

The state must

Various political parties talk about the "land question" in South Africa and the need to address it. What does the ANC mean when it talks about the land question?

We are talking about the history of forced removal and dispossession and alienation of land. We are talking about the resultant unequal distribution of land where 87% of land is owned by whites. Dispossession has been part of the strategy of oppression and has resulted in and aggravated poverty - the plight of the majority of people in South Africa. We have ended up with a black rural population which is largely landless and where land is held by black people it is inadequate for farming. This, and the lack of support for black farmers must be seen in the context of the general neglect of rural people and the bantustans.

There is also the picture of white access to and control of land and the virtual enslavement of black people in white rural areas. This has resulted in the serious abuses of human rights to which farmworkers are subjected.

In May 1992, the ANC adopted several policies at its National Policy Conference. Among these was a policy on land. What are the main elements of the ANC's policy on land?

There are two main components to our land policy, as adopted in May 1992. The first is the need to

address the history of forced removal. This means there must be restitution and we see a land claims court addressing those people with historical claims.

The second main component is to address the needs of all those who do not have claims but who have been denied access to land. We see these people getting opportunities in the agricultural sector. In terms of non-agricultural land needs, we see the state taking responsibility for people having, at the minimum, secure access to residential land. Essentially we see a land reform process being used to address the needs of the landless.

What is the current status of the policies adopted at the ANC's May 1992 National Policy Conference? Will these policies be implemented as legislation, should an ANC government come to power?

The policy, as adopted, is official ANC policy at the moment. Most of the policies adopted at the May conference are statements of intent and cannot readily be transformed into legislation. However, legislation should embrace the content, or spirit of what is said in the very consolidated policy document which came out of the conference. And the ANC, if it is the future government, would introduce legislation to give effect to these policies. Whether the composition of the future government will allow this, remains to be

Derek Hanekom heads the ANC's Land Desk which forms part of the ANC's Department of Economic Planning. AFRA interviewed Derek Hanekom on February 12 1993.

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seen. However, the ANC will certainly be pushing for legislation which captures the spirit of the policy.

The policy document has to be backed up by other documents which elaborate on the policy. The ANC has begun policy work to elaborate on this. Already we have a 20 page document on farmworker rights. This document is a lot closer to something which could result in legislation.

"Dispossession and denial of rights have resulted in the present unequal division of land and landlessness which will require legislative intervention far beyond the mere repeal of apartheid land laws. Our policies must provide access to land both as a productive resource and to ensure that all our citizens have a secure place to live," says the ANC's policy on land. How will this be practically implemented?

The ANC believes the state should make a positive intervention to implement this. Such positive intervention includes expropriation, if necessary. It also includes using existing state land, introducing a land tax and a ceiling on land holdings.

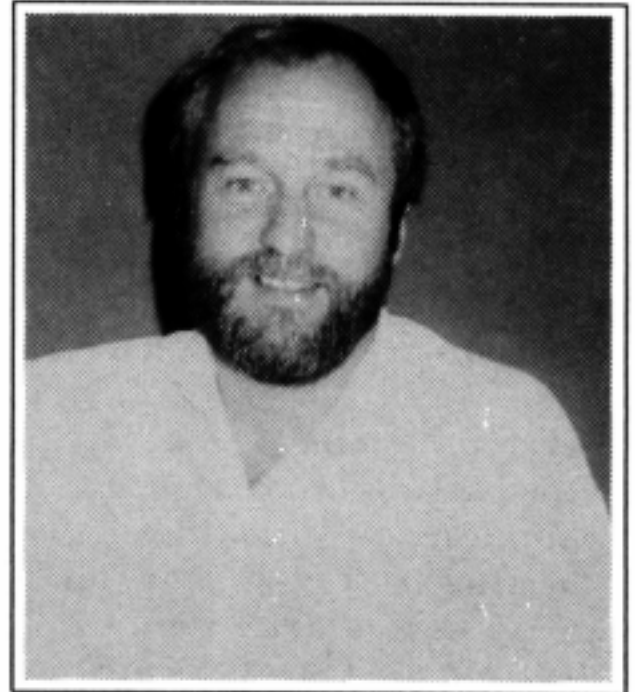
While everyone will not be entitled to farm, everyone will be entitled to land to live on.

A future state will have to have the right to expropriate land for residential purposes and to use existing land for urbanisation so that urban

landlessness can be dealt with. Regarding agricultural land, everyone will be given opportunities to gain access to this. More equitable distribution of agricultural land will have to be implemented through a combination of policy instruments, state intervention and market/fiscal measures. Some people will get their land back. Others will have the opportunity to buy land through easy credit arrangements.

We are currently working at fleshing out our policy on land reform, and hope to come up with a comprehensive policy before the end of 1993. The Land and Agriculture Policy Centre was set up in February this year and will be taking work around formulating a detailed policy further. By March, we hope to have a developed position on the land claims court. By April we intend having a comprehensive policy on farmworkers. July is the target for a policy on marketing systems. Work around agricultural research, technical assistance and extension services should be complete by November 1993. We are currently working on the fishing and forestry sectors. We will also be examining the feasibility of a land tax and its implementation.

By policy work we really mean very concrete and detailed policy recommendations which will involve an examination



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of legislation and what legislative changes are required. It's no longer good enough to say the ANC believes this, or the ANC believes that. We are moving from broad statements of intent to in-depth work.

Also in its land policy, the ANC says that the right of labour tenants and their families to secure tenure on pieces of land with which they have a long association will be protected. How will this be done?

Depending on the final form of the land claims court, labour tenants will be a group who could use the land claims court. The land claims court will be able to deal with these issues of rights retrospectively. This will be built into the terms of reference of the land claims court. The court will also have constitutional rights. The ANC has said it will recognise various forms of land rights. This will include strengthening tenure rights of current labour tenants.

What is the ANC's current involvement with labour tenants and farmworkers, particularly around the issue of evictions?

The ANC's involvement has been through its policy positions. In our policy we have treated labour tenants as farmworkers and as farmers. That is what they are after all, a blend of farmworker and farmer. We believe they should be considered as the beneficiaries of land reform and that they have a strong case for rights to land and support to farm productively, even if this is on a part-time basis. We also believe they should benefit

from farmworker legislation and the protection this will give farmworkers.

As the ANC, we have not been practically involved with labour tenants, except for our policy positions. However, the ANC has members in many different organisations and it is through these members that we have been able to have some practical involvement with labour tenants.

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The National Land Committee in 1992 called for a moratorium on the eviction of labour tenants and farmworkers. So far, there has been no positive response from the government and little support for the call from political organisations. What will the ANC's response be to this call/campaign in 1993?

We would give support that is needed by adding our voice to such a call. We have no more power in 1993 than we had in 1992 and besides adding our voice to the call for a moratorium and our members' involvement in grassroots land issues through their work in such organisations, there is little else we can do right now.

Regarding agriculture, the ANC proposes wide-ranging changes in its policy document. Can you tell us more about what the main changes are that the ANC

proposes and how these will be implemented?

There are still many unanswered questions for us, but we would probably go for a shift in the scale of farming operations and more state support to smaller farmers. This does not mean we think small is better. It simply means that we recognise that white farmers, who are mainly large scale farmers, have been well-catered for and that this has to shift to the other side.

What is the ANC's position on communal tenure and private tenure?

The ANC will recognise various tenure forms, including private tenure and communal tenure.

In 1992 various organisations and communities launched a campaign to halt the continued sale of state land and the administrative transfer of state land to homeland administration. Despite this, administrative transfer of state land was effected with all the homeland governments, except KwaZulu. At the end of 1992, the Goldstone Commission, in an interim report, called on the government to halt such transfers to KwaZulu. Is the ANC having discussions with the government around the issue of transferring state land to joint homeland administration? If so, what has been the result so far of these discussions?

My opinion is that if we are to have bilateral talks with the government on land, then the first thing we would have to settle is a moratorium on sale and

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transfer of state land. If there can be no agreement on this, then there can be no agreement on anything else around land.

The ANC has had one discussion with the Deputy Minister of Regional and Land Affairs on land matters. This was at his request. At that meeting we warned Deputy Minister Scheepers that land transfers to the bantustans would be ill-advised and confrontational. Despite our advice and despite the findings of the De Meyer report of massive corruption and maladministration in Lebowa, he went ahead and transferred land to Lebowa and Qwa Qwa.

The government seems keen to have meetings with us on land issues. We wish to repeat our position that for such talks to happen, we need to agree on a moratorium on state land sales and transfers.

Will the ANC raise the issue of land transfers with the KwaZulu government in talks with them?

The sale and transfer of state land is one which concerns the central government. They are the ones disposing of this land. Consequently, the ANC believes that discussions around the sale and transfer of state land should be conducted with central government.

In a 1992 AFRA interview with the Deputy Minister of Regional and Land Affairs said that the ANC had its own political agenda in opposing government land deals with homeland

governments. What is your response?

We have our own political agenda and our own land policy. This is to address the problems of the landless and dispossessed. We feel this is a legitimate policy and agenda, for which we make no apology.

The government's political agenda in its land deals was a crude way to try to gain votes and support from bantustan governments. Our other agenda was to expose this crude attempt to win votes.

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If the government refuses to reverse the administrative hand overs and proceeds with a land deal with KwaZulu, what does the ANC intend doing?

Given the Goldstone Commission's recommendation that the government halt land transfers to the bantustans and the ANC's warning, I think the government is likely to be cautious in how it proceeds. If the government does go ahead, we will have to assess the situation then. Should the government proceed with its land deals, the ANC would consider this a very provocative step and one

which would jeopardise negotiations.

In 1992, the ANC said that if it became the government, it would not honour the land deals the government has made with homeland governments. Does the ANC still hold this position? If so, what steps will the ANC take to implement it, if it becomes the government?

It's obviously a lot more difficult to deal with issues once they've taken place. We are saying that we will not be bound by the land deals entered into by the government and bantustan governments. We won't necessarily expropriate the land which has been transferred, but we will retain the right to do so.

The ANC has more of an urban bias than a rural bias. Given the likelihood that there will be pressing demands for improvements in urban areas, how do you propose to deal with the expectations of rural people that substantial resources be allocated to these areas?

While it is true that the ANC has more of an urban bias than a rural bias, we are quite strong in rural areas in the Eastern Cape and Transkei. We are relatively weak in the Western Cape and Natal rural areas. As a group in the ANC dealing with rural issues, we must lobby the ANC national leadership and emerge with a well-considered policy proposal which a future government will be able to accept. We must also ensure that such a policy fits in well with the overall programme of reconstruction and development. We must convince the ANC as a

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whole that the investment in rural development is an important one which will bear dividends - 50% of the population is rural. This doesn't mean we don't see urbanisation continuing. It means we must make the rural areas more viable, to contain the problems of urbanisation and improve the lives of the majority of our people.

The Deputy Minister of Regional and Land Affairs said towards the end of 1992 that his department was in the process of formulating a rural development strategy. What is the ANC's position around the issue of rural development?

The ANC has refused to participate in the advisory policy commission which the Deputy Minister has set up and we note that several other organisations, including the National Land Committee, have also refused to participate. We don't feel that the Department of Regional and Land Affairs should initiate a rural development programme. We are not saying the Department doesn't have the right to set up such an initiative, but we believe that it's not for this government to develop a rural development strategy. It's clear that this government has been seriously discredited.

The ANC is also developing a rural development programme, which is part of policy work for 1993. We will commission a host organisation to undertake the work and to do this in close cooperation with other organisations. The first step is to bring together the organisations working in the

rural sector, identifying areas of work that need investigation and then farming out these pieces of work. We hope to have put something together in the first half of the year. We will be looking at various aspects of rural development - agricultural support services, primary health care, education, housing, infrastructure, credit institutions and others.

In an interview with the Farmer's Weekly, dated December 11 1992, you said you work closely with the World Bank. What is the nature of this work? What is the ANC's attitude to the World Bank and its influence in developments in South Africa?

This is not strictly what I said. When the World Bank did a country study, the ANC provided a team of counterparts. These counterparts worked closely with the World Bank on their agriculture study. We had some influence in who the consultants were. The ANC gained a lot from this interaction and from the material that was produced.

The ANC's position is that we recognise that the World Bank will have a role to play in financing projects. However, there can be no work until there is an interim government in place. The World Bank is here now in consultation with the ANC.

My own opinion on our attitude to the World Bank is that this will depend on how clear we, as South Africa, are about what we want. It depends on the confidence we have in our development programme. It will be up to us to establish the terms on

which the World Bank interacts with us. They have good technical people, who could play a useful role. But we will have to provide a clear framework and they will have to work within this.

In an interview with AFRA in 1992, the Deputy Minister of Regional and Land Affairs said his department had a role to play in the present and future South Africa. He also said that he was a politician and intended to stay one and would serve a new democratically elected government if asked to do so. What is your response to this?

The department that Deputy Minister Scheepers represents is discredited. He, as a politician, says he is prepared to serve under a democratically elected government. I have no idea whether he will be asked to do so or not. The path he's on at present doesn't make me feel confident about his sensitivity to the national question and social issues.

Given the importance of the land question and the large amount of work needed on it, is the ANC intending to increase its staff on the Land Desk in 1993?

Yes, we have employed Lesley Dikene to organise around land and support struggles on land issues. We also established the Land and Agriculture Policy Centre in February. Although I have been the only person on the Land Desk, up to now, I have worked with a large network of people who have helped me a great deal.