

# ***Gannahoek tenants buy land***

**T**HE interim constitution guarantees people who were dispossessed of their property rights in land after June 1913 the right to claim restoration of these.

This land restoration process might include claims from labour tenant communities who have occupied specific pieces of land for several generations, but who have no title deed.

If this happens, it will mark a significant shift in current perceptions of property rights, currently seen in terms of legal title to land.

But for labour tenant families on the farm Gannahoek in Colenso this route to security on land they have occupied for about three generations, will come too late.

Current narrow interpretations of property rights and threats of eviction have forced them to buy their land rights.

The families say they were on the land long before the first white owner got legal title to it. They see their purchase of the 578 hectares as a compromise, as they believe they have a right to the land, earned through generations of work under labour tenancy for white owners.

"We bought the land because we suffered the threat of eviction," said James Mtshali, a pensioner.

In the 1890s when the McFie family bought the land, known as Gannahoek,

ancestors of the families offered their labour in exchange for the right to continue to live on and work the land as they had always done. This arrangement continued until 1990 when the McFies sold Gannahoek.

New owners, Shonalanga Safari Lodge (Pty) Ltd, rejected the families' offer of labour in return for the right to continue living on and using part of the farm. A protracted and tangled struggle began.

This included attempts to remove the families and, when this failed, a negotiations process fraught with disagreement which ended in the Supreme Court.

Matters came to a head towards the end of 1993 when Shonalanga Safari Lodge ran into financial trouble. Negotiations were reopened and agreement was finally reached on the terms of sale of part of the farm to the families.

No sooner was agreement reached, than the Amalgamated Banks of South Africa (ABSA) took over, and the agreement to buy part of the farm was finally made with ABSA.

The sale agreement entitles the families to buy 578 hectares of the farm for R210 000. They collected over R80 000 towards the purchase by selling off cattle and took a loan from the Independent Development Trust to cover the rest.

Despite the bitter compromise they had to

make and their difficulties in raising the money for the purchase price, the families are relieved that their insecure past is behind them and are hopeful about the future. "I would like to see dams, schools, ploughing and animal farming," said Mbhekiseni Mabaso.

"After five years I would like to see this area changed in terms of development. It should still be a farm but a developed farm. We will tell the new government about the blunders of the old one and ask them for help," he said.