our past. The resolution of the unequal distribution of land in our country, and the restitution, resettlement and redistribution of land

⁶ **BCMA** Basic Documents, Undated. Published while the **BCMA** was still in exile circa 1982.

⁷ Section 2 of the Constitution of **AZAPO**.

to Africans and the Black working class, will go a long way towards propelling this country toward national unity and shared prosperity.

4. Constitutional and Legal Responses to Realise Land Repossession and Redistribution

The invitation from the Joint Constitutional Review Committee (JCRC) of Parliament calls upon the public:

- To send written submissions on the review of Section 25 of the RSA Constitution to allow expropriation of land in the public interest without compensation.
- Further calls upon for proposals of necessary constitutional amendments where applicable with regard to the kind of future land tenure regime envisaged.

The aspect of “public interest” should not be overlooked, as it may prove fatal in future. Repossession of land should not require justification. Once you subject it to justification, you open yourself bare to serious litigation that will not only drain you financially but also delay the process even further. It should be a given that the State, as the authority charged with looking out for the public, will require land for public interest.

We need to be careful about the concepts we use, lest they entangle us in a web that may prove difficult to come out. Expropriation as a concept has a connotation that one is taking away someone else’s property and needs justification for doing so.

The Expropriation Act of 1975 is premised on that understanding that the State is interfering with someone’s established right and there should be justifiable reasons for doing so. Hence, the concept of public good and compensation is brought into being. That is not our premise and that cannot be our starting point. We enter that arena at our own peril. The classical definition of expropriation is: the action by the State or an authority of taking property from its owner for public use or benefit.

Our position as **AZAPO** and the Black Consciousness Movement has always been and shall remain the repossession of land. Repossession presupposes and reaffirms that we are the owners of the land and are entitled to the land and justified in taking back the land. The issue of compensation does not arise. For how and why would you compensate a thief or an aggressor?

This is what drives **AZAPO**’s programme, and it is the thrust of our message to the Parliamentary Committee and to the public. This position closes the debate on compensation, whether there are improvements on the land or not. Those improvements were at the risk of the thief losing out on the land and there should never be an expectation to be compensated.

The drive by some *verkramp*t and white liberal parties as well as agricultural associations to direct our focus on State land and their production of dubious research on land ownership

patterns in South Africa, is a desperate attempt, to create confusion in the minds of government and the public.

State land has been repossessed already through the installation of a democratic government. We should thus direct our focus on all private land, agricultural, industrial, commercial, residential etc.

At the stroke of a pen, the State became the owner of all minerals in this country. The State is currently allocating and making available mining rights and permits on the basis of application and those that do not use the minerals over a period of time, end up losing them. A similar principle can apply to land. You use it or you lose it.

5. Removal of Section 25 from the Country's Constitution in Order to Effect Land Repossession

The brief of the JCRC is confined to land expropriation thus the review/amendment of Section 25 should be restricted to land expropriation.

For purposes of this submission the affected sections are Section 25 (2) (b) and (3). These subsections must be expunged from the Constitution in order to meet the requirements of the brief.

Section 25 of the RSA Constitution, and Chapter 2 of the Bill of Rights reads:

1. No one may be deprived of property except in terms of law of general application, and no law may permit arbitrary deprivation of property.
2. The property may be expropriated only in terms of law of general application –
 - a. for 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.
3. The amount of the compensation and the time and manner of payment must be just and equitable, reflecting an equitable balance between the public interest and the interests of those affected, having regard to all relevant circumstances, including –
 - 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 expropriation.
4. For purposes of this section-
 - 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.
5. The state must take reasonable legislative and other measures, within its available resources, to foster conditions, which enable citizens to gain access to land in an equitable basis.
6. A person or community whose tenure of land is legally insecure as a result of past racial discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to tenure which is legally secure or to comparable redress.
7. A person or community disposed of property after 19 June 1913 as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to restitution of that property or to equitable redress.
8. No provision of this section may impede the state from taking legislative and other measures to achieve land, water and related reform, in order to redress the results of past racial discrimination, provided that any departure from the provisions of this section is in accordance with provisions of section 36(1).
9. Parliament must enact the legislation referred to in subsection (6).

The ideological contradiction between the ruling party that has adopted a capitalist or, as they prefer to call it, mixed economy vis-à-vis the socialist approach of **AZAPO** compels us to consider retaining the provisions of subsection (2) (a) being public purpose or in the public interest.

Given the wanton corruption demonstrated by the *State of Capture Report*⁸ it would not be wise to unleash so much power to the ruling party. The dynamics are that the liberals and conservatives are going to take advantage of this subsection to challenge the state in order to advance their nefarious narrow interests.

When **AZAPO** introduces and establishes a Socialist Republic, the approach should be different. Given the apartheid legacy of separate development, liberals and conservatives may want to argue against expropriation of land in “white” areas directing government to focus on land closer to “black” areas, rationalizing that it is closer to the community it is intended to serve.

The Expropriation Bill of 2008 is not that much helpful herein as it is premised on compensation. The only helpful aspect in the Bill is the proposal for the establishment of the Expropriation Advisory Boards. These boards must be independent and should be outside the influence of the ruling party. These boards shall allow for oversight role and alleviate the burden of Courts that are battling with backlogs of litigation.

Subject to the expunction of subsections (2) (b) and (3) of Section 25 of the Constitution the rest of the section may be retained, primarily subsections (6), (7) and (8), to assist the historical communities to achieve redress.

⁸ The Report Released by The Office of the Public Protector in 2016 on Corruption within the State.

6. Historical Lessons of Land Repossession Struggles

Central to any national liberation struggle, among many other goals, are three principal claims:

- a) The claim to be a nation free from the domination by others, who invariably happen to be a foreign invading or occupying force,
- b) The quest for sovereignty in a geographically defined space i.e. land.
- c) Aspiring to practice one's language and culture, free from domination by an alien and imposed culture.

Most, if not all, national liberation movements that struggle for independence and self-determination, have always been premised upon these cardinal goals in their mission. The struggle in Azania was also predicated upon these aspirations, when the first wars of resistance were fought by our forebears upon the arrival of European invaders such as Vasco Da Gama, Simon Van der Stel, Jan van Riebeeck and the 1820 English Settlers.

Some of the valiant Kings and Queens of our land paid the supreme price through imprisonment, in places like Robben Island, banishment to exile on islands like St Helena, while some were brutally killed by bloodthirsty European usurpers of our land.

Many of our Dikgosi/Amakhosi and traditional leaders of our various indigenous cultural and linguistic groups resisted valiantly the annexation and occupation of their lands by imperialist powers.

Auchomato, the leader of the Khoisan fought bravely on the shores of the Cape of Good Hope to resist the arrival and settlement of Europeans, and their enslavement of the Khoisan.

Kumkani Makana was banished to Robben Island after resisting British occupation in the Eastern Cape areas of our country. Kgosi Sekhukhune was killed for leading the wars of resistance against the Boers in present day Limpopo Province.

Dikgosi such as Jantjie and Robanyane Toto, were decapitated because they resisted the annexation of the diamond fields. Inkosi Cetshwayo was banished to St Helena Bay when he resisted the English to lord it over Zulu territories in the old Natal areas.

Queen Manthatise of Batlokwa, Inkosi uShaka, Morena Moshoeshe, Inkosi Hintsa, Inkosi uBambatha, Inkosi uDingane, Kgosi Galeshewe, Inkosi Nghunghunyane are some of the many African Kings and Queens who led brave and courageous wars to defend the sovereignty of the various Black Communities and in defence of our land.

We honour these heroes of our people. The only way to affirm that their struggles and sacrifices were not in vain, is by ensuring that the injustice of dispossession of our peoples land is addressed and atoned for.

Many of our African Kings and Queens were brutally murdered and tortured for participating in these wars of resistance. To this day, many of them who were decapitated such as Kumkani Mangoma and Kgosi Jantjie, their bodies and heads were never found or returned.

AZAPO's submission is also to urge government to spare no effort to uncover the truth and correct this painful history. Befitting honour must be bestowed on all our traditional leaders who fought, suffered and paid the ultimate price in defence of our people and land.

7. Revolutionary Lessons on Agrarian Reform

As South Africa embarks on the process of agrarian reform, it is worth reflecting on a few case studies of countries that have undertaken revolutionary land reform, for inspiration and lessons.

7.1 Tanzania

Tanzania is one of the countries that have dealt decisively with the issue of agrarian reform since attaining independence in 1961 under President Julius Nyerere. It is largely thanks to Nyerere's vision, encapsulated in the *Arusha Declaration* that has helped Tanzania to evade the kind of problems besetting their neighbour Kenya on issues of land.

These problems range from massive and sprawling slums, poverty, inequality and acute land inequality. Whilst Kenya has one of the highest GDP's in Africa; the land inequality has spawned serious urban poverty, so much so that Kenya has one of the biggest slums in the world, comparable to the infamous *favelas* of Brazil.

Unless South Africa tackles the problem of land redistribution decisively, many of the informal settlements and townships in South Africa are starting to show signs of deterioration, and are likely to become slums.

Tanzania's agrarian reform programme undertaken in the 60's has set this nation upon a promising development path, with an economic growth rate of 7% at present, as one of the fastest growing economies on the continent.

Among some of the cornerstones of the *Arusha Declaration*, that the South African process can learn from, are those on land reform:

"The Major Means of Production and Exchange are under the Control of the Peasants and Workers.

To Build and maintain socialism it is essential that all the major means of production and exchange in the nation are controlled and owned by the peasants through the machinery of their Government and their co-operatives. Further, it is essential that the ruling Party should be a Party of peasants and workers.

The major means of production and exchange are such things as: land; forests; minerals; water; oil and electricity; news media; communications; banks, insurance, import and export trade, wholesale trade; iron and steel, machine tool, arms, motor-car, cement, fertilizer, and textile industries; and any big factory on which a large section of the people depend for their living, or which provides essential components of other industries; large plantations, and especially those which provide raw materials essential to important industries.

The People and Agriculture

The development of a country is brought about by people, not by money. Money, and the wealth it represents, is the result and not the basis of development. The four prerequisites of development are different; they are (i) People; (ii) Land; (iii) Good Policies; (iv) Good Leadership. Our country has more than ten million people and is [land area?] is more than 362,000 square miles.

Agriculture Is the Basis of Development

A great part of Tanzania's land is fertile and gets sufficient rain. Our country can produce various crops for home consumption and for export.

We can produce food crops (which can be exported if we produce in large quantities) such as maize, rice, wheat, beans, groundnuts, etc. And we can produce such cash crops as sisal, cotton, coffee, tobacco, pyrethrum, tea, etc. Our land is also good for grazing cattle, goats, sheep, and for raising chickens, etc.; we can get plenty of fish from our rivers, lakes, and from the sea. All of our farmers are in areas which can produce two or three or even more of the food and cash crops enumerated above, and each farmer could increase his production so as to get more food or more money. And because the main aim of development is to get more food, and more money for our other needs our purpose must be to increase production of these agricultural crops. This is in fact the only road through which we can develop our country – in other words, only by increasing our production of these things can we get more food and more money for every Tanzanian.

The excerpts above indicate how decisive Tanzania was in dealing with the question of agrarian reform. The ANC, as the ruling party, needs to learn from TANU under the capable leadership of Mwalimu, how a liberation movement must deal decisively with this intractable problem as illustrated in the Arusha declaration.

The Arusha Declaration, further directs the following for Tanzanian policy and planning:

Our emphasis should therefore be on:

(a) The Land and Agriculture

(b) The People

(c) The Policy of Socialism and Self-Reliance, and

(d) *Good Leadership.*

(a) *The Land*

Because the economy of Tanzania depends and will continue to depend on agriculture and animal husbandry, Tanzanians can live well without depending on help from outside if they use their land properly. Land is the basis of human life and all Tanzanians should use it as a valuable investment for future development. Because the land belongs to the nation, the Government has to see to it that it is being used for the benefit of the whole nation and not for the benefit of one individual or just a few people.

It is the responsibility of TANU to see that the country produces enough food and enough cash crops for export. It is the responsibility of the Government and the co-operative societies to see to it that our people get the necessary tools, training and leadership in modern methods of agriculture.”

We have excerpted extensively from the **Arusha Declaration** of Tanzania, because this country holds important lessons for the whole of Africa and the world, on how to undertake land and agrarian reform that is primarily beneficial to workers and peasants.

It will take leadership with a bold and crystal clear vision like that of Mwalimu Kambarange Julius Nyerere, an individual who was inspired, first and foremost, with service to his people; a self-less, ideologically formed leader who had grasped fully, the leitmotif of the liberation struggle and the clamour for independence by his people.

The current land reform and agrarian reform process can be strengthened by augmenting it with some of the ideas and ideals that were at the core and had framed the Tanzanian process, at the time of independence in that country.

7.2 Zimbabwe

Zimbabwe remains an illustrative case to many African countries and those that have suffered land dispossession and racial domination due to colonialism, owing to the revolutionary manner in which the country fearlessly confronted the issue of landlessness by the indigenous population.

After years of inertia and betrayal by Britain on the Lancaster House Agreement, where effectively the former colonial master reneged on the undertaking to fund land reform and redistribution, the war veterans of the liberation struggle, engaged in a programme to occupy and take over farms that were owned by the white settler minority.

As a consequence of this, many white farmers abandoned their farms. This was followed by the Zimbabwean government taking over such land and reallocating it to some war veterans and indigenous Zimbabwean. The country then followed this up by changing the constitution to prevent any legal challenges of its land reform programmes through the courts.

This did cause major disruptions to the Zimbabwean agricultural sector, but it was largely exacerbated by the economic sanctions that were imposed by the EU and America upon the country.

One of the downsides of the Zimbabwean agrarian reform programme, is also, almost comparable to the BEE programme in South Africa, that it was captured by the elite: Cabinet Ministers, politicians and their spouses, the army Generals, and those connected to the inner circle of the administration. The parcelling out of farms and land that was repossessed was used as a patronage system for ZANU PF apparatchiks.

Unlike in Tanzania where the majority of beneficiaries were workers and peasants, the Zimbabwe land reform programme fell foul to manipulation by officials and the powerful in society.

The South African land reform programme needs to heed these lessons from the Zimbabwe agrarian reform programme.

AZAPO wants the land to be returned to the workers and to peasants, the indigenous people whose forebears fought and died fighting for its return. **AZAPO** is not engaging in this process to countenance a secondary theft of the land by aspirant land hoarders and the elite of the ruling party and the wealthy in our society, as was the case when the minerals were placed under the control of the State.

Our movement participates in the land and agrarian reform process to bring about a fundamental transformation of productive and social relations at the heart of whose attainment, lies the redistribution and balancing of land distribution between Black and White and the working class and the bourgeoisie.

Land is the basis of wealth, and if we are serious and sincere about reversing the centuries of systematic impoverishment of the Black masses, the redistribution of this wealth, land, is one of the surest ways to dent the poverty and squalor in which the lives of millions of our people are mired.

This calls for a well-articulated policy on who will benefit, how much they will benefit and what support measures the state will provide to make the land productive and sustain the livelihoods of our people. **AZAPO** will support collective ownership and usage of land by the people through cooperatives, communal associations, and broad based ownership systems.

AZAPO would vehemently oppose ownership that transfers whole properties to individuals and their spouses, such as we have seen in Zimbabwe, where the spouse of former the former President is reported to own several high value dairy farms in her own name.

Our land repossession programmes must not produce as an unintended outcome, a new Black landed gentry, as we see in countries such as Kenya, Zimbabwe, Botswana and many other post-independence African Countries, with equally ravenous and exploitative consequences to the Black working class and peasantry, such as we have witnessed with the Black Economic Empowerment beneficiaries.

7.3 Cuba

The revolutionary history of Cuba provides important pointers for Azania, in the manner in which it undertook the process of correcting the injustice of colonialism and imperialism on land inequality in that country.

At the time of embarking on revolution, Cuba faced more or less similar challenges to the ones South Africa is grappling with at present. The ruling Batista regime was a dictatorial regime, and Spanish immigrants dominated the social, economic and political circles in society. Land in Cuba was also owned by large corporations and individuals, with very little for the majority of the population for housing, settlement, recreation and cultural expression.

It is this scenario that propelled the late iconic revolutionary Fidel Castro to resolve to embark on a revolutionary armed uprising in order to effect corrections in Cuban economic, social and political relations. The redistribution of the land became a primary objective of the revolutionary Cuban government after defeating the dictatorship.

According to a historical study done by Roberto Jorquera (undated), Cuba had to undertake some principled but radical approaches to realise the revolutionary aims of their struggle. Chief among these was to redistribute land to the workers and peasants, away from the Spanish and aboriginal landed gentry of the Batista regime.

Cuba's economic development and social transformation was predicated upon agrarian reform as the report attests:

"The first decade of economic development after 1959 was dominated by the agrarian reform law of 1962, which converted 40% of landed property into state property, distributed a further 40% to small rural producers and left the remaining 20% in the hands of medium and large landowners. The redistribution immediately ended much of the rural unemployment that had plagued Cuba for centuries.

The main industries and the banking sector were also nationalised and a democratic system of workers' participation was introduced, based on a system of elected workplace delegates."⁹

Cuba's land and agrarian reform, as well as its economic and social development programmes remains an inspiration to many countries in Latin America. A number of which continue to struggle for socialism and are waging a Bolivarian revolution in countries like Mexico, Venezuela and Ecuador.

South Africa needs to draw lessons from the foregoing examples of land reform, on the challenges they faced, and how these countries resisted the machinations of the imperialist

⁹ *Cuba's Path Out of Underdevelopment: A historical look at Cuba's economic development*. Article by Roberto Jorquera (undated).

world, to frustrate their efforts at ushering in a just land reform and agrarian dispensation in their jurisdictions.

This country needs to proceed briskly and boldly, anticipating that just as it happened in Cuba, which has had to withstand an economic blockade from the USA since 1960, and a collapse of 80% of its trade with Eastern Bloc countries when the Soviet Union disintegrated in 1991, it will also have to confront and contend with such obstacles.

Zimbabwe suffered a similar fate when it sought to correct this historical injustice, with sanctions imposed on that country from the USA and EU, which caused its economy to collapse. Tanzania, too, for a long time was strangled financially by the World Bank and IMF for opting to pursue a people driven economic development agenda.

Azania will not escape this fate. However, we must forge ahead with what is just, and endure the consequences that will accrue from the forces of evil, racism and exploitation.

8. A compelling economic case for the Redistribution of Land to increase jobs, productivity in agriculture and to eliminate poverty and equality.

Land is the basis of all wealth and development. Malcolm X affirmed this pointed when he stated that, "Revolution is based on land. Land is the basis for all independence. Land is the basis of freedom, justice, and equality".

There is also convergence among classical economists such as Adam Smith and David Ricardo that the main factors of production are Land, Labour and Capital. Without the exploitation of land, which happens primarily through labour, the third factor, capital, or the wealth of nations, cannot be accrued. This explains why Europe, had to colonise land and expand its territories, and thereafter, enslaved many Africans, to work first in the Caribbean island, Latin America and America.

The Transatlantic slavery confirms the central role that labour and land play in the creation of national and individual wealth. Without the colonisation of land

Karl Marx for his part also reinforces this point through his theory of historical materialism, wherein he affirms again the nexus between labour and land, leads to the accumulation of the third factor capital, which are central to production.

In his book Wages, Price and Profit, Karl Marx asserts that, besides appropriating the wealth of workers through usurpation of the surplus labour of workers, which they call profits, they also supplement these profits through earning rent and interest.

Rent is earned through ownership of land, and the renting of building that are developed on that land.

Having established the link between land and labour and, how this lead to the creation of capital. It is also essential that we establish the important role that land plays in the economy, primarily through agriculture.

In this respect, the economic development of china, and how a country that was 80% rural at the time of the Chinese revolution, has now become the world's leading economy 50 years later. Land, labour and agriculture were very central to China's economic development. In this respect, Mao Tse Tung, in his essay China's Path to Industrialization, he laid the following foundation as the path to follow by Chinese Economic planners:

“In discussing our path to industrialization, I am here concerned principally, with the relationship between the growth of heavy industry, light industry and agriculture. It must be affirmed that heavy industry is the core of China's construction. At the same time, full attention must be paid to the development of agriculture and light industry.

As China is a large agricultural country, with over 80% of her population in the rural areas, industry must develop together with agriculture, for only thus can industry secure raw materials and a market, and only thus is it possible to accumulate fairly large funds for building a powerful heavy industry Everyone knows that light industry is closely related to agriculture. Without agriculture there can be no light industry.”

The foregoing, once more attests, to the critical role that agriculture plays in economic development and how through its basis. Contrary to popular belief, the SA agricultural sector is not as productive, viewed from the perspective of its contribution to Gross Domestic Product and job creation. For more than four decades, the contribution of the SA agricultural sector contribution to GDP has been going down. From the high of 9, 1 % contribution to GDP in 1971 to a low of 2% in as recently as 2013. ¹⁰

The contribution of SA agriculture to GDP, according to the latest, GDP figures, has been mostly in the negative since 2012, with the Quarter-to-Quarter figures for the first quarter of 2018, registering a dismal minus 24%. Stats SA, GDP Q2 Statistical Release.

The related agro-processing sector, also only contributes an unimpressive 2% to the overall manufacturing sector. Brand SA 2018.

Whereas this sector is a labour intensive sector, and has enjoyed generous support through subsidies, concessionary finance and infrastructure support through irrigation schemes and research support through the Agricultural Research Council. It has to be said that the sector appears to be performing far below its real potential. Considering that 50% of SA water is allocated or used by the agriculture sector, and that 50% of SA agricultural productive land is supported through irrigation, this is a sector, which is underperforming.

¹⁰ Brand South Africa: <https://www.brandsouthafrica.com/investments-immigration/economynews/south-africa-economy-key-sectors#agriculture>, accessed 10/06/2018.

This is a labour intensive sector, which means it should be helping the country to absorb the armies of unemployed workers and youth, yet it is failing. The sector should also be one of the biggest export earners, but its contribution in this score also remains marginal.

AZAPO is of the firm view that issues of concentration of land and the unproductive and non-exploitation of land by large corporations and big agro companies as well as wealthy families could be contributing to this. Many other farms on agriculturally productive land have also been converted to game farms, as a form of speculative asset holding.

AZAPO believes that the redistribution of land to landless blacks will make unleash the latent potential of the agricultural sector. Productivity, labour absorption and yield's would increase as more idle labour, with the right support in terms of machinery, technical support, financial and market access support. More importantly, issues of food security, poverty and unemployment would be addressed

The above theoretical, statistical and evidence supplied make a compelling case to pursue a Land repossession and redistribution programme without much delay. It would not disrupt security of supply of food security. These were used as bogeymen in the Zimbabwe land repossession, but this myth has since been exploded, with Zimbabwe becoming a net exporter of grains in 2017, despite the persistence of biting USA and UK sanctions on that country.

The Zimbabwe and Botswana agricultural experience proves that African and indigenous farmers can farm productively and sustainably. History also indicates that prior to the 1913 land act that dispossessed Black people, many Black farmers were the predominate and preferred suppliers of mining companies with fresh produce.

AZAPO urges this parliament to go ahead with amending section 25 of the Constitution. We must not look back; the reconquest of the land is a historical and enduring struggle goal.

9. The Socio-Cultural Significance of Land : The African Perspective

Land as a means of subsistence, could not only be defined in terms of its physical form but also all other forms of property that subsist in society. Hence, the quest for land repossession should manifestly take the shape of altering property relations and ownership.

Amilcar Cabral in his speech where he celebrated the life of Eduardo Mondlane, leader of FRELIMO, intoned about the relationship between "man", culture and nature, and how they are intrinsically linked to the lives and livelihoods of African people. In particular, because of the various brutal and inhuman practices that Black people endured under imperialism.

Given the historic attachment that Africans have on land and the inestimable value they place on land, it follows that land alienation wars that resulted in physically removing them from their land, had a telling yet cumulative effect on their cultural and spiritual development.

In accordance with Amilcar Cabral's theory around the value of culture, land reconquest should be interpreted as a method of restoring black people's cultural values and should

illustrate our collective attempt at resisting forms of imperialist indoctrinations that led to cultural attrition and alienation of the indigenous Africans.

Any reciprocal war of land reconquest, on any plane or however it would present itself, should *ipso facto* constitute the restoration of the cultural and spiritual values of Black people. This would take them back on their path of growth and economic development in contemporary South Africa.

In this respect Amilcar Cabral averred, *“The value of culture as an element of resistance to foreign domination lies in the fact that culture is the vigorous manifestation on the ideological or idealist plane of the physical and historical reality of the society that is dominated or to be dominated.”* Amilcar Cabral (1970)

He goes on further to assert, *“Culture is simultaneously the fruit of a people’s history and a determinant of history, by the positive or negative influence, which it exerts on the revolution of relationships between man and his environment, among men or groups of men within a society, as well as among different societies. Ignorance of this fact may explain the failure of several attempts at foreign domination—as well as the failure of some national liberation movements”.* Amilcar Cabral (1970)

What the above point accentuates is that land is not just valuable for African for housing, settlement, commercial and other use, but that an important aspect of lack of access to land is that it has stifled the indigenous communities and the working class from giving full vent to their cultural, spiritual and recreational dimensions.

Hence, any discussion or resolution of the land question should inexorably include all aspects of land that were deliberately excluded during the sell-out Codesa negotiations.

10. Foreign Ownership of Land

There is increasing evidence that South Africa’s land and property is the target of many foreign government and firms, as well as individuals, who buy up prime land and property for speculative and investment purposes. Coastal properties and lands in South Africa, and those along our dams and rivers have shot up in prices and have as a result become inaccessible to many Black and working class citizens of our country, for living and recreational purposes.

The beaches, coastal areas, rivers, lakes and dams in our country have become the exclusive preserve and enjoyment of non-citizens. This status quo cannot be allowed to persist. Only land repossession and redistribution will ensure that our shared resources and biodiversity is shared and enjoyed by all our citizens, and not only foreign nationals.

The report titled **Land Audit Booklet** does not have information on the extent of foreign land ownership in Azania. It makes this admission on this very fundamental point of enquiry on who owns South African land:

“Results show that some 14% is registered State land and 4% recently surveyed State land, while 79% is in private hands. Of this 79 %, a significant percentage is owned by private individuals, companies and trusts. We are unable to identify foreign ownership because the system does not provide for that analysis. Through our Policy on Land Owned by Foreigners (PLOF) we aim to revise the regime governing land ownership by foreign nationals.”

Instead, the task to map the ownership of land by foreigners in SA was conducted by a group of experts that were commissioned by the former Department of Agriculture and Land Affairs. This report was titled *“Report and Recommendations by the Panel of Experts on the Development of Policy Regarding Land Ownership by Foreigners in South Africa”*. (August 2007).

It dealt with the extent of ownership of South African land by foreigners; however, it lacked specifics regarding ethnicity and other relevant demographics that would have given a better picture regarding the research focus. Written and oral submissions from various stakeholders were received as part of their methodology to validate their data. These stakeholders included the following:

- Department of Land Affairs;
- Department of Provincial and Local Government;
- Institute of Estate Agents, South Africa;
- Parliamentary Committee on Agriculture and Land Affairs;
- Total Geo-spatial Information Solutions (TGIS) and the
- National Land Summit (2005).

TGIS is a private company that was commissioned to “perform a Strategic Planning function for the Department of Land Affairs” where they analyzed the extent of foreign Land Ownership in South Africa. This involved processing 30 000 000 deeds records to establish patterns of ownership of different types of rights in different areas and the type of owner. <http://www.tgis.co.za/content/december-2015-newsletter>

AZAPO is gravely concerned about this state of affairs. It is apparent that, unless something is drastically done to curtail and regulate foreign ownership of land; in the long run, we will find ourselves with half of this country owned by foreigners. This will result in more Black and poor citizens of our country being pushed further to the margins, and therefore exacerbating the racial and class stratifications in society.

This situation needs to be drastically addressed. South Africa could very well be harbouring organisations and individuals in unknown parts of our country, who may be involved in devious activities, and using our shores and land for their discredited ends. The surveying of SA land and identification of ownership with an updated land registry has to become a top-most priority of our land reform programme.

It is imperative that legislation must be promulgated that will compel foreign land owners to declare the size and location of where they own land, and that appropriate measures be

undertaken to ensure that such land is productively used, and that such land be appropriately sized up, and the remainder be redistributed to local citizens without land.

Foreign ownership of land would invariably mean that most of the owners would be European or Asian owners, who possess the capital to buy high value and volume land in South Africa. Among measures that can be undertaken, is that, we can restrict the size and type of land that can be owned or leased by foreigners in our land.

11. Poor Government Data and Information on Who Owns South African Land Where, and for What Purpose.

It is unacceptable to **AZAPO** that the SA government can go out publicly in its own report and state, *“By 2010 it became clear that records of who owned what in South Africa; where, and what proportion of this belonged to the State, were uncoordinated, inadequate or incomplete”*. Mr Gugile Nkwinti, Minister: Rural Development and Land Reform, Foreword by the Minister.

A Land Audit Report by Minister Gugile Nkwinti that was undated was sourced from www.ruraldevelopment.gov.za/phocadownload/Cadastral-Survey...

The table below shows the extent of land ownership nationally between the State, the provinces and private individuals.

Province	Province Extent (Ha)	State Owned Land Extent (Ha)	Private Owned Land Extent (Ha)	State Land %	Private Land %	Total Extent	Unaccounted Extent (Ha)	Unaccounted Extent %
Eastern Cape	16,891,700	1,510,553	11,370,084	9%	67%	12,880,637	4,011,063	24%
Free State	12,982,600	845,084	11,857,160	7%	91%	12,702,244	280,356	2%
Gauteng	1,817,800	304,137	1,181,518	17%	65%	1,485,655	332,145	18%
KwaZulu-Natal	9,332,800	4,695,245	4,297,235	50%	46%	8,992,480	340,320	4%
Limpopo	12,575,600	2,551,790	8,844,083	20%	70%	11,395,872	1,179,728	9%
Mpumalanga	7,649,500	1,875,146	4,805,344	25%	63%	6,680,490	969,010	13%
North West	10,488,100	2,409,778	7,481,942	23%	71%	9,891,720	596,380	6%
Northern Cape	37,288,800	1,829,347	35,210,998	5%	94%	37,040,345	248,455	1%
Western Cape	12,946,300	1,040,801	11,502,427	8%	89%	2,543,228	403,072	3%
Totals	121,973,200	17,061,882	96,550,791	14%	79%	113,612,673	8,360,527	7%

Source: Government Land Audit Booklet

AZAPO shares the sentiments of the authors of a newspaper article that lamented that:

“Government data on land and agriculture is problematic. Statistics SA collects few reliable data on both large or small-scale agriculture, and none on land reform. Data on land reform released by the department of rural development and land reform are also thin, often inconsistent and hide as much as they reveal. For example, no figures

on the average size of farms transferred or the cost per hectare have been released.”

B. Cousins and R. Hall.¹¹

In the Northern Cape, 35 million ha of land are privately owned as opposed to 1.8 million held by the state. In the Gauteng and the Free State Provinces, 2% and 5%, respectively, of land are held by the state with vast urban and rural differences by comparison.

Traditional authorities in Limpopo hold more land than any other traditional authority, holding 3 483 784 (approximately 3.5million ha) in stark contrast with the Eastern Cape’s 72 480 ha, and the Northern Cape’s 16 511ha of land.

It is evident from the above table that most land is in private white hands. This is disastrous and must be fundamentally altered without delay. According to the Land Audit Booklet Report, only 7% of SA land is unaccounted for in terms of ownership. This figure seems very suspect, as in some provinces such as KZN and Gauteng, outside of State land, and land under traditional authorities, as much as 38% of land is unaccounted for on ownership.

What this reveals is that we have a weak State. Our planning is parlous, as government does not know who lives where and what they do there.

It should be noted though that unidentified areas of land in all the provinces, although small in proportion, with respect to the known portions, needs to be identified in order to fulfill the mandate of government 'agrarian transformation', defined as '*a rapid and fundamental change, in the use and control (patterns of ownership across race, gender, and class) of land, livestock and cropping*'.

The Land Audit Booklet also identified the following areas as vital in defining what a land audit constitutes namely:

- 1) Who is the owner?
- 2) Who is the occupant/user?
- 3) The rights to the land
- 4) Current usage of the land
- 5) What buildings and improvements exist on it?

The national Department of Land and Rural Development must work together with provincial and local government to conduct a proper land survey and audit of land ownership in South Africa. This should not be a once off project or exercise, but a continuous and special project, properly resourced and staffed so that ultimately, we could obtain credible data and information on land ownership in SA.

As cited in Weekly Mail and Guardian of 14 November 2017¹¹

The current reliance on white and external consultants who have a stake in the preservation of current skewed land ownership patterns is wrongful and will not enable government to develop the requisite capacity to deal with land regulation and administration.

Unless there is rigour and evidence broken down into racial ownership in government-produced research on land, the public becomes susceptible to misleading and dubious research such as those produced by Agribusiness and white right-wing organisations, academics and institutions.

12. AZAPO and the Black Consciousness Movement Consistent Land Repossession post 1994

Many leaders of the Black Consciousness commencing with Steve Biko as its foremost iconic leaders, have relentlessly reiterated the reconquest of our land as a cardinal objective of our liberation movement and our peoples struggle.

Steve Biko for his part reminded us constantly that Black People are the indigenous people and the real and true owners of the land, and this being the case he issued the injunction: "We do not want to be reminded that it is we, the indigenous people, who are poor and exploited in the land of our birth. "

To respond to this injunction, to bring an end to the exploitation and oppression of our people in the land of their birth, it becomes necessary to confront the resolution of land inequity with principle, courage and determination. This parliament must not fail our people's historic aspiration and claim.

Yet another son of our land, and a brave freedom fighter, who like Steve Biko, laid his life for our liberation struggle, Onkgopotse Tiro, during the famous speech he made at The University of the North in 1972 at the Graduation Ceremony, he reflected on the pivotal issue of land when he posed the question: " My dear people shall we ever get a fair deal in this land, the land of our forefathers?"

Parliament has a duty to now answer this question, which for more than 40 years has remained a mystery. **AZAPO** stands ready to add its voice and weight, to emphatically answer in the affirmative, working with other patriotic forces and organs of our people.

We stand by the assertion of one of our former Presidents, Comrade Mosibudi Mangena, in the Sowetan of 18/4/2018, wherein he writes:

"We have been saying there is no possibility of building a just society without attending to the land issue. At times, it felt like we were forlorn voices in the

wilderness. Although it is not clear that those who passed the resolution did so out of conviction and not political opportunism, it is a step in the right direction.”

AZAPO through its participation in the parliamentary process, seeks to demonstrate its patriotism by giving the legislators the benefit of the doubt, which they are finally, committed to the atonement of this grave injustice that was suffered by our people.

Let this parliament live up to the noble vision and ideas bequeathed to the liberation movement by the inimitable Muntu ka Myeza on the intractable problem of landlessness facing by our people over centuries:

“The title Azania also defines the character and ownership over land. The Europeans dispossessed us of our land but its ownership has never been in doubt despite the futile attempts by their naïve and dishonest propagandists and historians. Our land is one monolithic whole and we shall continue to regards it as such.”¹²

Muntu ka Myeza goes further to put an even more honourable challenge on the liberation movement, and dare we say relevant to this parliament:

“We must instil courage, fortitude and inspiration to those who have lost their husbands, wives, sons, daughters or beloved during the course of our lives under oppression. We must be a source of comfort and hope during the long hours of misery and loneliness. Best of all we must open up new horizons to a better life. We must offer a definite and feasible prospect of good life in freedom”.

This good life in freedom will only be realisable if the land of our people is returned and redistributed, and they can live properly and they are decently resettled, as well as exploit it productively. This is the only way their quality of their lives will be improving and the long night of their misery will end.

13. Further Policy Proposals on an Effective and Expedious Land Redistribution and Agrarian Reform Programme.

Without only expunging Section 25 of the Constitution which **AZAPO**; also believes Parliament should, as a matter of urgency, also consider complementary actions that will firm up the land redistribution programme.

Foremost among these, will be a law that should compel all landowners, leaseholders and occupants, to disclose who they are, where they own the land and for what purpose. These registers

¹² Mobilise and Consolidate the Liberatory Efforts of the Oppressed Masses by Muntu Ka Myeza. Booklet of the 3rd Annual Congress of **AZAPO**, held on 4th - 6th February 1993 at Lay Ecumenical Centre, Edendale, Pietermaritzburg.

must be completed in triplicate, for documentation and storage at local government level, at provincial level and at national level.

Such a register will expedite the process of completing a comprehensive land audit.

Given the acute problems of housing in the country, where millions of people and entire families are homeless, Parliament should also consider passing a law that restricts ownership of property to only two houses or properties. With one being a primary residence and another a recreational or holiday home.

The sizes of these primary and secondary residences must be regulated by law, and must accommodate settlement by an average South African family. The primary residence may be able to be restricted to a maximum of 60m x 40m, whereas the recreational or secondary residence can be restricted to a 40m x40m plot.

Such a measure will have the effect of releasing residential properties on the market, drive down exorbitant property prices and allow many families to enjoy the basic human rights to housing and shelter.

The anomaly and morally decrepit practice of using land and property as speculative investments because of the pervasive capitalist impulse that is dominating at present must be reversed and annulled.

AZAPO believes that the right to housing and to shelter is a basic human right, and must not be subjected to the vagaries of the market.

Another important measure that must be enacted by this legislature is to prohibit ownership of land in Azania by foreigners. Land is our national heritage, and should not be available for sale to the highest bidder. Already in many jurisdiction in, the developed and developing world, this provision applies because countries recognise that land is an exhaustible and shared resource.

At any rate, many African do not possess the capital to play the stock market on land. It is for this reason that, we see most of our prime land in coastal towns, like Billiton, Plettenberg Bay and Port Edward and the V&A waterfront, being bought up by foreign nationals. It is not a coincidence that most of these investors are white and are from Europe and America.

Unless this is regulated and stopped, these towns and places will become the new Group Areas Act enclaves, where the few Blacks who will be able to access these private places, will either be those who are going there to do menial jobs, or only the BEE deal makers.

This will mark a reversion to acute race and class divisions all over again in our society, a apartheid spatial designs. .

South African farms are unproductive. This point has already been sufficiently explored above. Yet, almost 70% of South African land is categorised as farms, and owned by whites.

A radical and drastic strategy is required, similar to the Tanzanian and Cuban redistribution model is required, that will resize these farms, and release the majority of the repossessed state owned for production by cooperatives, communities and small holder farms.

Smallholder farms are proving themselves more productive and sustainable when it comes to national food security and the promotion of community livelihoods. South Africa must regulate and put under harness big multinational agricultural firms like Monsanto.

These firms are not buying up fertile and productive arable land in developing countries, and are in that sense performing the same imperialist agenda like De Beers, Lonrho and Rio Tinto in mining.

Our country must ensure that all commercial farms have a permanent community ownership and participation model, that will ensure there, there is no overexploitation and destruction of natural resources through experimenting with harmful, seeds, chemicals and pesticides.

In the same vein as in housing, government needs to establish limits to sizes of farms, so that the current existing patterns of land ownership where rich families, churches and corporations own huge tracts of land, which are lying fallow, is no longer allowed to continue.

All foreign owned corporations must not be allowed to own land, but only be given long term leases.

The state must consider agriculture as a critical industry to address most of our social and political ills. Agriculture, if correctly regulated, supported and financed, can be a key contributor to our national development and economic growth.

The current skewed land ownership patterns are a constraint from realising its true potential. The state therefore has a responsibility to develop incentives and programmes, which will support Black Framers, ain the same manner in which the colonial administrations and apartheid used to provide to white agriculture.

To this end, the Land and Agricultural Bank of South Africa, must be stopped from operating along the lines of a typical private commercial bank. This bank must be returned to its public service and social mandate, of funding primary agriculture as well as agro processing.

The bank must be given a transformation mandate as its main criteria for lending.

Other development fiancé institutions such as the Industrial Development Corporation and the Public investment Commission, as well as the Development Bank of South, must similarly be given such mandates.

Emerging Black Framers, Cooperatives and communal farmers must be given, technological, technical and scientific support, as well as generous tax and financial incentives.

These measures will go a long way toward achieving transformation and redress as well as justice on the land and agrarian reform.

14. Conclusion

AZAPO has endeavoured through this submission to make a political, ideological, economic and cultural case for the reconquest of the land of our forebears. It has done so by drawing on documentary, historical and statistical evidence to demonstrate gross injustice that was suffered by

African people and the Black working class, during the brutal period of successive colonial and white minority regimes, until the defeat of apartheid in 1994.

The submissions reveals the persistence of this injustice as morally indefensible and reprehensible 24 years under ostensibly, democratic, trade union support, socialist aligned, and African nationalism inspired government.

We trust that our submission has generated important perspectives on how post liberation and socialist societies proceed to deal with the question of land redistribution and agrarian reform, primarily to benefit the working class, the indigenous people and the peasantry.

We have also shared with this parliament, the historical aspirations of our people on land, as they have been represented and recorded by the various components of the Black Consciousness during the different epochs and periods of its 50 Year existence.

Our organisations urges all the represented parties in Parliament, to do the right, by supporting the expunction of Section 25 of the Constitution, and to put in its place, a law that empowers the state place all land under social ownership in the custodianship of the state.

Our submission also includes certain policy proposals that will supplement the expropriation of land, so that, land that has been redistributed becomes productive, and that the beneficiaries are provided with support and enablers to prosper and to develop.

African people continue to poor, unemployed and to be treated as second-class people in the land of their forebears, **AZAPO** avers that, landlessness is the source of this state of abject poverty that many of our people find themselves. Conversely, the dominant position assumed by the white minority in our country is directly related to their ownership of land, and therefore control of our national wealth and the economy.

The only way to correct this socio-economic imbalance, which is necessary for long-term political stability, national solidarity and social cohesion, is to boldly confront the vast inequities that exist in land ownership between black and white, workers and the bosses, and the working class and the bourgeoisie in our country.

Africa is our continent, we begin here and we shall end here, as the muse of the liberation struggle, Ingoapele Madingoane, exhorts us in his emblematic poem about this beautiful land of ours.

*“In Africa my beginning
And Africa my ending
Suckers of my country
They laid their sponges
Flat on its soil and absorbed its resources
To fill their coffers*

.....

*Azania here I come from apartheid in tatters
In the land of sorrow from that marathon bondage
The Sharpeville massacre, the flames of Soweto
I was there I will die there
In Africa my beginning
And Africa my ending
Let's do something
Mbopha.*¹³

We commend the poet's last words to this Parliament, "Let us do something, Mbopha", about our land.

¹³ From <http://redpoetrycom.blogspot.com/>

15. Bibliography

- 1) Biko, Steve. 2005. I write what I like. Cambridge Electronic copy
- 2) Cabral, Amilcar.1970. "National Liberation and Culture"
- 3) <http://www.tgis.co.za/content/december-2015-newsletter>
- 4) Kloppers HJ and Pienaar <http://dx.doi.org/10.4314/pelj.v17i2.03>
- 5) Mao Tse Tung. 1977. Five Essays on Philosophy. Foreign languages Press. Peking.
- 6) Marx, Karl. 1975. Wages, Price and Profit. Foreign Languages Press. Peking.
- 7) McDonnell, Patrick. 10 July 2017 latimes.com, "One Mexican town revolts against violence and corruption. Six years in, its experiment is working,"
- 8) Rodney, Walter. 1982. How Europe Underdeveloped Africa, Howard University Press.
- 9) Stats SA. 2018. STATISTICAL RELEASE P0441. Pretoria.
- 10) www.ruraldevelopment.gov.za/phocadownload/Cadastral-Survey...
- 11) www.wcc-coe.org/wcc/what/jpc/echoes-16-05.html