

The politics of land reform: A comparative study of South Africa and Zimbabwe in the post 1994 era.

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Abstract

Politicians have often intimated that they determine the pace at which the removal of social inequalities between and among races in post-colonial societies takes place, while academics normally see broader historico-political forces at work. Although the resolution of land inequalities will certainly involve a number of forces and stakeholders, as it is always been a complicated process, questions often arise as to how politicians and politics influence this process. Much ink has been spilled in South Africa and much blood in Zimbabwe in attempting to effect land redress. In Zimbabwe, land reform became a key socio-political issue almost two decades after independence when a group of villagers under Chief Svosve invaded a white-owned commercial farm in 1997. This process became increasingly violent after the 2000 constitutional referendum and parliamentary elections. In South Africa, land remains an emotive issue with little transfer from whites to blacks (a category which includes coloureds and Indians) having been achieved. While in Zimbabwe the transfer of land was effected through violent means, in South Africa, the question is still to be resolved but it is clear that the ANC government is under pressure to act. This paper is concerned with the challenges facing Zanu PF and ANC in their attempt to redistribute land since 1994. It adopts a comparative historical lens to analyse how the "land question" shifts ontologically over time, politicians and revolutionary parties have dealt with land property rights in the past and the trajectory of the willing-buyer-willing-seller clauses.

Introduction

There are several historical and structural similarities between Zimbabwean and South African agriculture. Indeed, as Cousins has observed in South Africa, as is the case in neighbouring Zimbabwe, land carries a powerful political charge as there is enormous bitterness amongst black South Africans and a powerful desire to have the land restored to its rightful owners. Much ink has been spilled in the process of suggesting the way forward for South Africa in dealing with this delicate issue. However, ANC politicians, unlike their peers in Zanu PF, have not yet taken advantage of this land hunger to pursue populist land reforms. It is also a fact that the ANC continues to see its political power 'haemorrhage' away with each election hence the possibility that in the future they may politicise the land issue cannot

be dismissed entirely. Although South Africans are generally aware of the economic problems which gripped Zimbabwe during and after the Fast track Land Reform, and the possibility that such wild cat land invasions may cross the Limpopo, they are confident that constitutional structures that have been put in place to deal with the troublesome land reform will act as a check to any radicalisation of the land reform. Implicit in this line of argument is the view that there was no separation of power in the Lancaster Constitution hence what happened in Zimbabwe was a forgone thing prior to 2000, and yet various studies on the Zimbabwean land reform have demonstrated the 'spontaneity' of such invasions after the February 2000 referendum.

With this in mind, this paper re-examines the conventional wisdom that the business of politics is the protection of political power, in order to investigate whether, when the political fortunes of a ruling party begin to fade and when leaders in that party feel threatened, the temptation to pursue a populist agenda arises. Indeed, the Zimbabwean experience has shown that this process does not need many people to happen. Even though, ANC lacks a political leader with dictatorial tendencies like Robert Mugabe within its ranks, the possibility that a political faction with populist tendencies might usurp power and take the government towards a radical land reform exists. The fiery Landless People's Movement (LPM) - formed by representatives of landless people in South Africa to present their desire for land – is a reminder that there exists a section of the society that is prepared to take the land by force. Their major weakness has been the lack of political support.

The willing buyer willing seller clause

Regardless of the failure by both Zanu PF and Pf Zapu at the Lancaster House Conference in 1979 to triumph in making wholesale land redistribution a priority, the land issue nonetheless threatened to cause the breakdown of the negotiations. The impasse was only broken after American and British interlocutors offered aid to pay for extensive resettlement on a 'willing buyer willing seller' basis.¹ The entrenchment of and protection of private property rights, which only permitted land acquisition in the first decade through a 'willing buyer – willing seller approach,' included the provision that payments for such land were to be made in the currency of the seller's choice. The adoption of this principle clearly reveals the fears of the new government. During the 1980s there was the perpetuation of large scale commercial farms as they were considered to be more productive than small scale holders. As such medium-and low-potential land was made available to smallholders while the Highveld region remained monopolized by large settler estates. There were also fears, allegedly fanned by former colonial agricultural scientists who

¹ Moore, 'Is the Land the Economy and the Economy the Land?' 260.

still worked for the Ministry of Agriculture, of large production declines, and a potential national macroeconomic crisis, associated with disturbing the large-scale commercial farm subsector.² Weiner argues that the power and ideology of these agricultural experts were major factors in slowing the pace of land resettlement, and opting for a small-farm model. International aid agencies and financial institutions were also influential in this regard. He further argues that many black civil servants and agricultural planners were persuaded that any significant reorganization of large-scale commercial farming would prove disastrous to the economy. This is not to suggest that black planners were mere victims of colonial ideology. The myth of an unproductive peasantry was convenient to the emerging black elite who were quickly forming a class alliance with the white farm community, and in many cases were purchasing their own large-scale commercial farms. This alliance is one reason why, in Zimbabwe, the formulation and implementation of a bimodal small farm development strategy did not include significant redistribution of highveld land.³ The aim was to create a population, in the words of one commentator, of 'small big farmers', 'mirroring' the success of their commercial counterparts. As such, resettlement schemes were perceived as 'self-contained islands of modernisation.'⁴

One major characteristic of the market-oriented land redistribution exercise of the immediate post-independence was that very important role played by Zanu PF in depoliticising the land question.⁵ This process entailed both renegeing on its wartime promises to the populace that they would be given back their lost lands, and also restricting its socialist aspirations to the rhetoric level.⁶ The Zanu PF government occasionally intimidated the need for a socialist transition in agriculture while pursuing a more cautious growth with equity strategy. The land redistribution process which was carried out under the Lancaster House Agreement was distinct and different from the frenzied 'Fast Track' land reform of the year 2000. It was peaceful and orderly while the process of selecting people for resettlement was, by and large, transparent. However, this process was much slower than had been promised by the incoming ZANU PF government or anticipated by the landless Zimbabwean masses. Plans for a major redistribution of land were scaled down and a bimodal agricultural policy pursued.⁷ This strategy entailed maintaining the bulk of white-owned large-scale commercial farms, and the development of small-scale black agriculture in the communal areas (formerly reserves). This cautious approach resulted in a small number of African families being resettled under the Model A programme which prohibited labour migrancy as it was an

² D. Weiner, 'Agricultural Restructuring in Zimbabwe and South Africa,' 404.

³ Weiner, 'Agricultural Restructuring in Zimbabwe and South Africa,' 418.

⁴ Chaumba, 'From Jambanja to Planning,' 537.

⁵ Chitando, 'In the Beginning Was the Land': The Appropriation of Religious Themes in Political Discourses in Zimbabwe,' *Africa: Journal of the International African Institute*, 75, 2 (2005), 224.

⁶ T. O. Ranger, *Peasant Consciousness and Guerrilla War in Zimbabwe*, 1985.

⁷ Moyo, 'The Political Economy of Land,' (1986).

attempt to alter historical production relations and create a self-sufficient peasantry or in producer cooperatives (model B) and state farm irrigation schemes (model C) were also established. Producer cooperatives were designed to replace abandoned settler estates. Irrigation schemes were small-scale extensions of large state farms and envisioned as making high-input farming available to small scale black producers. Between 1980 and 1996, before the intensive land conflicts and the 'fast track' land redistribution exercise, only 3.5 million hectares had been redistributed to 75 000 peasants.⁸

The government's commitment to the willing buyer willing seller principle was occasionally tested by hordes of land hungry black Africans. For instance, in 1980, some former ZANLA war veterans in Masvingo who felt that nationalist leaders had betrayed the armed struggle by not taking land from the white elite settlers attacked white commercial farmers.⁹ They were arrested and handed long prison sentences, averaging 15 years by the state.¹⁰ Furthermore, it was reported in 1984 that 'squatters' were posing severe encroachment problems in Karoi, Tengwe and Chinyoyi areas' to which the politicians responded by siding with the large scale commercial farmers. Speaking at a Commercial Farmers Union Conference, the then Minister of Agriculture Mahachi declared 'Let me assure you, the elections are over . . . the honeymoon is over, we don't want anyone twisting the arm of government and we will be acting vigorously against squatting.'¹¹ Clearly, at the time the land hungry did not have state support hence culprits were brought to book. Sometimes, politicians exposed the lack of a clear ideology regarding land redistribution. For instance, Prime Minister Mugabe, speaking at a meeting of the Commercial Farmers Union in 1985, urged farmers to feel 'rooted' as they had an important role to play within the agricultural sector. 'We are unable to say when we will be able to say that socialism has been implemented in full. It will take a long time to do so. In the meantime, there are non-socialist modalities that must be promoted.' But after telling farmers to 'stay where you are', he warned that 'if you have land to spare, we will want that land for resettlement'.¹² During the 1990s the key trend appeared to be a gradual revision of the strategy of compulsorily acquiring underused land with partial compensation for land improvements, towards a policy of using donor funds to buy willingly offered land. Notable in the government's revised policy proposals of 1996 was the continuation of a bifurcated approach of transferring land to 'better off' black farmers, including medium-scale producers, and to the landless or 'poor but capable' farmers in overcrowded communal areas.¹³ By the late 1990s, Zanu PF had managed to make land a key political

⁸ Moyo et al, 2004:157

⁹ W. Z. Sadomba, *War Veterans in Zimbabwe's Land Occupations: Complexities of a Liberation Movement in an African Post-Colonial Settler Society*, (London: James Currey, 2011), 78.

¹⁰ Sadomba, *War Veterans in Zimbabwe's Land Occupations*, 78.

¹¹ Financial Gazette, 19 July 1985, 17.

¹² Mugabe quoted in Weiner, 'Agricultural Restructuring in Zimbabwe and South Africa,' 408-9.

¹³ Moyo, 'The Political Economy of Land,' 12.

issue. In fact, Zanu PF rewrote the liberation war narrative to pin it on the land question as it averred that that black ownership of land was consistent with the divine order of things as reflected in the Christian declaration 'As it was in the beginning, so shall it always be.'¹⁴

Zimbabwean experiences in the 1980s have a striking resemblance with the current predicament ANC politicians find themselves in as a result of the willing buyer willing seller clause. In South Africa, the decision to adopt a willing buyer willing seller approach in 1997 was not dictated by the South African Constitution. The legal and policy framework for land reform was set out in the 1997 White Paper which provided for land acquisition in terms of the 'willing buyer-willing seller' method.¹⁵ This policy choice was in line with the wider neoliberal (and investor friendly) macroeconomic strategy adopted by the ANC in 1996.¹⁶ However, it was not long before it became clear that the rate of land transfer was far below its demand among the landless peasants. By 2005, pressure for land had mounted such that at the National Land Summit held in July that year calls for the review or even abandonment of the 'willing buyer, willing seller' approach were heard from activists and senior political figures, among them the Deputy President and the then Minister of Land Affairs.¹⁷

Just as in Zimbabwe in the 1980s, the South African situation is characterised by low levels of mobilisation (and the absence of militancy) among the rural poor and landless. This scenario means that the design and implementation of land reform policies continues to be shaped by state officials and their technical advisors and, less directly, by landowners through their power to withhold land from the programme.¹⁸ The South African state is keen to maintain the status quo rather than heard towards a collision with white landowners and their neoliberal supporters both at home and abroad. Indeed, as Lahiff has argued, the landowner veto provided under MLAR ensures that the pace and direction of reform will be dictated by one of the most conservative elements in South African society and one with a vested interest in maintaining the current-highly unequal structure of the agrarian economy.¹⁹ Given this scenario, there is some justification in the thinking that until the landless class can be mobilised to challenge the interests of established landowners and agricultural capital, and to force decisive intervention by the state, there is unlikely to be any fundamental change in the conditions which recreate

¹⁴ E. Chitando, 'In the Beginning Was the Land': The Appropriation of Religious Themes in Political Discourses in Zimbabwe,' *Africa: Journal of the International African Institute*, 75, 2 (2005), 224.

¹⁵ Sibanda 'Where Zimbabwe got it wrong,' 5

¹⁶ E. Lahiff, 'Willing Buyer, Willing Seller': South Africa's failed experiment in market led agrarian reform,' *Third World Quarterly*, 28, 8 (2007), 1577-1597.

¹⁷ Lahiff, 'Willing Buyer, Willing Seller,' 1582.

¹⁸ Lahiff, 'Willing Buyer, Willing Seller,' 1583.

¹⁹ Lahiff, 'Willing Buyer, Willing Seller,' 1593.

poverty, landlessness and inequality in rural South Africa. Although there is general consensus among the ANC ruling elite, as exemplified by the admission of the Minister of Land Reform, Gugile Nkwinti, that the 'willing buyer-willing seller' method of land acquisition had failed to work for South Africa, there is little political will to increase the pace of land redistribution. In fact, by 2008 only 5.8 million hectares which constitute around 5% of commercial farmland had been transferred to blacks through a combination of restitution and redistribution.²⁰ This gradualist approach to resolving the land issue is due to the marginalization of the land reform program by official policy, intellectuals and civil society. The unrelenting demand for land by the marginalised and excluded landless South Africans ever since the new ANC government came into office, and also the haemorrhaging of ANC's power means that the possibility of politicians taking advantage of land grievances cannot be dismissed. It is also a truism, problems besetting the landless stand have high chances of being resolved should an alliance with a popular political party such as ANC occurs.

How to politicise land: The Zimbabwean case

If indeed, the politicians managed to depoliticise the land issue in the 1980s, then its politicisation in the late 1990s merits a closer examination. While the causes of the land invasions in Zimbabwe are without doubt complex, the political element stand out clearly when one examines why Zimbabwe took its land when it did. From the late 1990s land began to be seized and allocated by Zanu PF party officials to party supporters. Their argument was that they were under pressure from land hungry peasants to take the land. Of course, it is a truism that as long as the land question was unresolved contestations over its control were bound to happen. It is also true as Shaw argues that there was need for land reform because peasants and the landless poor would undoubtedly benefit from being given white-owned land.²¹ The fact that peasants wanted land is clear but in the absence of a comprehensive study based on peasant views it is difficult to state whether they overwhelmingly supported the process or whether that meant that they were bona fide Zanu PF supporters. Norma Kriger's study on peasant participation during the liberation war has already seriously questioned the idea that the war was fought with overwhelming peasant support as she noted various forms of intimidation on the parents.²² During the land reform war veterans and Zanu PF politicians merely resuscitated wartime structures of coercion.

²⁰ Cousins, 2009.

²¹ W. H. Shaw, '“They Stole Our Land”: debating the expropriation of white farms in Zimbabwe,' *Journal of Modern African Studies*, 41, 1 (2003), 75-89.

²² N. J. Kriger, *Zimbabwe's guerrilla war*, (Cambridge: Cambridge University Press, 1992).

A number of reasons ranging from socio-political to economic have been brought forward in literature on the Zimbabwean land reform to account for this development. This study restates the argument that it was mainly for political expediency. Using the Zimbabwean case study, I also contend that without a significant shift at the political level an accelerated agrarian reform programme that redistributes substantial areas of land and provides appropriate support services to the rural poor is unlikely to emerge in South Africa. What this means is that as long the ANC politicians do not benefit directly from such a populist measure there are unlikely to give land issues a priority status, and take action to resolve inequalities in land ownership. Even though, it is generally believed that the politicisation of land is not possible in South Africa given that at present a market-oriented approach seem to influence policy formulation, it possible to argue that when the political fortunes of those in the echelons of power begin to fade a marriage of convenience might be forged with organisations representing the rural poor and the landless. This union, I argue, would make possible the mobilisation of the rural people on a substantial scale to push their demands for land thereby strengthen the pro-fast land reform lobby, and make it an integral part of the policy-making process.²³

While it is clear that the willing buyer and willing seller method has several problems, an important question which scholars have toyed with is - were the farm invasions orchestrated by land deprived Zimbabweans who were tired of the procrastination caused by the method and therefore genuinely wanted socio-economic redress of past injustices or was another hand with a different agenda at play? Although there was limited success with the resettlement of landless Africans on small scale commercial farms during the 1980s, in the 1990s, as Moore has argued, a good proportion of the resettled land found its way into the hands of ZANU-PF politicians, and the emerging black bourgeoisie class.²⁴ Thus, in the 1990s, when the government was no longer hamstrung by the provisions of the willing buyer willing seller principle, the politicisation of land begun.

By the time of the 1996 presidential election, Zanu PF politicians were increasingly making rhetoric statements about land redistribution. Following the presidential election in 1996, there was another attempt to raise the tempo in the land debate. In November 1997 (under the powers of the Land Acquisition Act), the government engaged in a sweeping designation of 1 471 farms. The resettlement programme was officially focused on two target groups (a shift encapsulated in the new land policy from 1990): poor, landless rural farmers from the communal areas; and potential entrepreneurial farmers (with

²³ Lahiff, 'Willing Buyer, Willing Seller,' 1593.

²⁴ Moore, 'Is the Land the Economy and the Economy the Land?' 261.

appropriate qualifications, including college training and 'Master Farmer' certificates).²⁵ Implicit in this strategy was the maintenance of a dualistic structure, with the policy approach combining welfarist support alongside an increasing emphasis on creating a new commercial small-scale farming sector. The whole process of land acquisition which ensued, however, got embroiled in an inordinately complex bureaucratic process including the tracing of inaccurate land deeds and registration, creating delays and confusion. The result was much uncertainty, and a growing lack of trust in the government's policy approach. However, by 1998 a new initiative was on the cards with a new donor-backed proposal from the government. Yet again there was no questioning of the basic technical premises of the resettlement models. A series of models was suggested with an ambitious target of resettling 91 000 families in five years was set. Criteria for the selection of settlers were set which again emphasised a particular sort of background and technical knowledge, in order to create a particular sort of farming community on the new resettlement areas. But the land acquisition process faltered during 1999. Political proclamations from senior government ministers put the diplomatic and aid communities on edge, the British government was reticent about paying for land acquisition on a large scale, and lobbying by commercial farmers' representatives and others helped delay the momentum established during the previous year. The context dramatically changed during 2000, when, led by the war veterans lobby who had already been engaged in major strikes and protests around compensation claims in 1997, land invasions accelerated, particularly in the lead up to elections in 2000. Land invasion and squatting, of course, were not new, but this time such protests were more overtly political and aimed to gain national (and international) attention.²⁶ They argued that they were being forced by peasants to take land and yet these claims do not adequately answer the following questions: What then spurred the 1997 announcement that 1 471 commercial farms would be acquired and resettled? Why did that demand wither away to less than 350 by the end of 1998? Why are there reports that the state had not taken any farms by the end of 1999, and could not pay for the one that the owner was trying to sell to it?²⁷

From the chronology of developments after the 1996 presidential election, it is clear that the land invasions were a vendetta against the white commercial farmers for openly supporting and assisting the opposition.²⁸ Although Zanu PF politicians committed themselves to follow due process, and respect for the rights and liberties of citizens which are prerequisites for sustainable and economically viable land reform during the 1998 international donors' conference on land reform and resettlement, and again in the

²⁵ Chaumba, 'From Jambanja to Planning,' 539.

²⁶ Chaumba, 'From Jambanja to Planning,' 539.

²⁷ Moore, 'Is the Land the Economy and the Economy the Land?' 262.

²⁸ T. K. Chitiyo, 'Land Violence and Compensation: Re-conceptualizing Zimbabwe's War Veterans' Debate,' *Track Two*, 9, 1(2000), http://ccrweb.ccr.uct.ac.za/archive/two/9_1/zimbabwe.html accessed 18.03.2013.

September 2001 Abuja agreement, it subsequently ignored them. It also repeatedly failed to cooperate with the United Nations Development Programme in designing an orderly, monitored, internationally funded, step-by-step re-settlement plan.²⁹ When Zimbabweans rejected the government proposed constitution in the referendum of February 2000, the government deliberately encouraged the occupation of farms by war veterans and other pro-government elements. This followed accusations by government that white farmers had encouraged their workers to vote against the proposed draft constitution. Moore has argued that using the beginning of 2000 as a starting point, one could count ZANU-PF's failed constitutional referendum of February as the beginning of the 'events of the final crisis.' Added to the financial and political costs of nearly 18 months of military support for Laurent-Désiré Kabila's Democratic Republic of the Congo (DRC), and the false starts to the intensified land resettlement programme which it had been promising since late 1997, the loss of the referendum was the straw that started to break the ZANU-PF camel's back.³⁰ The constitution promised to ignore the 'willing buyer willing seller' restrictions on land confiscation, but it could be argued that voters had heard much of that rhetoric before. Its promise to extend presidential powers was more in line with past practice, and was capitalised upon by the 'civil-society'-based, and almost MDC-identical, National Constitutional Assembly (NCA).³¹

Soon after the June election the president announced a 'fast-track' programme of official acquisitions of 3 041 farms, representing well over 8 million hectares of land, in three months.³² It is important to note that during this time there were inconsistencies in the manner that Zanu Pf politicians grappled with the willing buyer willing seller principle. Land invasions were initially cast as political 'demonstrations' at the government and donors' failure to address the highly charged 'land question' after 20 years of independence, and anger at the rejection of the new constitution. Chaumba has argued that explanations of the farm occupations have tended to cast them as either a spontaneous rejection of bureaucratic process of land reform or a state-orchestrated process but that this dichotomy is not necessarily helpful. There were a variety of further motivations for the farm occupations, ranging from top-down directives to bolster support for ZANU(PF) in its rural heartlands, to localised desires for the restitution of ancestral land, to opportunist 'poaching'.³³ President Mugabe and war veterans' leaders such as Chenjerai Hunzvi

²⁹ W. H. Shaw, "'They Stole Our Land': Debating the expropriation of white farms in Zimbabwe,' *Journal of Modern African Studies*, 41, 1 (2003), 75-89.

³⁰ D. Moore, 'Is the Land the Economy and the Economy the Land? Primitive Accumulation in Zimbabwe,' *Journal of Contemporary African Studies*, 19, 2 (2001), 255.

³¹ D. Moore, 'Is the Land the Economy and the Economy the Land? Primitive Accumulation in Zimbabwe,' *Journal of Contemporary African Studies*, 19, 2 (2001), 255.

³² Moore, 'Is the Land the Economy and the Economy the Land?' 263.

³³ Chaumba, 'From Jambanja to Planning,' 540.

and Joseph Chinotimba were deliberately deploying the language and symbols of the liberation war. These included reviving the former enemies (Rhodesians and imperialist, mainly British, aggressors), slogans, pungwes, and the creation of a new cadre of youth brigades. Mugabe was at pains to assert that 'ZANU(PF) has a degree in violence' and threatened to 'go back to the trenches'.³⁴ One war veteran quoted at length by Chaumba had the following, 'It was a difficult time trying to convince people that we mean it and, mind you, MDC [the op-position Movement for Democratic Change] had infiltrated quite a lot. Many youth were MDC supporters. We had to use force. We sometimes had to force people to attend meetings in rural areas. We also got help from councillors, the District Administrator's office, the army and the CIO (Central Intelligence Organisation).'³⁵ The presence of the farm invaders thus served a dual role. As well as appropriating land they were part of the on-going ZANU(PF) political campaign for the parliamentary and presidential elections of 2000 and 2002.

Shaw has shown that there were multi-layered processes of farm ownership among the settler community in Zimbabwe hence the accusation that land was not being offered for sale remains largely unjustifiable. The land invasions saw even those farmers who had purchased land with the blessing of the government after independence lost it during the land reform. Though most white commercial farmers were Zimbabwean citizens, the limited social and political integration of most white LSCF owners renders them relatively isolated. This isolation shaped perceptions of them as non-indigenous persons.³⁶ However, as Chaumba observes, in the case of the Gonarezhou National Park occupation there was no white landowner to attack nor was it possible to blame colonial authorities since the Mugabe government had since independence insisted on maintaining the land as a national park. Thus, the government's rhetoric of white reluctance to give land was questionable, and exposed its own failure resolve the land question.³⁷ This inconsistency emanates from the political nature of the land reform process itself.

While this was happening, Zanu PF politicians kept arguing that the land invaders had been frustrated by the slow rate of land transfer, and had therefore decided to take matters into their own hands. Unlike in the 1980s when land invaders were rounded up and arrested for squatting, this round of invasion was characterised by police inaction and the active participation of party cadres and war veterans. Moore has questioned one version of the Zimbabwean narrative which says the peasants took charge of history and re-confiscated their land because the 'conservative' peasantry did not appear to have played a large role in

³⁴ Chaumba, 'From Jambanja to Planning,' 540.

³⁵ Chaumba, 'From Jambanja to Planning,' 541.

³⁶ Moyo, 'The Political Economy of Land,' 23.

³⁷ Chaumba, 'New Politics, New Livelihoods: Agrarian Change in Zimbabwe,' *Review of African Political Economy*, 30, 98 (2003), 595.

the land invasions.³⁸ Indeed as Moyo argues, ‘While historical grievances over land alienation remain important, these tend to be subordinated to the more general demand for the redistribution of land for productive uses by a variety of potential and actual small and large-scale black land users. In the media, the most visible demands for land are those of black elites, not communal area farmers.’³⁹ There were also rumours that the Fast Track Land Reform was a way of paying off adherents since huge numbers of farms are now controlled by people with close connections in Zanu PF. For instance, the former commander of the Zimbabwe Defence Forces, the late Solomon Mujuru, was at the time rumoured to be the country’s biggest landowner with between six and 16 farms.⁴⁰ McGregor’s paper exposes the partisan nature of the land reform process through examining the deployment of war veterans by Zanu PF in predominantly rural areas to check the growing strength of the then predominantly urban-based MDC. Their violent intervention, she argues were part and parcel of Zanu PF’s ‘broader strategic deployment of disorder.’⁴¹ War veterans were seen to be hiding the hand of the army and intelligence services as they played a leading role in farm occupations.⁴² The use of war veterans in taking land was also extended to other activities especially after the June 200 elections as Zanu PF prepared for the presidential elections in 2002 with invasions of farmland extending to private businesses, companies, independent press, the Supreme Court, and local authorities.⁴³ Kinsey says that earlier on in 1997, representatives of the donor community in Harare remarked in private that they had been asked to assist a programme for which there was no goal, no plan, no timetable, no budget, no capacity and no transparency.⁴⁴ He notes the quandary that faced political leaders that if newly acquired land had been redistributed to the political and economic elite at a time when most of Zimbabwe’s populace faced mounting economic hardships, the outcome would have been the undermining of political trust and further widening of existing rifts in the national social fabric.⁴⁵

While this was happening, Zanu PF, despite its radicalism in expropriating large-scale commercial farms, spared church land due to the fact that church leaders successfully bargained with the ruling party for them to retain the land, even though most church farms were not productive.⁴⁶ For the new settlers even to be seen talking to known opposition MDC activist(s) was enough for that person to have to flee from the area for their own safety. Access to land in the new resettlement areas was also highly politicised: to

³⁸ Moore, ‘Is the Land the Economy and the Economy the Land?’ 258.

³⁹ Moyo, ‘The Political Economy of Land,’ 6.

⁴⁰ Moore, ‘Is the Land the Economy and the Economy the Land?’ 259.

⁴¹ J. McGregor, ‘The politics of disruption: War veterans and the state in Zimbabwe,’ *African Affairs*, 101 (2002), 9-37.

⁴² McGregor, ‘The politics of disruption,’ 10.

⁴³ McGregor, ‘The politics of disruption,’ 11.

⁴⁴ Kinsey, ‘Land Reform, Growth and Equity,’ 174.

⁴⁵ Kinsey, ‘Land Reform, Growth and Equity,’ 174.

⁴⁶ Chitando, ‘In the Beginning Was the Land,’ 230.

participate in resettlement and gain land one had to be ostensibly ZANU-ised and having a proven history of support for the Zanu PF. Those with a well-known MDC (Movement for Democratic Change opposition party) activist as a family member were very unlikely to receive land.⁴⁷ At the time, 20 % of the land was reserved for war veterans, who had first choice of plots. The question is whether this consequently constitutes a more equitable land reform exercise, or a party-politicised mode of beneficiary selection offering more patronage opportunities.⁴⁸ Not surprisingly, in 2007, the Zimbabwe government reportedly repossessed 1 449 commercial farms that it had seized from whites after it discovered that the land was either empty or the new farmers were not doing any farming.⁴⁹ Lands Minister Didymus Mutasa was quoted in the 'state-controlled' daily Herald as saying that his ministry was repossessing 'all vacant and underutilized A2 farms (a state scheme meant for settlers with independent finance to carry out commercial farming) and we are not going back on this exercise.' The farms would be given to new, deserving applicants who can put them back to use and ensure that there is food production.⁵⁰

As Muzondidya has shown, this phase of resettlement tended to be exclusionary targeting as it did those who had the political currency. Focusing on the experiences of 'invisible minorities', such as coloureds and descendants of immigrants from Malawi, Zambia and Mozambique, Muzondidya discusses both the ambiguities and contradictions in the fast track land reform exercise, as well as newly emerging notions about race, identity, nation and citizenship.⁵¹ He observes argues that even in the later phases of the land restructuring process in the 1990s, government planning continued to put less effort into addressing the economic needs of subject minorities. The Land Acquisition Act of 1992 did not mention farm workers or urban groups at all; the 1997-98 resettlement proposals also did not address farm workers as potential recipients of land, but only as workers. While the September 1998 donor conference on land resettlement produced a more comprehensive resettlement scheme, it also failed to address the farm workers' concerns.⁵² All this puts into perspective the fact that those who do not have the political power to vote politicians into power remain marginalised – a result of a conscious decision to concentrate on political hot spots. Indeed, as Muzondidya argues, following its defeat in the constitutional change referendum of 2000 and its near defeat in the parliamentary elections of the same year, the Zimbabwean government has

⁴⁷ Chaumba, 'New Politics, New Livelihoods,' 597.

⁴⁸ Chaumba, 'From Jambanja to Planning,' 547.

⁴⁹ 'Zanu-PF wants to grab Mutinhiri farm,' <http://www.bulawayo24.com/index-id-news-sc-national-byo-27562.html> accessed on 15 March 2013.

⁵⁰ N. Sibanda, 'Where Zimbabwe got it wrong - lessons for South Africa: A comparative analysis of the politics of land reform in Zimbabwe and South Africa,' Master of Arts (International Studies), Stellenbosch University, Dec 2010, 101.

⁵¹ J. Muzondidya, 'Jambanja: Ideological Ambiguities in the Politics of Land and Resource Ownership in Zimbabwe,' *Journal of Southern African Studies*, 33, 2 (2007).

⁵² Muzondidya, 'Jambanja: Ideological Ambiguities in the Politics of Land and Resource Ownership in Zimbabwe,' 333.

abandoned both its political conciliatory approach and the inclusive nationalism of the early period and instead adopted a radical, exclusive nationalist stance.⁵³ Furthermore, 'Operation Murambatsvina (Clean Up)'s alleged victims, as argued by Zanu PF politicians were alien urbanites who 'had no identity and recognition (as Zimbabweans).'⁵⁴

Recent developments within Zanu PF seem to suggest that land continues to be a political tool even after the fast-track reform was officially declared over. Speaking at the recent held Mugabe's 89th birthday celebrations, the Mashonaland Central Provincial Chairman noted with great concern "that there are corrupt leaders who have decided to evict people with offer letters. This has to stop and be resolved because it will cost the party in the next election. Some senior party officials come and lie to us saying they have been sent by the president yet they will be pushing their own agendas,"⁵⁵ The experiences of the ex-Zanu-PF Women's League political commissar and legislator Tracy Mutinhiri who claims that her former comrades are moving in to grab her farm as preparations for elections gain momentum, reveal that Zanu PF will continue to use land as a political tool. Mutinhiri, who is now a member of the MDC, nearly lost her farm in 2011 after she had been accused of befriending MDC officials. In 2011 Zanu-PF youth militia invaded Mutinhiri's farm and it took the intervention of police in riot gear to save her farm. The Zanu PF militia had taken camp at the entrance of Mutinhiri's Tapiwanashe Farm and dancing to songs denouncing the then deputy minister.⁵⁶ Clearly these were not landless peasants eager to find land.

The Zimbabwean case, as Moyo argues, has been cast as an attempt to pursue a radical state-led approach to land redistribution through compulsory land acquisition, or as a failed bureaucratic and 'non-transparent' effort. In contrast, the South African experience came to be held up as a more democratic, transparent, community driven and less costly 'market assisted' approach.⁵⁷ Many have criticised Zanu PF politicians' emphasis on giving 'land to the people' even at the expense of the fundamental issue of land husbandry and the competency of those settled. Although, the general thinking is that the politicisation of land a' la Zimbabwe is not possible in South Africa the slow rate of redistribution occasionally threaten to throw the land issue into mainstream politics. The Zimbabwe government's departure from a 'willing-seller, willing-buyer' model to violent and large scale commercial farm invasions of 2000 caused

⁵³ Muzondidya, 'Jambanja: Ideological Ambiguities in the Politics of Land and Resource Ownership in Zimbabwe,' 333.

⁵⁴ Muzondidya, 'Jambanja: Ideological Ambiguities in the Politics of Land and Resource Ownership in Zimbabwe,' 334.

⁵⁵ Elias Mambo, 'Zanu PF may lose in Mash central: Mafios,' *The Independent*, 8 March 2013.

⁵⁶ 'Zanu-PF wants to grab Mutinhiri farm,' <http://www.bulawayo24.com/index-id-news-sc-national-byo-27562.html> accessed on 15 March 2013.

⁵⁷ S. Moyo, 'The Political Economy of Land Acquisition and Redistribution in Zimbabwe, 1990-1999,' *Journal of Southern African Studies*, 26, 1 (2000), 5-28.

land reform in South Africa to come to the fore. The violent large scale and fast tracked farm invasions had strong resonance for the ANC and the landless people in South Africa, where severely skewed land ownership patterns that are in favour of the minority white people persist. Before then, while the need for land reform was acknowledged, it was not so much a topical issue as it became after Zimbabwe's large scale land expropriations.

The predominance of peri-urban and urban settlement types and the importance of non-farm income have led many analysts to question the existence of a peasantry in rural South Africa. Some have suggested that former *Bantustan* inhabitants would prefer industrial work over family agriculture, and move permanently to town if given the opportunity.⁵⁸ As such, they argue that 'peasants' have ceased to be a strategically or numerically significant class in South Africa.⁵⁹ This, notwithstanding, Walker notes that one national survey conducted in 2003 found that an 'astonishing' 85% of black South Africans agreed with the statement that 'Most land in South Africa was taken unfairly by white settlers, and they therefore have no right to the land today.'⁶⁰ There was even widespread popular support for Zimbabwe's radical land redistribution policies within South Africa which only began to wither from around 2005 as evidence of human rights abuses, famine and economic meltdown became clear to his admirers in South Africa.⁶¹

It is reasonable to think that in the future land might become a political tool for the ANC if one consider that land, as Walker argues, has always occupied a prominent position in the ANC's understanding of the liberation struggle, beginning with its own founding in anticipation of the Natives Land Act (1913) while its 1955 Freedom charter also gave prominence to rural demands for land and tenure security.⁶² The increasing number of landless people in South Africa continues to be a cause for concern among many stakeholders including ANC politicians who are under pressure to deliver their war-time promises. For instance, over two million farm dwellers including some tenant farmers engaged in independent production were displaced between 1994 and 2004 - more than had been displaced in the last decade of apartheid (1984-94) and more than the total number of people who had benefited under all aspects of the official land reform programme since it began.⁶³ For land reform to be meaningful, as Lahiff argues, it would have to be fundamentally redistributive, benefiting not only those currently involved in agriculture but also those who had long been dispossessed.⁶⁴ It is therefore, not surprising that in 2010, the ANC

⁵⁸ Weiner, 'Agricultural Restructuring in Zimbabwe and South Africa,' 413.

⁵⁹ Weiner, 'Agricultural Restructuring in Zimbabwe and South Africa,' 413.

⁶⁰ C. Walker, *Landmarked: Land claims and land restitution in South Africa*, (Johannesburg: Jacana, 2008), 24.

⁶¹ Walker, *Landmarked: Land claims and land restitution in South Africa*, 40.

⁶² Walker, *Landmarked: Land claims and land restitution in South Africa*, 50-1.

⁶³ Lahiff, 'Willing Buyer, Willing Seller,' 1582.

⁶⁴ Lahiff, 'Willing Buyer, Willing Seller,' 1578.

leadership proposed to nationalise all land- a move which was responded to by the DA in the following manner; 'What the ANC has forgotten is that it does not have the votes to amend the Constitution. The DA will vote against any attempt to amend section 25, and we expect other opposition parties to follow suit.'⁶⁵ This opposition, notwithstanding, during his opening address at the ANC's policy conference in Johannesburg two years later, President Jacob Zuma proposed, among other things, the abolition of the willing-buyer/willing-seller principle and the nationalisation of land - a move which many feared could have political repercussions, and undermine South Africa's property market and economy.⁶⁶ Like many opposition politicians, Lindiwe Mazibuko, DA MP, acknowledged that the willing buyer willing seller principle was failing but blamed it on poor ANC government policy, and a management and implementation process 'crippled' by corruption, poor planning, and financial mismanagement.⁶⁷ She recognised the danger 'of allowing demagogues to hijack this crucial debate for their own narrow political ends.'⁶⁸ In fact, a farm between Qwaqwa and Harrismith in the Eastern Cape was illegally occupied in June 2011 by a group that alleged that the then ANC Youth League (ANCYL) Julius Malema had given them permission to claim the land for themselves. This incident came in the wake of calls made by Malema at an ANCYL conference that land should be expropriated without compensation.⁶⁹

Despite all these developments, Sibanda argues that a Zimbabwe will not happen in South African because a key feature of the South African system of government provided for by the country's constitution, which has huge implications to the land issue, is the division of powers between the three pillars of government namely - the Executive, the Legislature and the Judiciary. He observed correctly that in Zimbabwe, while the doctrine of separation of powers once existed, it has been compromised by ZANU PF's perpetual interferences with organs of state.⁷⁰ For instance, in November 2000, Zimbabwe's Supreme Court ruled that the 'fast track' land expropriations were illegal. This ruling followed two

⁶⁵ Statement issued by Annette Steyn, MP, Democratic Alliance deputy shadow minister of rural development and land reform, March 15 2010, <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71654?oid=166003&sn=Detail>, accessed 22/03/2013.

⁶⁶ Statement issued by Cornelius Jansen van Rensburg, Spokesperson on economic affairs: AfriForum, June 27 2012, <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71654?oid=308633&sn=Detail>, accessed 22/03/2013.

⁶⁷ Statement issued by Lindiwe Mazibuko MP, DA Shadow Minister of Rural Development and Land Reform, 23 June 2011, <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71654?oid=242543&sn=Detail>, accessed 22/03/2013.

⁶⁸ Statement issued by Lindiwe Mazibuko MP, DA Shadow Minister of Rural Development and Land Reform, 23 June 2011, <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71654?oid=242543&sn=Detail>, accessed 22/03/2013.

⁶⁹ Statement issued by Athol Trollip MP, DA Parliamentary Leader, July 3 2011, <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71654?oid=243930&sn=Detail>, accessed 22/03/2013.

⁷⁰ Sibanda, 'Where Zimbabwe got it wrong,' 80.

similar high court rulings that had been heard before. However, the court rulings were ignored by President Robert Mugabe and his government. Sibanda, therefore, concludes that the non-recognition of separation of powers in Zimbabwe explains why there violent land invasions in the year 2000. And yet the recent story about Julius Malema and his tax evasion cases which came into the open after he was dismissed from ANC disputes the alleged independence of the South African Judiciary. But of course since South Africa is a semi-federal state, in terms of the constitution, there are areas that are exclusively the responsibility of central government and there are areas that are concurrently the responsibility of both the government and the provinces.⁷¹ This means that there is a central national government as well as semi-autonomous provincial governments.

Conclusion

This paper has shown that a willing buyer willing seller clause failed to work in Zimbabwe while the future of market oriented approach to land reform in South Africa is bleak given mounting pressure on politicians to resolve colonial injustices in land ownership. Although the land question has largely been resolved in Zimbabwe, in South Africa danger exists that politicians may take over the process and lead to a violent land reform. As we reach 100 years after the passage of the Native Land Act (1913) it is still a matter of concern that land ownership in South Africa continues to be along racial lines. As pressure continues to mount on ANC politicians from a number of sources including its urban-industrial electorate and the rural populace, it is important that land redistribution occur at a faster rate lest some demagogues take advantage of this emotive issue to pursue a radical land redistribution process a' la Zimbabwe.

⁷¹ Sibanda, 'Where Zimbabwe got it wrong,' 84.

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