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## EDITORIAL

South Africa is in the throws of change and hopefully irrevocably so. Many generations of black people have struggled, gone to prison, bled and died for it. Many have died dreaming about that day when their humanity will be restored and affirmed, when the land their forefathers and foremothers have named as their inheritance, will be returned. Those who have inherited the dream, the poems and stories that contained this glorious message are waiting with lessening patience for realization of the great story. They are saying to themselves, this moment and this goal should not be missed!

The white ruling classes and some black political organizations, bantustan representatives and one liberation movement are engaged in an arduous process of negotiations. Other black liberation movements and political organizations are for very strong reasons, staying out of that process. The industrialists, those who benefit most from a quick settlement, are backing these negotiations in many different ways. The churches are also deeply involved, even though not through direct representation. In fact, the first session of the present negotiations forum was opened with a prayer, no many prayers.

Many issues have been placed on the agenda. These range from creation of an atmosphere that will promote the present exercise to the new constitution itself. All of these issues are very important for these negotiations to succeed. The most important, in fact we dare say, the most decisive and one that is ironically not on the agenda and that determines the state of liberation or oppression, has been left out. That issue is the return of the land. This is an issue that will determine whether the dispossessed African people will have a future of prosperity, dignity and religious satisfaction or not, hence the following articles.

These articles form the beginning of a discussion that should have taken place before we were born. It should have taken place in the Europe of the 15th century when European nations, churches and christian people decided to raid the world and violently conquer it. To come nearer home, it should have taken place in that century when the Dutch, the English, the Germans, the Belgians, the French and the Portuguese decided to raid, murder and conquer our forefathers and mothers in their own motherland, Africa. It should have taken place when the white churches in this country saw that white people had decided to make our land their own, thereby depriving us and our children of their rightful inheritance. It should have taken place when white missionaries realized that our forebears were prepared to die in defence of their land. It should have taken place when the apartheid government forced Africans off their land and without compensation, dumping them in the most arid of our land. It should have taken place when our young men and women filled the bushes and mountains of foreign countries in search for refuge. It should have taken place when they returned armed to lay their claim. It did not take place at all!

Now at last, black theologians have broken their silence. They are starting a discussion that will take black people long to complete. What is important for now is that they have started. We asked a few black theologians, a systematic theologian, a biblical scholar, an African theologian and an ethicist to kick off the

## Editorial

discussion and they have agreed. They have searched the rich oral and written traditions of Africa as well as the depths of the Hebrew scriptures in their search for justice on the land question. They are also opening themselves up for useful experiences of other people of the Third World who are engaged in a similar search. They have gained, as you too will agree, from the theological, philosophical and ethical discussions that are presently going on in the ecumenical movement. They, in turn, are making their contribution to those discussions. We now table their work before you and hope that you will join the discussion.

Dr Takatso Mofokeng.

## **THEOLOGY AND THE LAND QUESTION**

**By the Rt. Rev. Siqgibo Dwane**

### **A re-appraisal of the task and scope of theology**

My initial response to the invitation to write this paper was one of hesitation, because I felt ill equipped to venture into such unfamiliar territory. Did theology have anything worthwhile to say about the many complex issues which arise in the land debate? What material is available to stimulate one's thinking in the right direction? These are some of the questions which came to mind, and to which there were no readily available answers. I believe that this is indicative of a certain mindset within our own discipline, which is Systemic Theology, and in the Christian community at large, which perceives dogma as the domain to which the discipline should confine itself. Like other disciplines, theology has diversified and become highly specialised. This has brought about some gains as well as losses. On the positive side there is the harvest reaped both from the clarity with which questions can be put when the field of enquiry is narrower and less diffuse, as well as from the thoroughness with which they can be investigated. On the negative side there is the real danger of the exercise becoming more cerebral and remote. Theology tends to be either an academic exercise, or a discipline which is pre-occupied with the purely ecclesial matters. In either case, very little attention is given to those matters which are outside its own circle, but which exercise the minds and the consciences of the faithful in no small measure.

Perhaps what lies behind this apparent unwillingness to engage theology in the wider concerns of society, is the dichotomy between the church and the world, which clearly cuts across the doctrine of creation and providence. It would appear that the Old Testament world did not have this problem, because the world was seen in its totality as God's own property. The earth is the Lord's, and all that is in it (Ps 24.1). This does not mean that the Old Testament turns a blind eye to the mixture of good and evil in the world. But what it does mean is that overall, God's will cannot be frustrated, because he is sovereign. He commands and it happens. His will accomplishes his purpose.

It is when we turn to the New Testament that we encounter a veneer of ambivalence towards the world. On the one hand the world is the stage on which God reveals his love for it through his incarnate Son. On the other hand, the evil One is the ruler of this world, but who has no authority over Christ. So, just as Christ came from above, the faithful, who are his own, are not of this even though they are in it. Now this presents no difficulties as long as 'this world' is understood to convey the same idea which the Pauline usage of the word "flesh" carries. But the boundary between the theological and the common understanding of 'this world' is easy to cross, especially in the environment in which Christianity came into being. For to the early Christians, the world represented Jewish and Gentile antagonism which compelled them to operate surreptitiously. Here we see the context giving rise to a way of regarding the world which is not hospitable to the biblical notions of creation and incarnation, and which, consequently, has had serious repercussions for the church and for theology. It is therefore imperative to raise the question whether this embrace of dualism is appropriate in the modern world, and especially in our own African context, in which life is all of a piece.

Theology in our inherited Western tradition tends to be a discipline of the cloister, which reflects in content and method, firstly the atmosphere of college or university precincts, and secondly the church's pre-occupation with those issues which affect the ordering of its own life. The outcome in either case, is the further estrangement of the discipline from the concerns and questions of the faithful, whose witness to the wider community is impoverished by lack of proper direction. To say all this is not to denigrate, as some charismatics do, the use of intellectual gifts in theology. Theology has been, and will continue to be enriched by its academic component, as much as academic theologians have always been and will always be nourished, sustained, and brought to a deeper faith in God by their participation in the common and ongoing life of prayer and worship. The point at issue here is that theology itself is impoverished by its isolation from the main stream of community life. Perhaps this point is well illustrated by the phenomenon of newly ordained clergy trying to find their feet, in an environment which challenges them with questions which leave them bewildered and perplexed, because they lack the resources to handle them creatively. No one would want to deny that theology as a response to revelation, has, as its primary focus, God's economy. There has to be a constant dialogue with the tradition. But while it is important for theology to re-enforce itself in this way, it is equally important for it to explore, not simply new ways of expressing the old, but also new avenues of encounter with the needs of human society, along which the Good News can reach and penetrate deeper into society. Theology should facilitate the advancement of the Kerygma. Its failure lies not in the fact that it is anchored in the past, but in that it is hobbled by the past, and rarely ventures into new areas on the socio-economic and political front, where it can make a significant contribution to many a human endeavour.

It is Paul Tillich who says that theology is an answering discourse which attempts to answer real questions which are raised by the human situation with the message of revelation (1). Here I believe lies the clue to the kind of approach that is necessary for theology to cope more adequately with new challenges posed by the contemporary South African situation. The putting asunder, of what God in Christ has joined together, must be called in question. Theology has to be unashamedly contextual in order to remain truly incarnational and authentically biblical. As one of the delicate central issues in the South African debate, the land question, in so far as it deeply affects people's lives must surely have something to do with God. It is as such, that it is as much the concern of theology as it is of politics, economics, ecology, and sociology.

The point of entry into this debate is, perhaps, the doctrine of creation. God did not have to create this or any other world. He is sufficient in himself, and is not complemented or enriched by any part of his creation. But in total sovereign freedom, and in the abundance of his love, he chose to create first, and then to enter into communion with his own creatures. In Jesus Christ, He takes his work of creation a step further, with the purpose of uniting all things to himself. It is with these two pillars of the faith in mind - the origin and the goal of creation - that theology can make its contribution worthwhile.

## **The South African Context.**

### **The early part of our history.**

It is not so long ago when the only available material on South African history was that found in history text books which began the story with the arrival of Jan Van Riebeck in 1652. But modern research, assisted by recent archaeological findings, has put paid to the myth that South Africa was uninhabited, prior to white settlement. The real picture which has now emerged is that, centuries before even the Portuguese began to venture into these parts, the indigenous people were already established in the coastal areas of the Cape Province and Natal, and spread out into the interior, as far as the Northern Transvaal, spilling into our neighbouring countries of Namibia and Botswana.

It would appear, that the very first group of inhabitants were the San (Bushmen)(2). For very many centuries these Stone Age people moved around undisturbed, maintaining their simple life style as game hunters. But their peaceful life was to be later disturbed by the 'pastoral revolution' about 2000 years ago.

What happened then was that the Khoikhoi, in what is now Botswana, acquired sheep from Sudanic people from the North and cattle from the Bantu speaking people from the East. Consequently, the process of migration began as the former Khoikhoi hunters migrated South, in search of grazing land for their livestock. Oral tradition has it, that at the confluence of the Orange and the Vaal rivers, the Khoikhoi followed the example of Abraham and Lot, and split into three groups. One group remained behind, another went in a westerly direction towards Namaqualand, eventually crossing into Namibia, and the third ventured Southwards towards the Cape Peninsula (3). It was the latter group which was to come into contact with the San, and bring new dynamics to their old way of life. When the Khoikhoi and the San met, there arose a conflict over land and its resources. The San were hunters, while the Khoikhoi were shepherds, and the land was therefore important to both. As the Khoikhoi were better organized militarily, the San were eventually subjugated; some of them retreated to the mountains and desert areas, while others were assimilated into the dominant group as servants, shepherds, warriors, and marriage spouses. By the sixteenth and seventeenth centuries, the Khoikhoi had emerged as the dominant group in the Cape Peninsula(4).

The period between 250 and 1100A.D. is known as South Africa's Iron Age: During this period, Bantu speaking people arrived with iron manufacturing skills and introduced this industry as a new feature of the South African way of life. From the very early days of the Iron Age intermarriage took place between the Khoisan and the Bantu people. The economy of this period was geared towards food production, and the rearing of cattle, sheep and goats. Pottery deposits of the early Iron Age have been found in the Transvaal, Natal, and the Eastern Cape, and their dating goes back to the fifth, sixth and eighth centuries(5). There is also evidence of the mining industry at various sites in the Transvaal, such as, Phalaborwa and Soutpansberg (6).

### **The Colonial era.**



In the early period of our history, the impression gained is that, the various groups, on the whole, kept relationships with each other reasonably cordial. There was of course competition for land, which often led to friction, and which sometimes burst into small scale wars. But these skirmishes were very minor compared to the ferocious campaigns which the white man launched against the indigenous population. using their superior weapons first and then their unjust laws later. White people tore apart the old bond between land and its people.

The scramble for land began in earnest when the Dutch East India company, in its endeavour to make the Cape settlement viable, took the decision to release some of its officers, so as to cut down on salaries. these 'free burghers' as they became known, were, so to speak, let loose on the black population, because, without capital to establish themselves, and to pay for the required labour on farms, they resorted to rough tactics as means of survival. And as they moved further into the interior, Cape Town's restraining influence diminished, and correspondingly the level of violence and outrage increased. They were always ready to increase their herds and their lands at the expense of the indigenous people(7).

With the arrival of the French Huguenots in 1688, the situation went from bad to worse. Expansion proceeded at a rapid pace, as the colonists murdered and looted to make ends meet, and to open up the interior. An example of this kind of behaviour is an incident which took place in 1705, the account of which is as follows:

A certain Johannes Starrenberg, Landdrost of Stellenbosch, undertook a journey towards Saldanha, in the hope of finding oxen from the Khoikhoi to barter for the company. But there were very few oxen there because, a 'freeman general called Dronke Gerrit, had come to their kraal a few years previously, accompanied by others, and without any parley fixed on it from all sides, chased out the Hottentots, set fire to their huts and took away all their cattle without their knowing for what reason since they had never harmed any of the Dutch...(8). For many colonists this was a way of life, the consequence of which is that by 1740, the only Khoikhoi left in the Western Cape had been reduced to poverty and servitude(9). This sporadic seizure of land was legalized in 1672 and 1717, when some 400 farms were granted in freehold(10).

What happened to the Khoisan in the Western Cape was only a warming up session for the conflict in the Eastern Cape frontier between the combined British forces and Boer trekkers on the one hand, and the Xhosa on the other. Up until the late 17th century, the Eastern Cape was the meeting ground between the Khoisan and the Nguni people. The Khoisan were nomadic, while the Nguni were more of a settled agricultural society, growing crops and producing iron goods. Contact between the two groups was on the whole friendly and of mutual benefit. Sometimes it resulted in intermarriage, but of more permanent value is the gift of Khoisan clicks to the Xhosa language. When the trekboers arrived, they settled in quietly amongst the Xhosas and began trade in iron, copper and trinkets in exchange for cattle and ivory. Trouble seems to have begun in 1788, when the Cape governor Von Plettenberg drew some Gwali chiefs into an agreement, which required that the Xhosa should observe the upper Fish and Bushman's

rivers as the Colony's boundary. This in itself was a controversial arrangement, because the Gwali chiefs as chiefs of Junior rank in the Xhosa hierarchy, could not enter into such an agreement on behalf of all the Xhosa people. Then to exasperate an already delicate situation, in 1780, Von Plettenberg changed the agreement unilaterally, and declared the Fish river in its entire length as the official boundary. In other words, the territory between the Fish and the Bushman's rivers was thereby annexed at the stroke of a pen. By this time, there were 5 Xhosa chiefdoms living West of the Fish river, in the area between Peddie and Alexandria, claiming ownership of the land as far as the Sundays river, some 30 kilometers away from Port Elizabeth. That same year the commandant of the Eastern Cape by the name of Andriaan van Jaarsveld, received instructions from Cape Town to remove the 5 chiefdoms forcibly. At first he tried to persuade them to move, but when they were adamant, he assembled a kommando, which attacked and killed an unrecorded number of people and looted thousands of their cattle. This was the beginning of enforced removals in this country, and the consequent annexation of land by the government for white settlement(11). When the British entered the scene in 1795, they carried forward the policy of military intervention on the side of the Boers against Xhosa people.

In 1812, in what became the second war of dispossession, Lieutenant Colonel Graham launched a vicious attack on Chiefs Chungwa and Ndlambe, for which he was rewarded with the proclamation of Grahamstown, in respect of his service whose outcome was that 'the kaffir hordes have been driven from the valuable district (12)'

The settlement of the 1820 British immigrants in this area coupled with the population growth, to which large Dutch families and the early age at which their marriages were contracted contributed in no small measure, was to make the Eastern frontier over-populated, and prepare the way for the Great Trek. The great trek itself led to the carnage of 1838, at what sadly but appropriately came to be known as the blood river. With this achievement, the colonists annexed the Southern part of Natal as the Republic of Natal. The story continues but cannot be narrated in its entirety here, partly because the rest is well known, and partly because the point of this account is to put this debate on land in its context, and remind us that ours is a past, with an ancestry which is red tooth and claw.

Military conquest over, the stage was set for the programme of legislation which would carry forward the campaign for land. This began in 1894 in the Cape parliament. In that year, Cecil John Rhodes piloted the Glen Grey Act, whose chief motive was 'to force more kaffirs into the wage labour market by first limiting their access to land, and then by imposing 10 shilling labour tax on all those who could not prove they had been in some wage employment for at least three months in a year(13)'

This bill was passed at a time when the government itself acknowledged that "the native district of Peddie surpasses the European district of Albany in its productive powers" and that Witenberg reserve raised so much wheat, maize and millet that it 'served as the granary of both Northern Districts and the Free State too(14)". It came at a time when African peasants in Peddie, Bedford, Stutterheim, Queenstown and Alice districts were excelling as wool farmers(15).

The crown of this legislation on land came in 1913 and 1936 when what was implicit in Cecil John Rhodes' Glen Grey Act was made explicit. Prime land and the bulk of South African territory was now the preserve of the white minority. The 1913 land Act restricted the acquisition of land by white and black people to certain designated areas, and thus territorial segregation became law. In terms of this act, 67.3 percent of the total population was restricted to 7.5 percent of the land. The Hertzog Bills of 1936 increased the percentage to 13. The group Areas Act passed under the present regime, extended the principle of territorial segregation to coloureds and Indians, thus preparing the way for the homeland system, which made the enforced removal of people from their land a matter of routine.

It is to the many and complex questions raised in this context that a theological input is required. And this is a formidable and daunting task because of the size of the problem, and the unfortunate past which has created it. Two opposite tendencies should be avoided here. The one is movement towards fixed positions on either side of the question, which is bound to make the discussion acrimonious and fruitless. The kind of history we have had is divisive, and could make it a temptation for many an unwary person to regard the adopting of hardened attitudes as natural. The other inclination is to bend over backwards, and give up principle for the sake of accommodating the other side. This too has to be avoided because truth has to be faced. There can be no solution to any of the problems without grasping the nettle of equitable land distribution. Land will not be readily given up by those who regard themselves as the rightful owners. But when the country is poised as it is for new and radical changes, it may be that this is the opportune moment for this debate. It is possible that the atmosphere of greater openness to the future has created conditions conducive to realize about the requirements of the just society South Africa is seeking to become.

The context has revealed the underlying causes of our present predicament. We need to direct some attention to the issues which characterize the present, and which must be faced honestly and squarely. Perhaps the most obvious one is **homelessness**. As people has emerged to build shacks on what open spaces are available on the remainder of the 13 percent of land occupied by black people, one has become aware that the problem has been hidden away from public attention by the fact that these families, have been squatting on other people's premises, often in overcrowded and unsanitary conditions. Their present position has not altered the conditions, but it has at least given them a place of their own for which no rent is due to the landlord. The second thing that comes to mind is the economic result of **landlessness**. This is a long story, but briefly we can note that John Rhodes set in motion the process of making land less and less accessible to black people, so as to force them into the labour market. And so little by little the male population drifted towards the urban areas in the hope of finding something to keep the home fires burning. But as the economy has slumped, so the numbers of those entering the labour market have increased, resulting in the loss of jobs for some, or their unavailability for others. Over the years, the problem has increased to an alarming proportion, creating such poverty and hardship. Related to this, is the phenomenon of **under utilized land** in the rural areas. In the fifties, the government introduced the programme of culling livestock, so that the land available to black people could cope with the

demands made on it. This has impoverished black peasants as it has deprived them of their wealth. The result is, that whereas in those years rural communities were a flurry of activity in spring and at harvest time, there is very little agriculture today in those same areas, because people no longer have the means of production.

It may be that for a fast growing population, food production is going to be a key to the problem of unemployed and destitute people. The next area concerns **ecology**. It is hardly surprising that there is so much soil erosion in the countryside, considering the overcrowding that there is. There can be no solution to this problem unless more land is made available to rural communities, with incentives to encourage them to seek a better life elsewhere. A policy on land which does not address the need for the preservation of the environment, is not a responsible one. Land destruction and pollution show lack of proper stewardship. Then finally there is the **psychological aspect** which has to do with white people's fears and anxieties. These will require much patience, and scores of goodwill and understanding. It is on account of all these features of the contemporary scene, that both the historical and theological perspectives are crucial to this debate. We need to be reminded of the route by which we have arrived where we are. Moreover, we have to find the right values with which to lay the foundation for a new society. It is to this more than any other aspect of this debate that theology can make a modest but important contribution, and this takes us to the next subject.

### **The earth is the Lord's**

The logic of the biblical narrative might not appeal to those with a philosophical bent of mind because, in it, God is not the conclusion, but the opening word of introduction or greeting. God reveals himself as Person who draws human beings to a personal relationship with himself. And it is out of this personal encounter with him that human understanding of him grows. From knowledge of God in his ontological being, and in the economy of revelation, light radiates to the world, and opens up its mystery. The 'First Cause' himself imparts knowledge about secondary causes, and about the purpose of all being. What this means is that, in the logic of the bible, salvation history is prior to and gives rise to the doctrine of creation. It was the Exodus as we all know which widened Israel's horizons, and opened her eyes to the majesty of God in creation. It may be that there is an important lesson in this for South Africa. Like the Hebrews, this land is experiencing something of God's over and goodness as he opens up a new era of deliverance from bondage, and promise of a new South Africa. What we have hoped and prayed for, for many years is now at our doorstep. Perhaps we should regard the new constitution that is being prepared, not simply as the basis for new laws, but as a covenant, which binds all in this land to God's Justice, and to the pursuit of common goals. What is this Justice, and what are the common goals? The answer to this is to be found in that nature of God's being whose knowledge he imparts to his creation, as the clue to the purpose of creation.

In Genesis 1 and 2 P and J refer to the Spirit of God as the life giving principle in creation. This says two things:- the first is that God who is the source of life has given his own vitality to his creatures. The second is that, as his own life is one in communion of the Persons of the Trinity, so his human creatures have real and

meaningful life in so far as they participate in the common welfare of human beings which draws them to the foundation and goal of their life. Built into creation therefore is the principle of mutuality, interdependence and hunger for truth and ultimate realisation of the joy of friendship. In this tendency towards relationships with one another, human beings reflect something of the social life of the Trinity and of God's outgoing love to creation. the mandate to be fruitful, to fill the earth and subdue it is given to both men and women in communion. There can be no more eloquent expression of the principle of equality between the sexes and of their mutual interdependence than is given in Genesis 1.26-28, and 2.18-24 Human beings therefore, have as their special calling, this great privilege to represent what God is within himself, as well as what he does in the economy of creation and redemption. They do so with the help of his Spirit. Here I believe is grist for the mill, something we can get our teeth into, and digest as we participate in this debate. For the question of land and resources is ultimately a question of who we are, and what the real point of human life is. These are not theoretical but practical questions which require incarnate expression in the life of the community

The starting point is the belief that as Sovereign creator and Lord of the universe, God owns the whole earth and all that is in it. (Psalm 24.1, 33.6-8). It is in this connection that the Leviticus Code concerned with the Sabbatical and the Jubilee year should be considered. There are at least 4 things which emerge, and through which the fundamental truth that land and people belong to God, filters through. The first is, that the land itself deserves to be given a rest. It has to lie fallow for the whole of the sabbatical year. (Lev. 25.5). Both Hosea 10.12 and Jeremiah 4.3 use the imagery of fallowing, thus indicating that this is an ancient custom. Norman Snaith draws attention to Lev 26.35 which suggests that the custom was not observed in pre-exilic times. He argues, that because of the problem of food shortage which a universal observance of this custom would create, perhaps the Seventh year was observed for each particular plot, at its seventh year. However, in post-exilic times, Josephus refers to the custom and its observance of both Jews and Samaritans (16). (See also 1 Mac. 6.49, 53). The second thing which emerges is concern for the poor. (Exod.23.11). In the Sabbatical year as at harvest time, the needs of the poor and of strangers should not be lost sight of (Lev.23.22, Ruth). Thirdly, in respect of the Jubilee there is the idea of restoring land to its original owners. And fourthly there is the principle of abolishing debt and of setting Israelites free from slavery. Roland De Vaux argues that whereas the idea of redemption of property by the next of kin in order to keep it within the family/clan is an old and established custom whose parallel is the levirate, the law of Jubilee is perhaps Utopian (17). M. Barrows concurs by saying that perhaps, this is a law which was never put into application(18). Be that as it may, the point still stands, that law as the expression of God's Justice, comes down firmly on the side of the poor, and the defenseless (See the holiness code in Lev. 19.9-10). Land belongs to God, and religious law limits the rights of human occupants. It may not be sold in perpetuity, and the prosperous are not allowed to go on 'adding house to house', and 'joining field to field' at the expense of less fortunate members of society (Isaiah 5.8). Even kings are not allowed to confiscate land from their subjects (1Kings 21).

### **For the sake of the Kingdom**

Whereas the Old Testament has much to say about land in particular and material possessions in general, in the New Testament one finds a different atmosphere, in that, material prosperity is no longer necessarily a sign of God's favour. In fact Jesus sets little store by wealth and material possessions. For the kingdom promises more lasting treasures which neither thief can steal, nor moth destroy. Invitation to the kingdom is a call to a life of simplicity and dependence upon God. The kingdom requires a disposition of child-like trust in God, who feeds the raven, and clothes the lily with glory which surpasses even that of Solomon. To inculcate these new values in the minds of his disciples, Jesus sends them on a mission with the command to carry no bread, no pack, and no money in their belts (Mark 6.7-9). On the question of land, the New Testament says very little, but it has much to say about the proper use of material possessions, and the need to care for the poor. In Luke 16, the story of Lazarus and the rich man is told against the rich who show no concern for the poor. This story illustrates the teaching of the sermon on the mount that blessed are the poor, for theirs is the kingdom of God. Another rich man who is seeking eternal life, Jesus calls first to give up his possessions for the sake of the poor, and then to come and follow him (Mark 10.21). He turns away sorrowful to his great possessions which cannot give him the Joy he is seeking. This incident provides the occasion for Jesus to declare that possession of wealth makes entry into the kingdom will nigh impossible. The imagery of the camel and the eye of a needle illustrates the vastness of the chasm which separates the wealthy from God. By contrast, the poor widow who offers her last coin to God, is commended for her sacrificial giving (Mark 12.42-44).

There seems to be two attitudes to wealth in the gospels related to the manner of its use. On the one hand there is the attitude of the selfish rich man who regards the acquisition of wealth as a means of self indulgence. "Saul, you have ample goods laid up for many years, take your ease, eat, drink and be merry". This type of person is not rich towards God (Luke 12.19). The other kind is illustrated by Zachaeus who is wealthy, but is loving and compassionate. 'Half of my goods I give to the poor', he says. About him Jesus says 'Today salvation has come to this house' (Luke 19.1-10). Perhaps the conclusion we are meant to draw from this is that wealth in itself is neutral, and that it is those who cling to it, and use it selfishly, who stand condemned. For the kingdom of God calls people to a life of sharing themselves and what they have with one another in God.

### **The practice of the common life.**

In the Acts of the Apostles and in the epistles, we find the early church attempting to put into practice the values of the kingdom. The chief motif which runs through all these writings, is the one of loving concern for other people. Sometimes this is expressed in the care which is shown for their material needs as for instance in Paul's collection for the Saints in Jerusalem, or in Hebrews' exhortation to 'let brotherly love continue. Do not neglect to show hospitality...' (Hebrews 13.1) or indeed in the corporate life led by the apostolic community in Jerusalem (Acts 2.44-5, 4.32-37). At other times this same concern is found in the pastoral care exercised by leaders, as they gently direct the faithful towards the truth and the mystery of Christ. In this regard, the Epistle of James must be given credit, for the way in which it insists that faith and works are inseparable. But we must

return briefly to the early chapters of Acts, in order to appreciate the power which gave impetus to these new initiatives

It is interesting to note that at the end of the Fourth Gospel, Easter and Pentecost are intertwined, thus reminding us of the creation story. For in Genesis 1 and 2 we saw that the Spirit of God who nestles over formless matter, is the same breath who gives rise to new forms of life, and turns life-less dust into a living human person. In John 20, the risen Christ imparts his Spirit to his disciples, thus kindling in them new life, his own risen life. Central to the promise of the Spirit in the Fourth Gospel, is the idea that 'he will take what is mine and declare it to you' (John 16:14). In the power of the Spirit, the disciples are to become the embodiment of his witness to Christ. And so in Acts, Pentecost is the moment of the transfiguration and empowerment of the disciples. Through this new community, Christ continues his incarnate life and work begun in his earthly ministry. In Acts 2:42f, and 4:32f we see the followers of him who though rich, yet for our sake became poor, choose his own life of poverty and simplicity. We see in them the beginnings of the religious life, one heart and one soul in the common life. What they therefore proclaim is not a doctrine of Christ, but the living Lord whose letter of commendation they are, written not with ink, but with Spirit of God. And here I believe lies the crux of the matter. As a result of our faith in God, the society we are should undergo a transformation, a restructuring which reflects our common goals as a nation. And Christians should more readily understand that sacrifices have to be made, in order that there may be a more equitable distribution of land resources. Land owning Christians by which I mean government, corporations, churches, as well as farmers, have a special responsibility to demonstrate the values of the kingdom in this situation, so that consensus can be achieved before new land legislation comes into effect.

## Conclusion

And here finally we come to the conclusion of this discussion. Earlier on we saw that white settlers acquired land by fair means or foul, and that the result is that the black population has become impoverished, with many people who are homeless. We also noted that it is important for the historical background to the present to be acknowledged, and not swept under the carpet. The more just society we seek to establish has to have truth as its firm foundation. The truth is, that grave injustice has been done to black people, and for that there should be repentance, demonstrated by a willingness on the part of the present land owners to make restitution. Zacchaeus tells the Lord that he restored fourfold of what he defrauded. We might say that he built the principle of affirmative action into restitution, whilst it is impossible to put the clock back, it is nonetheless imperative that the wounds of the past are not left to fester, but are given proper treatment and a chance to heal. There are a few lessons from the Old Testament which might be of help.

The most important one is the fundamental assertion that land belongs to God, and that human beings are stewards of God's creation. Stewardship of land carries with it a responsibility to God for the manner in which it is used. Here we may recall, that the sabbatical idea concerns two very important principles which are - that land should not be overused, and that provision for the poor is a condition for entitlement to land use. Land policy must incorporate measures to protect the environment. It should also take into account the needs of the poorer section of the community. This may call for a periodical evaluation of the way in

which land has been used, and measures to assist the disadvantaged to acquire, develop, and make land profitable. This would be following the Zachaeus principle that what has been unjustly taken away should be restored fourfold. Restitution should be accompanied by affirmative action. The Old Testament prohibits the practice of selling land in perpetuity because all land belongs to God. What this says in our situation is that, unless people exercise proper stewardship, perhaps they should not retain ownership of land.

Land exerts, through the force of gravity, a downward pull on all human beings. We all need land to build homes, or do farming or invest money in it. Scramble for land is therefore unavoidable, and human nature being what it is, the selfish element of wanting to add field to field, will always be a feature of land acquisition. It is important to remember that we are called to the kingdom to learn to share, so that all may have the benefit of God's bounty, and begin this way to appropriate the riches of heaven.

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# JUSTICE, PEACE, REPARATION AND RESTITUTION

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## Introduction

I would like thank the organisers of this Workshop for their choice and interest in seeking to discern the connection of justice, peace, reparation and restitution. Clearly, these are burning moral and political issues confronting this country. The political reality in this country is such that one cannot convincingly talk about peace and justice in abstraction. Justice through reparation and restitution constitute concrete acts by which the quality of peace could be measured and exhibited. That is to say, genuine justice and peace find concrete expression in reparation and restitution. Following this line of thought, we posit that justice, peace, reparation and restitution are integrally connected. Since these concepts are inextricably bound together, any attempt at separating them violates the inherent interconnectedness which is essential in the attainment of a genuine political community.

It should be noted, however, that the proponents of western type of democracy in Africa (for example, Namibia, Zimbabwe and other African countries) have addressed or focused on political participation at the expense of the issue of land restitution. This explains why the majority of the people in some of the African countries that have embraced democracy still experience landlessness. The problem of land hunger in Africa and Latin America serves as an instructive lesson to us, impressing on us to place reparation and land restitution at the center of the democratic process now rather than later. We argue for a conception of democracy that fosters political participation accompanied by reparational and restitutionary justice aimed at creating and sustaining human community. To treat one without the other is to miss completely the South African political reality. We now proceed to examine briefly the relation between justice and peace.

## Justice and Peace

The relation of justice and peace is of special significance for our discussion. Peace is a product of justice and not the other way around. Where there is no justice, peace does not flourish either. Therefore, any dichotomy or separation between them cannot be permitted because justice and peace are inextricably

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bound together. In support of this dynamic relation between them, Wolterstorff says that "shalom (peace) is intertwined in justice." He concludes, "there is no peace without justice" (Wolterstorff 1983:69). Wolterstorff makes justice indispensable to genuine shalom when he writes:

*"...shalom is an ethical community. If individuals are not granted what is due to them, if their claim on others is not acknowledged by those others, if others do not carry out their obligations to them, then shalom is wounded. That is so even if there is no feelings of hostility between them and others. Shalom cannot be secured in an unjust situation by managing to get all concerned to feel content with their lot in life. Shalom would not have been present even if all the blacks in the United States had been content in their stage of slavery; it would not be present in South Africa even if all the blacks there felt happy. It is because shalom is an ethical community that is wounded when justice is absent" (Ibid 71).*

Since justice is inextricably connected to shalom, the political wounds sustained by the black community, as a result of systemic apartheid practices, require reparational and restitutionary justice, as an essential condition for peace marked by social and political reconciliation. To be sure, reparation and restitution have humanising effect when put into practice. Further, this form of justice provides the necessary condition in which the restoration of Black self-worth that was eroded under the oppressive yoke of apartheid can be attained. That is to say, reparational and restitutional justice form the fundamental basis on which a genuine community of persons could be created a community shaped by democratic principles. In a society where the principle of justice is upheld, the issue of reparation and restitution would hardly arise, since justice is ostensibly the condition of and guarantee for social peace and the affirmation of the equality of persons before the law.

Often justice is understood in its distributive dimension. In this paper, we attempt to articulate the concept of justice that goes beyond the distributive focus to embrace the "procedural issues of participation in deliberation and decision-making" (Young 1990:34). While distributive aspect of justice is equally essential, the problem is that it "misses the way in which the powerful enact and reproduce their power" (Ibid 32). The call for affirmative action is one of the examples of distributive justice. The proponents of affirmative action demand the distribution of jobs, positions and modicum benefits to qualified blacks in banks, factories and institutions of learning. What the advocates of this idea fail to discern is that the admission of a few Blacks in key bureaucratic positions would not change the power dynamics. In fact, the presence of some black faces would clearly legitimise the power structures. In other words, it would make a few selected Blacks accomplice in the oppression of their own kind. Distributive justice is limited, in many respects, for it seeks to distribute goods rather than genuine political power expressed in land possession. For that reason, the center of political power remains untouched or unchallenged.

The scope of justice we propose is more encompassing and far-reaching in that it makes the poor and oppressed its measure. Here we encounter a radical shift from centering power on the few to the many: the poor. The Catholic Bishops of the United States of America support this understanding of justice when they write: "as a community of believers, we know that our faith is tested by the quality of justice among us, that we can best measure our life together by how the poor

and the vulnerable are treated" (Bishops 1986:vii-viii). In a word, "the justice of a society is tested by the treatment of the poor" (Ibid x). The Catholic Bishops make close connection between faith and justice. This understanding is rooted in the prophetic teaching that says, "to know God is to do justice, to have mercy and to do his will (Jeremiah 22:13-16; 9:23; Hosea 4 1-6; 6.6). Injustice in society points to the absence of God's knowledge. That is, injustice is antithetical to God's justice and peace. Therefore, genuine political transformation should be exhibited, for the most part, in the practice of reparational and restitutive forms of justice

A rigorous analysis of reparation and restitution reveals that they are not only distributive issues or simple handouts, but they are also forms of political and economic empowerment, enabling people full participation in determining their own future. Justice broadly construed is an ideal of equality and affirmation of life in a society where people have been liberated from all forms of alienation and material dependency

### **Terse historical Background**

It would be absurd or even incomprehensible to discuss the issues of justice, peace, reparation and restitution in abstraction. To deal with these issues concretely, we need to locate them within the historical reality of this country- a historical context of conquest, racial domination and land dispossession. In that context, the demand for reparation and restitution makes a lot of sense

In this country, the majority of the people in the black community have been excluded from 'full humanity and the corresponding justice' (Tillich 1960 58). Consequently, inequalities existed with respect to claims of justice. Their skin-colour determined their fourth class standing in the hierarchical ladder of the apartheid's economic, social and political system. As we know, apartheid system employed race-category as a criterion for determining the fourth class status of the black majority. In speaking about the impact of the skin-colour category in determining the destiny of the black people, Manas Buthelezi aptly states, "Blackness is an anthropological reality that embraces the totality of my existence. It daily determines where I live, with whom I can associate and share my daily experience of life. Life, as it were, unfolds itself to me daily within the limits and range of black situational possibilities. (Buthelezi 1978 74)

The idea of 'Blackness' to which Buthelezi refers, pervaded every significant facet of the black life. It determined where people should live and with whom to associate, what type of education to receive, where to work and what type of job to do and how much remuneration one was supposed to receive. Put differently, to be black meant exclusion from full citizenship, full humanity and indeed from every conceivable opportunity for human development. This kind of inhuman treatment of the Blacks was a consequence of well designed forms of political subjugation and economic exploitation. Since Blacks were considered non-human and therefore cogs in the apartheid's economic machine, the government considered their underdevelopment an investment for white economic wealth. Froneman, Deputy Minister for justice, underscores the idea of Blacks as appendages in White economy when he said, South Africa needs the labour of black majority- 'for the sake of white economy, without them it would be impossible to maintain the essential growth rate' (Rogers 10). Thus the

migratory labour system, one of the infamous labour laws which classified blacks, as cheap labourers to be exploited and disposed off at will, was specifically designed to serve white economic self-interest. For this reason, the white government employed the strategy of miseducation and underdevelopment, as important tools for justifying the exclusion of the black majority from any meaningful economic and political participation.

### **The Repeal of the Land Acts**

In our reflection on the issue of restitution and reparation, we are bound to raise the question whether or not the government's repeal of the Group Areas Act and Land Act could possibly restore land to the majority of the people. An analysis of the government "White Paper on Land Reform," after the repeal of the infamous Land Acts, rejects land restitution as unfair and impracticable. The government is adamant in its commitment to a political policy that places land on the system of private ownership to be bought and sold at an open market, thereby ensuring that land remains in the hands of a few rich Whites. Therefore, the repeal of the Land Acts does not provide a sense of hope to the poor and landless people of our country. Consequently, the so-called "new South Africa" has nothing materially in store for the majority of the black people.

Clearly, the government "White Paper on Land Reform" provides a sophisticated legal arrangements for continued spates of land disposessions, since the document guarantees the existing white title deeds. Aninka Classen exposes the fallacy of the government "Land Reform" proposal, particularly its defence of the existing white title deeds. She says, in part, "... *Existing white title deeds are the result of conquest, land grants to white settlers, and a market which was never free because the majority of the population was prohibited from either buying or leasing land. Private property has been and still is a 'whites only' system in South Africa. Those title deeds which black people managed to get were destroyed... The present-day title deeds are therefore based not on respect for property rights and freedom of contract*" (Classen 1991:69 Emphasis mine)

To introduce the idea of private ownership of land based on market forces when these forces were not responsible, in the first place, for white land ownership, is preposterous and untenable to say the least. The expropriation of the black land and forced removals of the African communities from their traditional areas were not necessitated by an economic principle, but by an ideology of separation. Why evoke an economic principle when the call for land return is made? Classen argues, "if someone knocks me down [as the Whites have done to Blacks] and takes my wallet [land], to say that I can buy my wallet back is hardly to promote respect for the law of possession" (Ibid).

Instead of promoting the moral principle of restitutionary justice which has a strong biblical and theological basis, the government unilaterally resolves to sell the land to the very victims from whom the land was illegally expropriated.

In the story of Zacchaeus, the tax collector, we find the principle of restitution. He chose to give the goods to the poor and to restore four-fold any goods he had cheated the people (Luke 19:1-9). The story of Zacchaeus teaches us about an important indissoluble link between reconciliation and restitution. It would have been preposterous of Zacchaeus to expect cordial reception from the people he cheated if he had not voluntarily chosen the way of restitution, as an essential component for a just social relations. From this story, we can fairly conclude that

any authentic reconciliation activity that is theologically justifiable and morally sound should be accompanied by corresponding acts of reparation and restitution. Without reparation and restitution, any attempt at achieving a political reconciliation in this country remains hollow and abstract.

### **Reparational Empowerment**

The preceding discussion makes the demand for reparation absolutely essential in our reflection about the nature and character of the new community we set out to build in this country. The manner in which we address the past injustices would determine whether or not the talk of a "new South Africa" is a mockery, pipe dream or makes concrete material difference to the victims of oppression. The Webster's Ninth New Collegiate Dictionary defines reparation as "the act of making amends, offering expiation, or giving satisfaction (in money or material) for the wrong or injury." One may ask, from what injury or wrong is reparation demanded? The fact of dispossession and exploitation are sufficient grounds for demanding reparation, as the only basis for Black self-affirmation and empowerment.

The majority of the people in this country have been consigned to a ghettotised social existence, political marginalisation and economic servitude because of the vast wealth amassed by the white community much of it ill-gotten--built upon the bodies of the exploited indigenous people. The reparational empowerment of the black community should be addressed because of the injustices the community has suffered: psychological effects of apartheid, degradation, brutalising, maiming, killing and unjust persecution. The resolve and the unflinching demand of the people for reparation is fairly reasonable. Examples of reparation in history abounds. Wilmore cites some of them:

*"West Germany assumed the liability of 2 billion dollars for the victims of Nazi persecution. In 1953 the Federal Republic of Germany undertook the payment of 820 million dollars (used to resettle 500, 000 jews) to indemnify individuals inside and outside of Hitler's Germany from persecution. The United Nations laid upon Israel reparational obligations of 360 million dollars in land and movable property lost by the Arabs refugees during the war in 1948. Israel refused to acknowledge the exact sum but agreed to make compensation if it could receive a loan...."* (Wilmore 1979:97-98 Italics mine).

Evidently, this citation shows that the world community has supported the principle of reparation. Sadly enough, African peoples are exceptions to the rule. Seemingly, they do not qualify, like other nations, to receive reparations for the excruciating suffering under apartheid, colonialism and for losses suffered during enslavement. Those who oppressed and enslaved them expect of them to forgive and forget the dangerous memories of their exploitation and dehumanization. The victims are simply expected by those in power to accept a sorry with a smile. The thorny issue of squatting camps in and around the black townships is, at the core, the problem of land hunger. It could be asked: how much money and land has the South African government earmarked to develop the mushrooming squalid squatter camps and resettle the people. The Black people did not choose to live in the delapidated squatting conditions on their own volition; they are victims of land dispossession efficiently carried out by the systemic apparatus of

apartheid. They deserve a better treatment than they have thus far received, if any at all.

In support of the principle of reparation in America, Bjork writes: "...the deprivation of Negroes [African Americans] by slavery and discrimination calls for the payment of debts from our massive inheritance." He continues, "it is a payment of accrued liabilities because part of our inheritance [wealth] was accumulated by the systematic underpayment of the minority race that was suppressed by law and violence"(Bjork 24 June 1968 *Italics mine*). In line with this thinking, one can plausibly argue that deprivation, discrimination and underpayment of the oppressed is an unjust act, requiring reparational justice because the apartheid political conditions created a situation where "...a man [white person] who acts unjustly has more than his share of good, and a man [black person] who is treated unjustly has less" (Aristotle 1962:120, 1131b:15-20). In this situation, reparation should be understood as corrective justice in that it restores the equilibrium caused by unjust treatment.

Clearly, reparation has both legal and theological dimensions. Aristotle's approach to the problem exhibits the legal or moral dimension of the issue. He states, in part, that "when one has inflicted and another received a wound...the doing and suffering are unequally divided; by inflicting a loss on the offender, the judge tries to take away his gain and restore the equilibrium" (*Ibid*). This moral principle should also apply in this country, so that the legacy of land dispossession should not become a norm for the future.

Dismissing the demand for reparation, as the government has done, amounts to apportioning blame to the victims for the oppression they have suffered or merely rendering the historical and existential evidence of oppression itself null and void.

It is important to note that reparation is a consequence of confession or forgiveness. Similarly, Ernest Campbell makes a close connection between reparation and penitance. That is to say, reparation is rooted in the Christian doctrine of repentance. He argues, "you don't simply say, I am sorry to a man [person] you have robbed. You return what you stole or your apology takes on a hollow ring...." (Wilmore 1979:97). By grounding reparation on the Christian notion of repentance, Campbell attempts to show that reparation is at the heart of the Gospel of Jesus Christ. He further shows the inherent transformational power of penitance and its social implications when he says:

*"There is in repentance a certain quality of infinitude. With the penitent mood comes new insight, fresh illumination leading to an almost painful anxiety to make atonement to the person or persons wronged, to society, to the spiritual order which has been violated. The repentant man (sic) stands ready for any task, however great, for any service, however distasteful. Repentance is thus transformed into a moral dynamic"* (*Ibid*).

This statement shows that concrete acts of reparation are evidence of self-reproach (remorse) of a penitent and contrite heart. In a confession, the individual expresses his/her moral outrage to the past forms of injustice. In seeking forgiveness for past social and political wrongs, the individual commits himself/herself to attaining shared goals of social and political justice. In a word, repentance must be accompanied by corresponding acts of reparation. That is, the oppressed majority have to be compensated for the statutory and conventional restrictions to which they have been subjected over the years.

Clearly, no amount of high sounding political rhetoric and verbal assurances, short of reparation, will do. Ostensibly, it is like putting untrained and trained athlete at the same starting point of the race and expect the untrained athlete to compete favourably. Since the untrained athlete was denied comparable training facilities and the opportunities for development, equipping an individual for excellent performance in sports, the starting point should not be the same. In line with this thinking, President Johnson aptly asserted: "You do not take a person, who, for years, has been hobbled by chains and liberate him, and bring him up to the starting line of a race and then say, 'you are free to compete with all others,' and still justly believe that you have been completely fair."

For this reason, reparational empowerment is essential in that it addresses the inequalities of wealth, facilities and opportunities caused by the unequal starting lines of the economic and political apartheid race. Therefore, we should not be duped into assuming that the slogan "new South Africa" will, in itself, make substantial material difference to the lot of the deliberately disadvantaged members of the black community. Far from it! A case for reparation has been made. Now, let us examine the claims for restitution.

### **Land Restitution**

The words reparation and restitution are sometimes used interchangeably. As we have seen, reparation addresses the losses or injuries inflicted through deliberate forms of injustice such as dehumanization, underpayment and exploitation of the people beyond the people's capacity to be human. Reparation aims at restoring the balance, equalitas, of commutative justice. To be sure, land restitution completes the picture of a truly transformed community of persons. Reparation for past losses or injuries cannot be separated from land restitution in the South African situation. In some contexts, it would be difficult, though not impossible, to make both reparational and restitutorial claims at the same time. For instance, if one is a slave in a foreign land, one could justifiably demand reparation for subjugation, rather than land restitution. In this country both claims of reparation and restitution apply. Blacks have been treated unjustly in their own land by those who are not indigenous to it. Here, we encounter a problem of unjust treatment and land dispossession.

The claim for restitution arises from forms of land dispossession in which the indigenous people have been rendered landlessness. The fact of land dispossession makes the assertion "the land belongs to all" untrue, as a statement of fact. As a statement of hope, the expression "the land belongs to all," is outside the existential political experience of most of the people in the black community. The political reality of this country has taught Blacks that the land in South Africa does not belong to all. One can, therefore, conclude that the idea "the land belongs to all" is merely an abstraction aimed at duping the dispossessed people into uncritically accepting the extreme forms of land injustice under the cloak of common land ownership. May be the time shall come when indeed the land shall belong to all the people of South Africa, but the road to that end is fraught with innumerable problems. If the land truly belonged to all, why did the black community engage in liberation struggle? Surely, one does not engage in the struggle to liberate what has already been liberated or to reclaim what already belongs to them. Therefore, the people's participation in the

liberation struggle negates the view that the land belongs to all. Liberation struggles are always concretised in some form of space: land. The land embodies for the oppressed the space of freedom, human dignity--a space where people will be able to plant their vine trees and sit under the shades. The restoration of the land to the dispossessed community will usher in a new social and political dispensation in which people shall "live in a tranquil country, dwelling in shalom, in houses full of ease" (Isa. 32:18). We cannot affirm Isaiah's idea of tranquility and property ownership, since the oppressed people have neither land to cultivate nor houses in which to live, most of them dwell in shacks or squatter camps. No human being builds a house in the air but on a piece of land. So land restitution is a sine qua non for credible form of social and political change. Without land restitution, any talk of "new South Africa" remains an mental constipation and a diarrhoea of the mouth: a utopian talkshop. We now set out to consider Black understanding of land dispossession, as their views are significant in our discussion of restitution.

### **Black understanding of land dispossession**

Most African theologians and politicians agree that the Whites robbed the indigenous people of their land. The fact that Whites occupy 87% of the land while Blacks are forcibly confined to 13% of the barren land reinforces their contention of land robbery. Land robbery is a political reality that cannot be wished away. Evidently, land dispossession does not begin with the land Acts of 1913 and 1936, as many people wish to think. Most Blacks argue that an act of dispossession was constituted the day the white man entered the shores of this country. Similarly, Tatu Joyi, the Thembu sage, locates the process of land robbery in the 17th century. Speaking of the history of legal land dispossession, he says, in part: "...abantu were defeated by the white people's papers, which they took by law, their law, what they could not take by war" (Meer 1988:15 *Italics mine*). Further, he graphically recounted how the Whites committed land theft in these words.

*"...White man brought a piece of paper and made Ngangelizwe put his mark on it. He then said that the paper gave him possession of the land and when Ngangelizwe disputed that, the white man took him to the white court and the court looked at the paper and said Ngangelizwe had given the white man 4,000 morgan of land. The court also said white people needed the land of the Tembus to protect themselves from the Tembus!" (Ibid).*

Similarly, Tutu states that "when the Whites came to South Africa, they were welcomed by the indigenous inhabitants, who provided them with fruit and vegetables and the land on which to grow them" (Tutu 1983:43). He continues "the Whites had grapped a lot of the land" (Ibid 45). Furthermore, Tutu attributes land dispossession to conquest by White "supperior fire power" and considered Whites "temporary sojourners." He argues that Whites have unjustly dispossessed the indigenous inhabitants of their land. He writes, in part. "They [whites] decided to settle and build castles and take over large tracks of land not so much as by your leave and they resented the indigenous people whom they had found in possession when they arrived and then displaced. When these first settlers found British rule irksome, they ventured into the interior capturing vast pieces of land through conquest because of their superior fire power" (Ibid 47).



The history of South Africa which has been written by White historians supports Tutu's argument that the Whites grabbed the indigenous land. This history indicates that Whites arrived in 1652 but nowhere does it say Africans arrived in Africa. Clearly, one cannot be a "temporary sojourner" in another's land and be the legitimate owner of that land at the same time. It is ludicrous, therefore, to say that the sojourner who arrives has equal legitimate claim to the land to which he/she arrived. The fact that Whites arrived in 1652 is not sufficient moral ground for them to occupy the land of another. In the same way, no person can be both my guest and the owner of my house at the same time. In addition, no nation has the sole prerogative to arbitrarily occupy the indigenous land without the consent of its owners. An acceptance of land occupation on the basis of the idea of sojourner is rationally implausible and it can merely serve to justify land theft. More importantly, it would render claims for land restitution unnecessary or morally groundless, since it would not make sense to advance arguments in support of restitutionary claims to a property from someone whom you consider to be its legitimate owner. The demand for land repossession is different from the idea of land sharing. You don't put a gun on the head of your host and then ask him to share his home with you. Sharing remains the sole responsibility of the host. For this reason, it would be unfair to ask 28 million blacks to share 13% of the land. Rather, it would be just to demand that the 6 million Whites return to the legitimate owners the ill-gotten 87% of the land. It must be noted, however, that blacks are not advocating that the land be shared between Blacks and Whites because blacks have no land to share, at least for now.

For blacks, land restitution means the return of the stolen and expropriated ancestral lands. For them, land restitution seems to be the only logical and acceptable solution to the problem of land dispossession. Like Tutu, Mgojo places the land question at the center of political discourse, stating "we cannot avoid it." He argues: "the land must be returned to the people. The land cannot be owned by the few and be worked by many. The land is the future of the people without it, the majority of the people will be lost" (The Star 6/11/90). Mgojo makes close connection between the political future of the people and land. For him, any political order that does not concretely address the issue of land restitution consigns the oppressed people to a utopian political future. This cannot be allowed to happen here. The struggle for land repossession continues in some of the independent African states. Ostensibly, in those States, the issue of land restitution was neglected at their own political peril. We have learned from their mistakes that political power without land power leads to a new cycle of poverty and political dependency. For Blacks, People, land and politics are inextricably connected. Any liberation movement that neglects land restitution advertently makes landlessness a virtue rather than a political evil to be fought by all means necessary. At this point, let us examine the role religion and culture play in the African understanding of land and how this understanding inspires the Africans in their demand for land restitution.

## **African Religion and Culture**

These terse reflections on Black understanding of land dispossession give rise to a crucial question: why after 360 years are black pastors and politicians uncompromisingly demanding that the land be returned to its indigenous owners? The persistent demand for land return is necessitated, in part, by the

black people's schizophrenic behaviour. This behaviour reflects a brokenness of black personality conditioned by years of apartheid's mental and spiritual occupation. Their alienation from land contributed immensely to the black people's low self-image. The Bible says, "...if any one is in Christ, he [she] is a new creation, the old has past away, behold, the new has come" (1 Cor. 5:17). Black people find it difficult to experience the new creaturely reality that the Gospel promises because of the political and social deformation and truncation of their humanity. Consequently, the split personality syndrome of the black humanity is the product of the apartheid's political uprooting and alienating praxis--alienation from land, religion and ancestral fellowship. In the African traditional religion there exists close connection between the living and the "living dead:" ancestors. Active communication takes place between them. The reverence of the ancestors is linked with "a degree of land reverence." Ali Mazrui writes: "the mystique of land reverence in Africa is partly a compact between the living, the dead and the unborn. Where the ancestors are buried, there the soul of the clan resides, and there the prospects of health of the next generations should be sought" (Mazrui 1986:271). He underscores the view that all life is marked by the relationship between the people and their land, but perhaps this striking relationship is most pronounced in the end of life, that is, death. The burial of the community's ancestors in the land is a sacred act that completes the bond between the people and the land. The lives of their ancestors continue to sustain life for those who dwell in the ancestral land.

To demonstrate the importance of land as the shrine of the ancestors, a community that had been banished by the government for 15 years was temporarily allowed to visit its land at the beginning of this year. On arrival at their ancestral land, the people went to the graveyard. One would have expected them to go first to their old homes to salvage some of their belongings. They did not do that. Instead, they went to the graveyard to thank their ancestors for the support they (ancestors) have given community in their struggle for land repossession. The land is quite fundamental to the African people because it is the shrine of the ancestors and the very substance of life. Central to the indigenous people's conception of the land is that their spiritual ceremonies are intimately related to the land on which they live. Oglala Lakota medicine man upty puts this relationship into perspective, thus:

"The religion is rooted to the land. And you can't have the religion by itself, without the land....We can't practice without the sacred land or the sacred places because this is where we draw our religion from" (A Song 3).

It was for this reason that a grandmother whose shack was demolished and deported from Cape Town to a remote resettlement camp said, "They have taken our land; they have taken our God." Landlessness renders an African politically impotent and spiritually bankrupt, hence the problem of split personality. For Africans, history and identity are rooted in land. A statement drawn up by the workshop on "Race and Minority Issues" under the auspices of the World Council of Churches in 1978 makes the same point: "To the indigenous people...land is life. We affirm that land is integral part of individual, family and community life....The history and identity of our people are intimately bound up with the land, and therefore our history and self-understanding become meaningful only when they are related to our land. Land is the primary means of our continuity as a

people, and it connects our past with the present, and it is the hope of our future"(Document No 126 1978/79:7).

The question as to whether or not the land is a gift is non-negotiable for the indigenous people. The sacredness of life is related to its being a gift. As we have seen in the preceding discussion, land has a religious significance. This truth, the indigenous people's sense of relatedness to the land underlies the contention over land restitution in this country today. These disputes have both moral and theological dimensions which generally go unrecognised. Justice among the Africans is embodied in land repossession. Further, justice for the poor is measured in terms of how the land is valued, because for them land is life. That is, for them, land and justice are closely yoked together. The community meeting in which the Eastern Transvaal Black leaders spoke of the wounds of dispossession demonstrated the connection of people and land. Aninka Classen recorded the sentiments about land expressed by an old man in the community meeting thus:

*"The land, our purpose in the land, that is what we must achieve. The land is our whole lives, we plough it for food, we build our homes from the soil, we live on it and we are buried in it. When the Whites took our land away from us we lost the dignity of our lives, we could no longer feed our children. We were forced to be servants, we are treated like animals....But in everything we do we must remember that there is only one aim, one solution, and that is the land, the soil, our world"* (de Klerk 1991:50 Emphasis mine)

This citation makes direct connection between land and liberation. That is to say, the actualisation of liberation should be embodied in land repossession. Ostensibly, the Black community perceives land repossession as constituting the "only one aim and one solution" of the struggle against landlessness. For this reason, to abandon land restitution is, in some sense, to abandon the liberation struggle itself: land. When people are aliens and landless in the land of their birth, the shape of God's future for them and their land is uncertain. In the midst of uncertainty, they cannot easily discern what the future will bring. They yearn for a life of promise in the repossession of their indigenous land. It is the land held in trust, for the living, the dead and for the yet unborn. The continuity between the past and present, between life and death, depends on the primary category of space understood as land.

Further, the onto-genetic understanding of humanity, particularly its emphasis on human relations, is central to the African conception of justice and has significant implications for land restitution. The onto-genetic idea is based on the African cultural dictum that says: *motho ke motho ka ba bangwe batho*, meaning one's humanity is defined, complemented and enhanced by the humanity of others. That is to say, mutual aid is a moral obligation. Similarly, Mbiti supports the idea of the interdependence of human beings in his famous statement: "I am because we are, and since we are, therefore I am" (Mbiti 1970:141). The first part of Mbiti's statement reflects a Cartesian influence with its emphasis on the primacy of the "I" pronoun rather than the "we." In the African view, "it is the community which defines the person as person, not isolated static quality of rationality, will or memory" (Menkiti 1984:172).

The issue of reciprocal human life and interdependence of our common humanity provides a new basis for doing theology and politics. Africans knew

The idea of human interdependence and its corresponding view of justice gave rise to Mafisa\* cultural practice. This African cultural practice helped to safeguard the poor and strangers against perpetual poverty. That is to say, the poor and strangers were given material self-defence not only against poverty, but also against humiliation and degradation. The acquisition of and accessibility to land was one of the practical ways by which the community ensured that the poor were empowered against poverty. According to the African moral thought, depriving people access to land is morally untenable, as this would render them less human. For this reason, the African thought gives moral justification for land restitution because it can serve as the basis for a genuine reconciliation with justice, expressing inextricable connection of liberated humanity and land.

### **Moral justification for land restitution**

We now move from a strong African understanding of the land to deliberate on some moral grounds for land restitution. Clearly, the question of morality arises in a context of conflicting claims and competing interests. In this country moral conflicting claims exist regarding the issue of land. On one hand, black people occupy 13% of the land and yet they assert that the land belongs to them. On the other hand, white people occupy 87% of the land and also claim that the land is theirs. These claims cannot be both correct. One is closer to truth than another. Tutu and others have disputed the claim of indigeneity as the basis for Whites' occupation of the land. This then leaves us with one possible rationale for Whites' occupation of the indigenous land: political power.

It must be observed that power has occupied an important place in the relation between Blacks and Whites in this country. If the only single ground on which Whites claim to land is based on political power, then the question is, does power or force create right? Rousseau writes, if power justifies right and "the strongest being always in right the only thing that would matter (so far as concerns "justification") would be to act so as to become strongest" (Bair 1974:11; Castel 1976:281). Following this premise, does it mean that the only way black people can truly regain their land is on the ground of being the strongest? Rousseau asserts, "I do not see what morality can be derived from physical force." Since right adds nothing to power and visa versa, he concludes, "might does not make right" (Ibid 11). It can be deduced that power that is not united with justice is inadequate. Justice rather than raw political power is the moral ground for land restitution.

Let us turn to some Western philosophical theologians and learn how they have treated the issue of restitution. The insights of Aquinas and Pedro may certainly help deepen our understanding of restitution. In this country, white persons predicate their argument for land occupation on political power separated from justice. Tillich states that if "power and justice are one in the divine ground, they shall be one in human existence" (Tillich 1954:108). That is say, power which is rooted in the ground of being has humanising and transforming effects. The

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\*The Mafisa cultural practice mandated individuals and community to provide basic material means to the poor and strangers within the community to enable them to start a new life. Depending on the needs of the individual, the community provided either a cow for milk or a piece of land on which to cultivate. This was not a form of charity. The community aimed at creating the conditions in which the poor could attain material independence rather than always being objects of humiliating charity.

predicate their argument for land occupation on political power separated from justice. Tillich states that if "power and justice are one in the divine ground, they shall be one in human existence" (Tillich 1954:108). That is say, power which is rooted in the ground of being has humanising and transforming effects. The quest for restitution aims at correcting the past injustices pertaining to land dispossession. In a footnote, Aquinas defines restitution as "giving back something to its proper owner" (Aquinas 1975:104). He asserts, "the roots or titles of restitution, that is commutative justice to be restored, are either one or both of the following, holding another's property, *res aliena accepta*, and the unjust taking of it, *injuncta acceptio*" (Ibid 100). Aquinas argues for the importance of restitution for "what has been unjustly taken, for by giving it back the balance is re-established" (Ibid 107). If you look at the land inequalities of 87%-13%, one can appreciate Aquinas's argument for restitution as a work of justice. He believes that restitution is essential in that it "restores the balance when the taking of something has upset it" (Ibid 109). It can be argued that the unjust expropriation of someone's property, in this instance indigenous land, implies "a violation of the virtue of justice". For this reason, the moral claim for land restitution is based on the supposition that justice has been distorted, rendered ineffective. Thus, the restoration of the imbalance caused by such unjust taking is the only morally plausible thing to do.

In pursuance of this line of thought, Fray Pedro employs a simile to express the significance of restitutionary justice. He says: "As medicine is necessary to help repair the wounds which we suffer in our flesh and to put the body back in its pristine condition of health, so also is restitution necessary to close up the wounds caused by a violation of the virtue of justice, to put once again in their original condition of balance and equity" (Tack 1957:49 Emphasis mine). This simile aptly demonstrates the importance of restitutional justice in the attainment of an authentic political and social healing. More importantly, the simile reveals two things: First, it shows that unjust taking of another's property causes wounds, and Second, that such wounds cannot be simply wished away, but have to be concretely addressed or nursed. No doubt, in this country there are many people who have been wounded by population removals and resettlement programmes. Black people still have fresh memories of the land they once occupied and houses they once called their homes before they were plunged into marginal existence by the apartheid power. Thus, reconciliation without land repossession will not wipe out the memories and experiences of forced landlessness.

Further, Pedro reminds us that "...not every giving back of a taken object is to be called restitution, but only through which a thing is given back that was already due in justice. For this reason, he defines restitution as "the returning of a taken object which was due in justice" (Ibid 50 Italics mine). Like Aquinas, Pedro understands restitution as the "re-establishment of the equilibrium put out of balance by the violation of justice" (Ibid 51). There is no way in which one can dispossess the entire black community and not tip the political and economic scale of its equilibrium in favour of the powerful. The dispossession of the black communities of their land is a legalised violation of justice.

Pedro and Aquinas make close connection between restitution and justice. What is at stake is the violation of justice which calls for restitution rather than a violation of the law. In the legal circles, the emphasis is on violation of the law, we

hardly hear legal practitioners speak of the violation of justice. The aim of the law, positively construed, is to serve and promote justice. But, when the law fails in its task to serve and promote justice, justice itself is violated, rather than the law. Consequently, restitution is essential in the context where the law has become an instrument of legal dispossession, thereby effectively defeating the ends of justice. Therefore, black people would not appeal to the South African law in their struggle for land restitution, for the law was made to serve unjust land dispossession. As we have seen, Joyi attested to the use of the law in land dispossession when he said, "...they (white people) took by law, their law, what they could not take by war" (Meer 1988:15). Invariably, violation of justice is sufficient ground for political resistance to claim and repossess the object taken land

### **Theological argument for land repossession**

In my view, the appropriation of the idea of restitutionary justice is significant, as it challenges the church and the liberation movements to recapture a holistic image of justice that does not compromise from its confrontation with political and social systems dominated by inequality and injustice. After all, restitutionary justice finds expression in the Jubilee tradition--a biblical tradition that allows close connection of liberation or emancipation and land repossession. Liberation without a corresponding land acquisition makes the conditions necessary for lasting peace inconceivable. Like Aquinas and Pedro Labacqz articulates the importance of land restitution expressed in Jubilee event in these words

'It is an image of reclamation. Reclamation means both the returning of something taken away and the action of calling or bringing back from wrongdoing. What is reclaimed is set right, renewed. It [Jubilee] shows clearly the centrality of economic injustice and its relation to loss of political power' (Labacqz 1987:127)

Jubilee makes political transformation rooted on land justice the source of economic power. To be sure, the land should be the focus of political transformation, as Labacqz put it, "the land was the major source of income and hence the focus of oppression" (Ibid:124). The purpose of land return was to be "a major form of redress of injustice." More importantly, to ensure that "the former debtors could attain economic independence instead of merely beginning a new cycle of poverty and indebtedness" (Ibid:128). In her Jubilee discussion, Labacqz does not allow false disjunction of economic justice expressed in land restitution and political power. She writes, "the Jubilee shows clearly that no rearrangement of structures will constitute "justice" unless it truly provides for new beginnings." She continues, "it is not enough to remove shackles. Unless land, equipment, the meaning of making a living are provided the cycle of poverty will begin again" (Ibid). Like Labacqz, Walker, jr makes connection between emancipation and land acquisition. He states, "We may be emancipated from shackles of slavery, and from the bondage of apartheid and Jim Crow discrimination, but without access to land and various kinds of wealth and resources, we are not free." Further, he argues that the God of our ancient African mothers and fathers made the promise of land and access to its wealth an essential part of the ancient Hebrew Liberation agenda. It is now an essential part of our liberation agenda" (Harding 1981:255, 264-65, Walker Jr 1991:21)

Jubilee tradition demonstrates in essence that emancipation without empowerment is inadequate to the liberation struggle. That is to say, without land freedom is incomplete. For this reason, Jubilee theological thought advocates the primacy of land right as an inalienable human right. Access to land concretises liberation. The denial of the people's divine right to land as evidenced in Leviticus is tantamount to rejection of "comprehensive social and empowerment of all the people--and this means land to the people, and food to the people, and wealth to the people, and health care to the people, and housing to the people...." (Ibid 22).

In this discussion the theological concept of inheritance deserve some consideration in that it offers another dimension regarding land empowerment. This concept embodies a theological tradition, which according Mays, saw "the land as constitutive of the integrity of a citizen's existence" (Mays 1987:150). The notion of inheritance is essential as a theological interpretation of the individual and community's relation to and understanding of land. Clearly, one does not inherits property from oneself but from another as undeserved gift. Similarly, the idea of inheritance implied the people's recognition that "the land was not their as people but came to them as the gift from their God....It was their inheritance from God." For this reason, "to lose their inheritance was tantamount to losing their identity as a member of the people and privilege that went with that identity" (Ibid). The case of Naboth's vineyard demonstrates the significance of the issue of inheritance. Naboth's refusal to sell his land to King Ahab was motivated by his understanding that the land was sacred; land was a gift that could not be sold.

In our modern time, the land has become a commercial object; the poor and the oppressed hardly have access to it. Only the sons and daughters of the rich inherit the land which their parents looted and grabbed from the indigenous people. The rich and powerful also employ the language of inheritance as a ploy aimed at covering cover up the sophisticated tactics of land theft. We discern here the manner in which the rich and powerful have deliberately co-opted the religious and theological language for their own egocentric political ends. Inheritance is a theological idea rather than a political one. It makes people indebted to God for their land rather than to a raw political power. The indigenous claim to land is not motivated by political considerations, but by a theological or indigenous cultural understanding which makes God or gods the sole owner of land in which people are privileged to be stewards of and co-workers with God in its care. Theologically, land restitution is not a consequence of a political vote, but a consequence of God's liberational activity exhibited in the change of power equation between the oppressor and the oppressed, rich and poor. For this reason, any authentic political transformation should be predicated upon land repossession, as sine qua non for justice and peace.

In conclusion, let me hasten to say that for every Black South African, the issue of restitution is not just a peripheral political item, it constitutes the very heart and substance of the political and economic liberation. Consequently, for black people, the struggle is not based on some formal abstract principles. It is essentially expressed and concretised in land. So genuine peace and abounding justice in South Africa is ostensibly predicated on land restitution which is an

approximation of God's justice in an unjust country. To be sure, without land restitution, the conditions necessary for the actualisation of a just democratic social and political order cannot be attained.

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## LAND IN THE NEGOTIATIONS CHAMBER -

### -AN AFRO-CENTRIC APPROACH\*

by Prof Gabriel M. Setiloane

*The story of Machaviestad people, says Trac. epitomises the breakdown of relationships in South Africa: "It is a story of black hospitality, sympathy and assistance.... resulting in white betrayal and oppression". The Machaviestad people have ancient historical roots in the area. (The Star, Johannesburg, Jan.9, 1991).*

It is now only about three weeks that one has not heard on TV or read in some media of Andries Treurnicht or some AWB hothead howl to claim some part of our beloved South Africa as a legitimate Fatherland of the Afrikaner tribe and, therefore, not to be included in the negotiations toward a new South Africa. Carl Boshoff and his followers are, at this very moment, busy physically carving out a portion of the Northern Cape as their future "homeland". What is puzzling is how they arrive at the conclusion that those particular parts of the land are legitimately claimable for the purpose they want them for. For, ironically, the very areas they designate for their claim, the Northern Cape, the PWV (Pretoria, Witwatersrand and Vaal areas) and the Orange Free State, bear a scientifically provable history which diametrically disputes their claims.. It is these very areas which feature very high on the latest archeological revelations of the earliest human existence and consistency of culture and social life which is still found among the African people who live in them today e.g. Broederstroom, Klipriviersberg, (R.Mason. 1983 p.66f ; 1987 p.40 ) and now the discovery of a human skull fossil near Bloemfontein, said to be thousands of years old. The shame is that both these two gentlemen, who make claims that fly straight against scientific evidence which increases daily, are said to be "men of letters" and have practised as academics in supposedly respectable institutions in the land!

The purpose of this paper is to introduce into the chamber of "Negotiations towards a new South Africa", which are being noised about so much, another dimension of thinking and reasoning. (Which nevertheless is the prevailing point of view, understanding and conviction of the ordinary African man and woman in the street!) So far, whenever there is talk about the new style of our life-together in this land, social, economic and touching our habitat, appeal is made for guidance as to methods of operation and principles of debate, to the two ideologies which compete for majority acceptance in the world today, viz: the Eastern ideology, propounded first and popularised by Marx and Lenin, and which is variably called Communism, Socialism and Collectivism, and the Western Ideology which is seldom called by its stark and naked names of

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Capitalism, Individualism and legitimised self-interest with no regard for the other.

At present, because of the events in Eastern Europe over the last two years or so, Socialism, which was epitomised in the USSR, is going through a rough patch, to say the least, on the world popularity and preference scales. The proponents of the Western ideology, especially in the outposts, like South Africa, are inclined to consider this as a declaration that the ideology they harbour is, for that reason, the one that will save the world. Therefore, the hysteria, especially in the media, (which are tools of Government and / or Big Business anyway) whenever someone alludes to any future sharing of the resources of the land and its fruits and produce. However, the observations of really religious people who have themselves grown up very close to the heat of the debate, people like Pope John Paul II, need to be taken very seriously. I hear him warn the world, especially the world of Capitalism:

"Do not gloat over the misery and misfortunes that communism is presently undergoing. your own ideology of capitalism does not contain the wherewithall to save humankind" (my paraphrase). If he was an African, he would have made use of a Tswana proverb, *u se tshege yo o oleng, mareledi a sa le pele*: "laugh not at the one who has fallen, there are more slippery patches on the road ahead".

Limiting ourselves to the question of land, we wish in this paper to argue for the validity of a third point of view; a view for far too long neglected, despised, and disparaged by social scientists (so-called), and forgotten by African scholars, as too much a reminder of what they have been brainwashed to regard as "Africa's archaic past" and incongruous to "modern usage". And yet this is the point of view which is still the motor that unconsciously drives and actuates the thought, expectations and actions of the majority of the people living in this land i.e. the African people, and, I dare to declare, at whatever their level of "civilization", sophistication and education! For, a proper psychological analysis could prove that the Freedom Charter clause: "The Land shall belong to those who work on it" may have its inspiration much more out of latent, suppressed and even denied Africanism than the Collective Socialism that it has so glibly been attributed to.

Actually, this good, humane, and considerate typically African practice like so many other qualities of our Botho, Ubuntu, have historically been exploited by the Whites who have come first, with the permission of the people, to occupy the land, employing their more developed methods and with an eye ever sharp on profit, produced abundantly and then proceeded to dispossess the rightful and autochthonous owners. No one can deny that this is what happened in the Jan van Riebeeck chapter of our history and ever afterwards. This, in fact, is the only argument with which Andries Treurnicht supports his claim to the areas he has chosen as "*Die wit man se tuisland*" (The white man's homeland).

### **Traditional African Delimitation of South Africa.**

It is interesting, although it does not give anyone any comfort i.e. unless it is taken into account in the negotiations toward a "New South Africa", that South African historians like Prof. van Jaarsveld (*Sunday Star, Johannesburg, October 27, 1991*) are now confessing that the ideas expressed in the writings which have won them tons of money and questionable fame, and

which have poisoned generations of scholarship, were in fact fabrications of the straight and misguided ideology of Apartheid; which fact has now put South African White scholarship in the Social Sciences under the shadow of being doubted and unconvincing in international academic circles. For it is being scientifically proved all round now that, contrary to the views expressed by the Theals, Eric Walkers and van Jaarsvelds, Africans (I refer here particularly to the Bantu speaking groups of Africans) have not only occupied the area called South Africa before Van Riebeeck arrived, but had it actually apportioned among themselves, knowing to which group each part belonged, as children in a home know to which child which shirt belongs no matter who may be using it at any one time.

Oedasoia, a Khoi-Khoi chief, said that if the explorers had crossed the river (the great river, i.e. the Orange) they would have found the country dotted with permanent settlements and tribes such as the Brigoudi, Charij-Eijquas, and also the Cumissoquas. The river formed the boundary line between the domains of the Khoi-Khoi and other tribes, so that all who lived on this southern side of the river belonged to the Khoi-Khoi race and those on the far side of the river were blacker people like our Angolan and Guinea slaves. (Van Riebeeck's Diary 1662) This is borne out by Oral Tradition among the other African peoples. The various parts of the country were named after the people who were autochthonous to them, which is nothing new or unusual in human experience: Is it not true that England is indisputably the land of the English, Ireland of the Irish and Scotland of the Scots, irrespective as to whether they live under some arrangement with the ruling authority (the throne) which is in England? And also not mattering how that arrangement was come by: an amicable settlement or conquest?.

The Barolong Tswana, whose habitat has been more centrally situated, give us a vivid picture of the African understanding of who was where (and by the way Revill Mason, the famous Wits University archeologist, sees them living in this area as far back as AD500) :- For Barolong the pattern of autochthony was Borwa (South) literally "The land of BaSarwa"- The San BoKone (East to N. East) = The land of the Nguni people. Even within that portion of the land which was and is still, principally inhabited by the Sotho Tswana themselves, there were clear designations as to which group which portion belonged. thus:

*BoPedi* = land of the Pedi, *LeSotho* = land of the Sotho *LeHurutshe*  
= land of the BaHurutshe, *BoKwena* = land of the Bakwena.

It is noteworthy that the Tswana, through the Barolong and Batlhaping, who were as it were their representatives on that side of their common land, do not seem to have identified a distinct area, like BoKone and BoRwa, for instance, which they identified with the Khoi-Khoi (BaKgothu). I suggest that the reason for this is that the Khoi-Khoi were so close neighbours, sharing pastures, defence against invaders (see R.Moffat 1843:passim), intermarriage, even a common religious practice (E.,W.Smith, 1953), that they were hardly seen as different, strangers or other, until one ventured deep into their area of occupation e.g. in Namaqualand.

### **The African Concept of Land Ownership.**

Social Anthropologists have already made known the African system of land tenure: In African traditional understanding and practice, land is (as is indeed the

case in most pre-European - occupation aboriginal peoples of the world -- the Australasians, Native Americans, etc.) not individually acquirable. Western observers have wanted to see its possession vested in the "Chief" a tyrant of their creation, as "Morena", "Nkosi", in unadulterated African understanding and usage (see G.M. Setiloane, 1990), is not "chief" as has come to be understood through the writings of European travellers, missionaries and outright malicious so-called historians, hunters after cheap fame and wealth who awards and divides up the land according to his whim, wish and favour. Our fathers have taught us and practised what they learnt from their fathers, viz: Land is Holy Property. No one can acquire and own it. *Morena -Nkosi* and his court are mere trustees and administrators to ensure that it is apportioned fairly to legally qualified and appropriate families to make a livelihood out of. To qualify for such an apportionment one has to belong to the group and have the responsibility of a wife and a family to maintain. It is for this reason that African land assigned for ploughing and raising food on (*masimo, intsimu*) was awarded to the household to be held in the name of the wife.

So in Tswana to this day the *tshimo* is invariably called by the woman to whose household it is assigned! Thus, therefore, every housewife has a *tshimo* assigned for her use all her life. Any self-respecting Sotho -Tswana husband regards the produce of such a land as totally and wholly under the direction, disposal and jurisdiction of that particular wife, who also has the responsibility to organise its production. Land, therefore, is a means to livelihood and is left in the day to day charge of those who use it for that purpose. Land is not wealth, like cattle, sheep or goats. It cannot be possessed nor held to the exclusion of the good and survival of the total community. It is like rain, and river water or wood in the forest, a natural provision! Therefore one could not lay a charge of trespassing or theft against an unknown traveller who enters a field ready for the harvest and avails him/herself of the produce for immediate sustenance.

Even as the Van Riebeeck quotation above points out, certain portions of the mass of land that is today called South Africa was and still is considered a possession, in a unique and more binding manner, of a specific group or groups of people :- Kwa MoKwena, Kwa LeHurutshe, Kwa Tlhaping, etc. It is this region of the whole that was under the jurisdiction of a particular "chiefdom". In normal circumstances the particular group, polity, chiefdom or tribe would have acquired ascription of ownership of the particular land by inheritance and descent. It would be known by their name. Therefore, *LeHurutshe* is understood as the land of *BaHurutshe*, and *MoKwena* of *BaKwena*, because in such cases the said people have been living on that land, working on it, being born and themselves giving birth to children, their parents dying and being buried on it, from time immemorial. They would be autochthonous to that piece of land in the same way as the Scots are to Scotland, the Germans to Germany and the French to France.

But, there would be even more to it: There would be the religious element which prompted the claim, that in African understanding "Land is holy property" whose ownership is vested far above the Morena or Nkosi (king). For the ancestors of the present occupants do not relinquish their hold and right on the land by death. Contrarily, in African usage and religion, as indeed in the religions and practices of other aboriginal and primal peoples of the world, "The dead are not

dead; they are ever with us"! (G.M. Setiloane, 1969) *Even more: the rigours and fortunes of everyday life of single persons, families and whole groups of people are dependent on their relations with these ancestors who are a "living" part of the community: (G.M.Setiloane, 1972; 1986): "The very dust under your feet responds more lovingly to our footsteps than to yours, because it is the ashes of our ancestors, and our bare feet are conscious of the sympathetic touch, for the soil is rich with the life of our kindred. (Chief Seattle 1884).*

These ancestors are served ( *direlwa, konzwa*) in and through all human activities, from family meals to national rain festivals and the installation of *Morena, Nkosi* (king). For, in proper African life, the personal and family shrine is the home where the ancestors are buried, in the *Lapa* (the Tswana family courtyard) [ G.M.Setiloane.1972 p 24 ] and the cattle kraal. Thus, therefore, the tremendous shock and resultant vigorous resistance, both in this country as in all cases of aboriginal peoples (North America and Australasia), throughout the history of contact with the European, against so-called "tribal removals" and "annexations. Land is a *holy possession*: the shrine of a people's soul. To remove and separate people from their ancestral land is to rapture their soul, to cut off their instrument of life support. This, by the way, is a very biblical, Old Testament concept, because there, too, we are having to do with aboriginal and primal peoples and their religious sensitivities:

"By the rivers of Babylon  
(cut off from home and kindred)  
We sat down and wept,  
When we remembered Zion.  
How can we sing the Lord's song  
In a strange land"? (Psalm 137)

This explains why, earlier this year, when the De Klerk government declared that it was removing all the land restrictions which had been imposed and enforced by their Apartheid regime, the BaKwena of Mogopa, (near Ventersdorp), the BaRolong-Ba-Modiboa of Matloang (near Potchefstroom), who had been forcefully removed from their ancient habitats, as well as other victims of forced removals of the said regime, made use of the occasion to fulfill the hearts' wish, and returned to their ancestral lands, where (and the media had purposely turned a blind eye to this!) they had, in spite of distance, made regular pilgrimages, during the period of their exile, to the graves of their ancestors (The Star, Johannesburg, January 9, 1991). For it is still a practice among the majority of African people, no matter what their degree of westernisation, education and sophistication, to make periodic pilgrimages to wherever the graves of their ancestors are situated. Often these graves are on what, according to South African legislation and other facts of history, has come to be called a "White area" (a European farm or a plot, such as is the case on my maternal side). In such a case it is almost laughable, if it was not the tragedy that it is, to see an internationally acclaimed man of letters and respectable standing, a whole professor, grovel and beg for permission from an almost illiterate White man/woman for access to the graves of his ancestors even just for an hour or less: Only to be able "*Go gata mabala*" :- To tread the sods his forebears have trod, and breathe the air they once breathed! Other such grave shrines, like those on my paternal side here in the Orange Free State, have been destroyed,

devastated, and desecrated by the White man's "development", such as the mines. Places now high and bold on the South African map once resounded with names which have remained indelible in the family names of many African people.: "Mr. Tikoe", who must originate from somewhere on the now Sand River valley, or "Motshikhiri", my grandfathers name, because he was born where he was buried (an area where that special type of thatch grass was obtainable: Allan Ridge mine of the Free State Goldfields stands there today.) Thus, what has been seen and used as a mere source of quick riches, gold, diamonds, coal, etc, and has made the richest of the world what they are revered for, or is taken for an emblem of usurped security, has been and still is a *holy shrine*; a doorway to fullness of life and the source of being (*die lewens kragbron*) to some of us who know ourselves, and indeed to others too, who may not comprehend themselves so well. For, as Chief Seattle assured the White conquerors and annexers of his ancestral home:

"Every part of this country is sacred to my people. Every hillside, every plain and grove has been hallowed by some fond memory or some sad experience. Even the rocks, which seem to be dumb as they swelter in the sun along the silent sea shore in solemn grandeur, thrill with the memories of past events connected with the lives of my people. . .The noble braves, fond mothers, glad happy-hearted maidens, and even the little children, who lived and rejoiced here for a brief season, and whose very names are now forgotten, still love these sombre solitudes and their *deep fastnesses which, at eventide, grow shadowy with the presence of dusky spirits.*"(ibid)

### **The religious base of land ownership claim.**

In the religions of "indigenous" or "primitive"(in truth,"primal") peoples or aborigines, the ultimate "owners" of the land (the earth mass on which food is produced and all life is dependent) are the deities of the autochthonous peoples. It is they who are depended upon for its fertility and the prosperity of those who occupy it at any one time; they who are appealed to when nature itself seems to be unco-operative with drought, bad harvest, floods, etc. (Those unfortunate events which Western insurance agents though thoroughly secularised still call "an act of God")! That is why these religions are called Fertility or/ and Nature Religions. It is this type of religion that the Israelites, according to the Bible, found the natives of Palestine practising when they "entered that land to conquer it". Soon they found out that the "almighty-ness" of their YAHWEH, which had carried them through out of Egyptian bondage, and through the scorching sun and feverish pestilences of the desert, was not potent enough to prevail against the uncertainties and vagaries of the climate in the agrarian "land of milk and honey". To survive, the mighty conquering Israelites had to do as the natives, the primitive so-called Phillistines, did, viz: do homage to and worship *Baalim*: which is translated "the deities of the land". The Hebrew word *Baal* means "Owner". The plural *Baalim* = "Owners", and the Biblical translation "deities of the land" must be straight out of the original "Owners of the land". So, the monotheistic Israelites were, much to the chagrin and anger of their priests and prophets (Amos, Hosea, Micah et al), won over to the worship and service of *Baalim* because they held the key to survival and lasting prosperity. ( Oh, that arrogant settlers in exotic lands of "untutored and uncivilised" primitive peoples could learn!)

This is exactly what is taught in the religious traditions of Africa: Khoi-Khoi, Sotho-Tswana, Nguni, Venda and even beyond the Limpopo, e.g. the Shona (see David Lan, 1983). Among the Sotho-Tswana no service or ritual is deemed efficacious until and unless it was also directed to "*Beng ba lefatshe*" :translated": the Owners of the land" = Baalim. The Nguni expression *Abaphanzi*: strikes the same cord. Hence the ritual prayer which every Social Anthropologist and student of the Sotho-Tswana must come across some time or other in their studies: *Medimo e mennye re rapeleleng go e megolo*, meaning Junior ancestors (deities) intercede on our behalf to the greater/ senior /older ancestors (deities)(E.W.Smith, 1952).

The "newer", "younger", "junior" ancestors are the ancestors of the living people who are, at the time engaged in the ritual prayer i.e. the present occupants of the land. These ancestors are, consequently, often known and appealed to by name (G.M.Setiloane, 1972, p 76), like Mohlomi; Senzangakhona, Moroka, etc. Quite often, though, "*medimo e megolo*", the older, ancient ancestors, are not even known by name, and may for that matter not be of the same stock as the people who are involved in the ritual prayer. They are considered as comprising the higher court of appeal against the tragedy and calamity that may be threatening the community. They have the last and final say, and human survival in that area of the country, is dependent on their goodwill. For this reason Msilikazi, the great Ndebele conquerer of the interior, never in his life after settling in what is present Matebeleland (the land of the South Western Shona) stopped paying tribute and doing homage to the *Mhondoro* {the reigning dynasty's spiritual custodian's ancestor} of the Shona kingdom he had subjugated (David Lan, 1983.). Moshoeshoe was claiming a similar decency and show of prestige and genuine African etiquette from Moroka, who was wrongly advised by the Methodist missionaries to refuse because he had signed a piece of paper to which they and Moshoeshoe's missionaries had witnessed. Besides, they claimed, Moroka and his people had bought the land, however meagre the price they had paid. The result of the dispute was *Tigela*, the tragic battle of Mekwatlang, near present Westminster in the Orange Free State, where Moroka's BaRolong were shamefully defeated (S.Molema, 1941, p104)

The lesson here is that conquest by war and occupation of any land, for any period of time, does not erase the right of ownership of the autochthonous people. It is this very concept which is behind the many "ancient tribal land disputes" raging in the United States and Canada. This also is the reasoning behind the ancient Greek practice recorded in the Acts of Apostles, Ch.17 v.23, of leaving a space and an inscription "To an Unknown God" in their pantheon. That the ancestors (or deities, if one wishes so!) of a people secure the right of ownership of the land is the reason behind many of the wars of resistance against colonialism everywhere in Africa, Asia, the Pacific Islands, North America etc. That was the driving force behind the so-called "Border Wars" of the Eastern Cape, and is still the driving force behind the protracted Middle East struggle. It is no longer a question of socialism, nationalisation, capitalism or Free Enterprise. Here we are in the realm of religion. And this is what we, in African Theology have always asserted viz: that the Liberation Struggle in this part of the continent, as indeed in other parts as well, (e.g. The Mau-Mau in Kenya) is at depth a religious struggle. No one who has heard the now returning South



African exiles sing in foreign lands, about their motherland, could not have any doubt that we were, and still are, engaged in a religious encounter:-

*Thina sizwe esimnyama ... We the black nation*  
*Sikhalela izwe lethu ... We cry for our land*  
*Elathatwa nga bamhlophe ... Which was taken by the Whites.*

Does it not sound like Psalm 137 ? No negotiations about bringing in a "New South Africa" will be acceptable, incisive, nor deep enough, nor productive of any lasting structures for peace (and this is a caution directed principally at the Africans themselves who will sit on our behalf around the negotiations table), unless and until this traditional and fundamental concept of land ownership, which is still held by the majority of us Africans, is brought up and given the consideration it deserves. All the theories of the White man about land ownership are calculated, from the beginning to the end, to rationalise their disinheritance of the rightful heirs to the land. Therefore the San come down the corridors of history as "vermin who have no respect for property" and are hunted and shot down like game; the Khoi: "homeless nomads and vagabonds;" and the rest of us: "fugitives from their traditional homelands", and recent arrivals in "a beautiful empty land teeming with game"; "the land of milk and honey" which they with their gun and unfriendly methods of food production have reduced into desert in pursuit of so-called development.

These theories, inspired by selfish arrogance, a callous lack of religious depth and spiritual insight, are, fortunately, progressively thinning out like morning mist in the light of research and scholarship: Archeology, Pre- History and even the Study of Religions. What is becoming increasingly clear in the twenty-first century is that *land ownership is indelible*, by all known human (*Botho*) standard, even by those of the European peoples themselves. The present bloody wars of Eastern Europe and the so-called "re-emergence of ethnicity in the citadels of "European Christian Civilisation" are a clear evidence of this. All the ancient peoples of the world are up in arms, everywhere in the Americas, the autochthonous peoples of Canada, the US, Brazil and in Australasia and the South Sea Islands. to claim their heritage, the lands on which their fore-fathers are buried, their indisputable home, *elathatwa ngabamhlophe*, A serious indictment, difficult to live down, is that it is invariably *abamhlophe* who have brought along this misery to humankind.

*"And when the Red Man (and all the indigenous peoples!) shall have perished from the earth (as if they ever will!) and his memory among the white men shall have become a myth, these shores will swarm with the invisible dead of my tribe; and when our children's children shall think themselves alone in the field, the store, the shop, upon the highway, or in the silence of the pathless woods, they will not be alone. In all the earth there is no place dedicated to solitude. At night, when the streets of your cities and villages will be silent and you think them deserted, they will throng with the returning hosts that once filled and still love this beautiful land."* (Chief Seattle).

## Conclusion

Poor Chief Seattle, driven into a corner, like a hart at bay, by the conquering gun-clad superior forces of the white man, passionately pleads, little knowing how heartless his interlocutors are. "The white man will never be alone. Let him be just and deal kindly with my people, for the dead are not powerless. Dead -did I say? There is no death, only a change of worlds!" (ibid).

But now times and scenes have changed and tables have turned. Having, in this paper made the point that by all divinely-ordained and legitimate reasoning "The Land belongs to us, it is us, the autochthonous and aboriginal peoples, who need to be pleaded with and exhorted to be "just and deal kindly for the dead are not powerless. The White man need not fear. Exclusivity was never a trait of the African. In fact the opposite is the case. Sharing and kindness and care for "the stranger at the gate" is the very essence of *Botho - Ubuntu*. It is this willingness to share even his heritage, the land, right from even before Van Riebeeck, that has made Africa prey to the wiles and greed of the European interloper coming in all guise a wandering shipwrecked traveller, explorer, teacher, missionary, and all. Nevertheless, as one listens through the cacophony of African political talk through the decades, even now with "Negotiations" about our life-together in this land in the air, one does not hear, even from the wildest and most bitterly radical, the cry "Throw the sons and daughters of the marauding, cheating, conquering, mendacious and distabilising white man into the sea out of which their fathers and forebears came". All that one hears seems to be "This is our country. We go to the negotiations table not "to grovel and beg"(Jay Naidoo, SATV Oct 4 1991) but, with malice towards none, to claim our birthright, "the holy possession of our fathers. Not to do so would be a denial of our very being, and a condemning of ourselves to ignominy. Don't we know much better than our interlocutors how "the dead are not powerless"? And how they are jealous for our faithfulness to what they have lived and striven for? For, ever since the first contact with the white man, all our ancestors from the four corners of this country (Nxele, Moshoeshoe, Sekhukhuni, Sekonyela, Dingana, Mzilikazi) and their sons, our fathers, after them (Sol Plaatje, Dube, Z.R Mahabane, Albert Luthuli), and, in our own lifetime, Mangaliso Sobukwe, Steve Biko, together with many others who have lost their lives in prison cells, in torture chambers and on desolate African veld and jungle for the struggle, have all been actuated and driven by one single conviction and truth. *Lomhlaba ongowethu* ." This land belongs to us" (Peter Delius) This does not necessarily foreclose or shut out any other consideration borne out of the generosity of hearts begotten and nurtured in *Botho-Ubuntu - Ubuntungushi*.

The relationship between this community and the local officials, missionaries, farmers, and landlords deteriorated still further. The demand (was) that the power of the Pedi polity should be broken. In April 1876, with war looming, Dinkwanyane despatched a letter to the Landdroos of Lydenburg. It gives a powerful and moving expression to many of the themes developed in this and preceding chapters.

*To the office, to all the people I will address you Boers, you men who know God; do you think there is a God who will punish lying, theft and deceit? I ask you now for the truth. I pray for the truth because I also speak the whole truth. I say. The land belongs to us. This is my truth, and even if you become angry I will nevertheless stand by it. You were clever. Your cleverness has turned to*

*theft. When I say your cleverness has turned to theft, I say it in relation to the land, because you came to this country, you knew God's word, but ate everything up and said nothing to anybody, only flogged (the people). Your theft has now come into the open. And I state and I mean (it): those who have bought land let them take their money back. (Let) these words (be read) before all the people so that they can hear the same. "I am Johannes ,the younger son of Sekwati (Peter Delius)*

When Dinkwanyane made this devastating charge, he had accepted the Christian faith , and had even become a traitor to his brother, Sekwati, because of it; hiving off with a chunk of the "chiefdom" to settle in Botshabelo so that they "could practice Christianity free and away from heathen interference". So, he was not only kind but sincerely speaking out of his Christian experience, when he ascribed devoutness and the "knowledge of God": to his interlocutors, the Boers. He was speaking out of what he thought was a common experience with them. But note that even after all the teaching of Christianity and suffering so much from his own kind and kin for it, he still maintained that the last word as to who the land belongs to was "God", DIVINITY - MODIMO. QAMATA, UMVELINGQANGI. This he had not acquired from any missionary teaching else his enemies, the Boers, would have known it even before him!

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## LAND, CLASS AND THE BIBLE IN SOUTH AFRICA TODAY.

By Prof Itumeleng Jerry Mosala\*

The Bible is inseparable from the modern history of South Africa. It was there at the founding of modern South Africa when white colonisers dispossessed the Africans of their land and created out of them a wage class with nothing but their labour power to sell. When Apartheid, as a specific ideology of racial oppression and exploitation was established, the Bible was there. The Bible is there in the present Constitution of the South African government. The Bible is there in every aspect of South African life in curious and often violently contradictory ways.

Not only was the Bible present at the moment of the enslavement of black South Africans, but it became the mechanism through which and the reason why a settler colonial group of white people took the land of black people.

Lest any political confusion is created, let me explain my use of the word "clans" in the title of this paper. While the term may be perfectly clear to those who are familiar with its use in the Hebrew Bible, its application to the South African situation, without further explanation, can be dangerous. It is my intention to avoid as hard as I can any connection with the idea of tribes which for us in South Africa has caused us much pain through the policy of Bantustans or Homelands which the government imposed on us.

Clans in this paper translates the Hebrew term *mishpahoth*. The social phenomenon represented by the latter term has been chosen in order to posit, using the Bible, a project for the reconstruction of a liberated nation, economy and culture of Azania, committed to a permanent struggle against racism, sexism and imperialism. I translate *mishpahoth* with Norman Gottwald sociologically to mean a "protective association of families". The functions of the biblical *mishpahoths* as identified by Gottwald resonate with the functions of a number of African traditional institutions, notably the two known as *Letsema* and *Mophato*. These functions have played a major role in influencing socialist thinking among many South African political activists. Gottwald summarises his reflections on the Israelite clans/*mishpahoth* in the following way:

From passages we have examined, the *mishpahoth* stands out as a protective association of families which operated to preserve the minimal conditions for the integrity of each of its member families by extending mutual help as needed to supply male heirs, to keep or recover land, to rescue members from debt slavery, and to avenge murder. These functions were all restorative in that they were emergency means to restore the normal autonomous basis of a member family, and they were all actions that devolved upon the *mishpahoth* only when the

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*beth-av* was unable to act on its own behalf. The very existence of such a protective association gave vital reassurance to Israelite families, while the overt action of the protective association was always an exceptional measure of the last resort. (Tribes, p.267)

The protective association of Israelite clans ( the *mishpahoth* ) presupposed the freedom and autonomy of Israelite households ( *beth-avs* ). It is clearly the case, though, that this presupposition expresses a right to be free and autonomous on the part of the households. But as the *goel* - liberator function of the *mishpahoth* firmly indicates, the reality was often oppression, indebtedness, dispossession, and death. For a socialist, committed to a materialist reading of the Bible, it is difficult not to detect strong roots of socialism in the traditions of the Bible. Of course, in the canonical form of the Bible, these values of socialist organisation and action occupy a subordinated position.

The ongoing and resilient commitment to the values of solidarity and mutual help among many oppressed peoples of the world has caused some of us in Bible scholarship to return to similar concerns in the Bible. In South Africa today, therefore, three issues are bound up together in a significant way. They are the issues of Land, Class and Bible. It is almost impossible to touch on the one without touching on the other. The land question has always been at the heart of the South African struggle for liberation. No Liberation Movement worthy of its name could totally ignore this question. The Land issue actually defines, in significant ways, the real nature of the oppression of Blacks by Whites. Hence all the black Liberation Movements include something in their programmes about land. There are of course significant differences among the organisations of the oppressed on the extent to which the land question dominates their respective ideologies.

In the Bible and in the statements and programmes of South African political organisations, the land question is undergirded by an underlying social class perspective. It is this social class perspective which readers of the Bible who are committed to a reconstruction programme along the lines of liberation, need to isolate and interrogate. Already the absence of a class analysis both in the way in which we read the Bible and in the proposals for reconstructing the Azanian society are getting us into serious trouble.

## **The Land Question and the Bible.**

The most important question facing Christians working with and, in popular movements in South Africa today, is: how does the most crucial issue for Africans, namely, the Land issue, inform our reading of the Bible? What kind of hermeneutics can we develop that can liberate us and the Bible for a future such as the one the people of the Bible seem to have always envisioned, if only in suppressed forms? I mean a hermeneutics that can make Micah's vision of liberated *mishpahoths/clans* come true:

*They will hammer their swords into ploughshares, and their spears into pruning-knives. Nations will never again go to war, never prepare for battle again. Everyone will live in peace, among his own vineyards and fig-trees, and no*

*one will make him afraid. The Lord Almighty will has promised this. (Micah 4:3-4).*

The task of Yahweh's people is to liberate the possibilities of their own liberation. Crucial among these is the struggle against patriarchy in all its forms. Micah's vision will, therefore, only be truly liberating when it shall itself have been liberated from its patriarchal prison. Once freed from its own enslaving tendencies, it can be asserted that it is more than what Professor Brueggemann is willing to permit. He writes:

*Micah 4:1-5 is a radical assertion of a poetic promise, designed to lead Israel to an alternative reality. Admittedly, this is not a political strategy or a concrete action. It is only a practice of imagination which presents an unthinkable, underived future. Those who heard this oracle (as well as those who spoke it) were called to realities they could not see or identify. Nor could they discern how such an anticipation could become a reality. (1981:190)*

According to Prof. Brueggemann in this text: *The poet is in touch with deep agrarian dreams. He presents what must be Israel's most elemental social hope. That hope is not simply for a disarmed world. It is much more personal. What one wishes for, is to be secure enough to produce and enjoy produce unmolested, neither by lawlessness nor the usurpation of the state... Obviously, there can be no such personal well-being as long as there is war and threat of war. But what denies that personal hope is not simply hostility and the threat of hostility, rather, the main threat to "vine and fig trees" is the economics that sustain and require war. What usurps vines and fig trees is not just invading armies, but the tax structure and the profit system which are both cause and effect of military dangers. (Ibid, p190f.)*

That Brueggemann is on target with these assertions, there is no doubt. The point needs to be made, though, that in the Hebrew Bible as in our times, the words of Micah do not reflect simply the deep dreams of poets. The many stories of the Israelite clans, like their Azanian counterparts, are rooted both in the historical reality and the social struggles of their past, present and future.

The land question is not an issue for Africans only. Nor is it a purely South African concern. I submit that the oppression and exploitation of all communities and groups is in some way related to the power of landownership which oppressors and exploiters all over the world wield. That is the one matter.

The other matter, which we need to keep firmly in mind, is that the liberation of the land is for us Christians not simply a secular issue. The liberation of the land is a thoroughly spiritual business. For the Africans in Azania, the monopolisation of land by white people constitutes a double injury. It is at once a condition of spiritual impoverishment and a denial of the dignity of Africans.

Already, different perspectives have been emerging, influenced by the different and often conflictual positions of the different social and political players. It is instructive to see the influence that the historical popular movements and perspectives are playing in this matter, as well as to see how their social class commitments determine the use to which the Bible is put. The whole situation underlines the argument that there can be no neutral reading of the Bible. This is true even within the broad framework of liberation. In a recent newspaper article a white South African, evidently informed by rightist popular thinking of the kind that is supported in the Bible by, for example, the conquest traditions writes:

" Sir - Will somebody point out on a map of our country where this land is which the whites are supposed to have usurped from the blacks. Will such a person also try to explain why the whites were so stupid as to have driven these blacks from the arid western part of the country, instead of e.g. from the eastern Cape with its fertile soil and high rainfall...Black people traditionally do not, and cannot own land in their fatherlands. The land they live on belongs to the monarchs or the government." ( S. Pretorius, in Sowetan, Monday, July 8, 1991)

Another report in the newspapers, representing a white business perspective on the land question which can also be linked to a particular perspective in the Bible, probably texts such as the one where Abraham buys land from the Canaanites to bury his dead or for his cattle and sheep, reads like this:

*The Land Bank should provide direct financial support to prospective black farmers to enable them to buy land directly from owners,* Development Bank of Southern Africa senior divisional manager Johan van Rooyen said. (Business Day, July, 1991). Evidently sympathetic with this approach, the African National Congress (ANC) unsuccessfully tried to buy land in an area adjacent to a white suburb. The Land was needed in order to house returning ANC exiles. The effort failed because the more powerful white rightists who, obviously, did not want blacks on that land combined their financial resources to defeat the ANC in an auction for the land. In another development reported in the media recently, Archbishop Desmond Tutu is said to have led a delegation from a section of the Xhosas known as the Fingos to Mr F.W. De Klerk, the white President of South Africa, to appeal for the return of their land in the Tsitsikama area of the Cape. Here also there are biblical connections which derive from where one stands in the popular movements. I am thinking especially of the Nehemiah project in the Old Testament. It is a return to the land under the sponsorship of the Persian oppressors of the Jews. A strain of the popular movement will be led by their political-ideological perspective to take this view of where we are in the struggle in South Africa.

Two other positions are identifiable. One corresponds to a community and a man who suffered a reversal of what appeared at first as a position of advantage for him. *The City Press*, a black news paper in South Africa, reported as follows: The mystery of an assault charge laid against Afrikaner Weerstandsbeweging ( a right wing white organisation ) leader Eugene Terre Blanche by a 70-year old farm labourer deepened recently when the Transvaal Attorney General referred the docket back to the Ventersdorp police. Instead, the old man will now be charged with possession of dagga (marijuana) *City Press, June , 1991.*

This experience will lead many activists in the popular movements to take seriously Jesus' decision not to utter a word to Pilate in self-defense during his trial. It is dangerous for black people to show any confidence in the institutions of white people. It is difficult for black people not to call into question the strategy of Paul when he appeals to his citizenship of Rome and of Judah as a source of power and strength in face of a repressive state. Finally, there is a story of a community in a black township called Alexandra where in desperation, African people have moved to take residence in a cemetery for lack of land to build their homes. The report goes:

*In Alexandra, where close to 2 000 people daily go about their business skirting graves and tombstones, the answer given with monotonous regularity is "poverty". "Give us a place", the cemetery squatters said, "and we will move*



*immediately. We are not happy living here, but where can we go". They have been living on the doorstep of a cemetery for three years. Residents say they have been forced to live with the dead by Alexandra Town Council, which, they said, embarked on a shack-destroying campaign. ( The Saturday Star, July 20, 1991.*

Leaving aside how white people read the Bible, these are the different conditions in which the Bible is read. The specificity of the reading is highly influenced by popular political frameworks to which Christians belong. The question is, in these different situations which texts of the Bible will speak more fundamentally to the deep aspirations of the people, especially on the burning question of the restoration of the Land? Is it going to be the Jubilee texts in Leviticus; will it be the Nehemiah strategy of national reconstruction under imperial sponsorship; or can the Exodus speak to us despite having spoken to our oppressors and having provided them with the ideological arsenal to annihilate us ; will we resort to the abstract and elitist message of the prophets? How will we know what to choose? Is it possible that at different times we shall choose different texts? What are the hermeneutical implications of this?

One thing is clear: the Bible is yet to be the terrain of fierce struggles. Indeed, much blood may yet be shed as result of, over or through the Bible. I submit that the problem of a liberative biblical hermeneutics is not solved by choosing " the right " text for my situation or struggle. In reading the Bible from the people's perspectives, namely, the perspective of liberation, we must confront the fundamental question of the nature of the Biblical Text. Biblical study has to revisit this question in the light of the many formerly suppressed struggles, if it does not help to reinforce again the use of the Bible as an instrument of oppression and exploitation. For myself I find help in the suggestion by Terry Eagleton that as cultural workers, we should read all texts, written or historical, in 1. A Projective way, intending the effects of the political and human project to which we are committed. 2. A Polemical way, critically exposing the rhetorical structures of the texts and their underlying political and ideological mission. And in this regard it is not true that the experiences of ordinary people cannot offer the critical tools needed to undertake this task. The academy has no monopoly on the production of critical tools. 3. An Appropriative way, reading those texts that represent the perspectives of the dominant and oppressive classes against themselves.

Allow me at this point to engage some ideas which come out of the Economic policy, and especially the section on Agricultural transformation, of the Political Organization of which I am a member, and former President, The Azanian People's Organization. This is the Organization founded by Steve Biko who will be more familiar to you than me. I quote from one part: *A process of integrating the rural and modern industrial economic sectors will be set in motion and the national economic integration will be geared towards strengthening the predominance of the socialist mode of production, distribution, and exchange. In the rural and agricultural sector priority will be given to a process of transforming large-scale, and capital intensive farms that are historically and currently owned by white landlords towards into publicly owned enterprises. These farms will be expropriated without compensation by the socialist state and AZAPO government.* The biblical mishpachot, in their role as goels/liberators are expected by Israelite tradition and social commitment to liberate/recover the

Land, restore the freedom and autonomy of the people, to rescue members from slavery, and to avenge murder. This is in line with the agricultural economic policy of the AZANIAN MISHPAHOTHES/CLANS as envisioned by the Black Consciousness Movement.

Furthermore, the Azanian clans, inspired by the values and strategies of the biblical mishpahoths, understand structural transformation and emancipation of agriculture in a liberated and reconstituted AZANIA to involve a two-fold process: " Firstly, to engage in a process of transformation of the racist capitalist mode of production, concomitant superstructures and tribal ownership of the land. Secondly, to alleviate and ultimately eradicate completely all forms of dependence upon the world market demand generated by the predominance of world capitalist dominance on the Azanian economy."

There is a great deal of materials we can draw from in the Bible to inform our struggle for human emancipation. The work of biblical criticism which engage social and economic issues which I know happens here at St Andrews should provide the tools for contributing to the struggles of oppressed peoples all over. In doing this work biblical scholars continue the venerable traditions in theology and bible study represented by the work of scholars like Robert F. Schnell.

We in Azania are greatly encouraged by the critical work of scholars who take seriously the struggle in the Bible and refrain from narrow idealisation of traditions whose class perspectives can never really emancipate and liberate our people. Without liberating the Land our people will never be genuinely liberated. To reconstitute One Azania and One Nation we need Mishpahothic structures nurtured in the best socialist traditions to restore the normal autonomous basis of member families, extend mutual help among member families, to preserve minimal conditions for the integrity of member families, to recover the land, to rescue members from debt slavery, and to avenge murder.



## Book Reviews

**Expanding the View: Gustavo Gutierrez and the future of Liberation Theology. Marc Ellis and Otto Madura (eds.), Orbis Books, Maryknoll, New York.**

In 1988 over one hundred theologians from around the world gathered at Maryknoll, New York to honour Gustavo Gutierrez, the "father of liberation theology" on his sixtieth birthday. The gathering coincided with the twentieth anniversary of the Medellin conference and the fifteenth anniversary of the publication in English of Gutierrez's book, A theology of liberation. During the month long conference, it became clear that Liberation Theology had become a global phenomenon. The resulting volume, The future of Liberation theology included over fifty papers of theologians from twenty-four countries. The current book, Expanding the view contains fifteen papers from the original volume and makes them available in a paperback edition.

The book is divided into three sections. The first section focuses on some of the recent ideas of Gustavo Gutierrez. Gutierrez reminds his readers of the greatest distance that the church has travelled since the 1968 Latin American Bishops' conference at Medellin. It was at that conference that the realisation that the "poor" had been absent from discussions about church and society became apparent. The irruption of this "invisible" majority into history and church consciousness has led to repercussions throughout the world. This expanded view of the identity of the church has been embraced in Africa and Asia as well as among the marginalised people throughout the world. Liberation Theology has now become a world-wide phenomenon.

A reporter recently asked Gutierrez whether he would write A theology of Liberation today as he had done two decades before. He responded imaginatively by saying that his book had been a love letter to God, the church and to the people to whom he belonged. Love endured and grew deeper and changed its manner of expression over the years.

The second section deals with some matters of dispute in Liberation Theology. McGovern, a Jesuit professor of philosophy, writes a searching article about the key topics of dependency theory and Marxist analysis for Liberation Theology. The author notes that early liberation theology was much impressed by the dependency theory. One example of this was Prebisch's argument concerning the "core-periphery" model for understanding economic problems in Latin America. Latin America was kept poor because the economy was controlled by the "core" nations of the United States and Europe. In recent years Gutierrez has remarked on the provisional nature of such theories and the fact that dependency theory and Marxist theory are often in opposition to one another (p.81). McGovern then explores the positions of various liberation theologians towards Marxist analysis. The author notes that most liberation theologians feel that Marxist analysis is a "useful tool" for understanding conditions in Latin America. Gutierrez, for example, argued that Marxist analysis and the atheistic Marxist world-view can be separated. In recent years however, Gutierrez has warned against an uncritical use of marxist categories and has been highly

critical of some Marxist societies which blatantly dent human rights. The third section of the book focuses on the future of liberation theology as a global phenomenon. Sister Maria Bingemer of the Pontifical University of Rio de Janeiro presents a moving paper on the role of women in future Liberation Theology. The author writes in a poetic style. She begins her article by drawing a distinction between first world women and third world women when writing Liberation Theology. She notes that the face of the poor has changed over the past twenty years with the realisation that the majority of the poor are women. Although numerically more numerous in their attendance of worship than men, women's presence in the church and theology has largely been a silent one. She notes that the unique experience of women has been diluted under subjects like "theological anthropology" and only recently have women active producers of theology rather than mere objects of theological reflection. Bingemer feels that most theology is rigid, predictable and overly rational. She argues that the entry of women into theology would make theology unpredictable. She asserts that the primacy of rationality in Liberation Theology needs to be replaced by the primacy of desire. She writes: "The presence of women in theology brings back into the front, the primacy of desire for which purely rational concepts do not allow. Moved by desire, a totalising force, she does theology with her body, her heart and hands, as much as with her head (p. 178).

I found the book an informative set of papers with one shortcoming. The choice of documents does not reflect the world-wide phenomenon of Liberation Theology. The writers included are primarily Latin American and north American representatives. No doubt the narrowing of the global theme has to do with the intended readership being in the Anglo-American world. Despite this criticism, the book is a fitting tribute to Gustavo Gutierrez, that great evangelist who has taken good news to the poor.

Reviewed by Mark Hestenes (Practical Theology, University of South Africa).

**Moya: the Holy Spirit in an African context, by Anderson A, Manualia Didactica 13, Softcover, 1991, 152 pp, ISBN 0 86981 693 4.**

Black pentecostal-type churches are probably part of one of the fastest growing religious movements in South Africa. There is a perception among Western scholars that the proliferation of African indigenous and pentecostal churches has resulted in a weak or impoverished theology regarding concepts of the Holy Spirit and power amongst these churches, which concepts and resulting practices occupy a central place. The issues are the central concern of this book. The author presents a sympathetic approach to what has possibly been a much maligned movement, and certainly a misunderstood one.

This is a study of Christian pneumatology in Africa, particularly in independent Spirit-type churches and Black Pentecostal churches. Christian theology has not entered Africa in a vacuum. The understanding of the Holy Spirit is therefore evaluated against the backdrop of the traditional African world view with its spirituality and holistic ideas of God, power, the spirit world and ancestors. The book begins by giving an outline of this world view and its influence on doing theology in Africa. The more recent contributions of African Theology and Black theology to the subject are also briefly considered.

The main part of this book deals with how these churches have entered into the vacuum. The characteristic features of this pneumatology are described, including their historical and theological origins in Western and American Black Pentecostalism and slave religion. Pentecostals have tended to emphasise the discontinuity between themselves and the indigenous churches, whereas this book highlights their essential continuity. Pneumatology is not as much written as it is enacted in manifestations, particularly baptism in the Spirit, speaking in tongues and in prophecy. These practices are discussed in some detail and then compared with what are seen to be the key traditional concepts of power and the spirit world, especially the ancestor cult.

In the final chapter, the manifestations and concepts are assessed by giving some attention to Biblical concepts and manifestations of the Holy Spirit and 'power'. The parallels in the African churches are then briefly compared and considered. The author's preliminary conclusions point to a relevant dynamic, and contextual African pneumatology which is possibly closer to the Biblical pattern than the imported Western pneumatology, and more appropriate to Africa's existential needs. As a result, the reader will be enriched in the understanding of Africa and her daughters and sons.

'In this study, we have a valuable contribution to pneumatology in an African perspective. Anderson not only gives full recognition to the pneumatological significance of these churches, but also provides us with a penetrating description and analysis of the characteristics and manifestations of a spirit-type pneumatology'

Reviewed by Prof I. Daneel (Department of Missiology, UNISA)

**Itumeleng J. Mosala, Biblical Hermeneutics and Black Theology in South Africa (Grand Rapids, Eerdmans, 1989) 218 pages.**

Mosala's book is a remarkably significant study for African theological reality and praxis. It is provocative and definitely one of the challenging studies on Biblical hermeneutics in third world theology. Particularly, it is a challenging critique against South African black theologians for drawing their Biblical hermeneutical assumptions from white theological and intellectual frameworks.

According to the author, Black theology has hardly become an autonomous weapon of oppressed blacks in their struggle for liberation. He therefore contends that, "unless black theologians break ideologically and theoretically with bourgeois biblical hermeneutical assumptions, black theology cannot become an effective weapon of struggle for its oppressed people" (p.5).

Mosala then sets himself the task of developing what he calls "a distinctive biblical hermeneutic of liberation for black theology" (p.3). The effective analytical tool he employs to achieve this is historical materialism associated with Karl Marx - a methodology which, ironically, is also rooted in Westernism. Such a historical-materialist reading, according to Mosala, is necessary for uncovering the class, racial, cultural and gender struggles behind the Biblical texts. Included in his hypothetical assumptions is the assertion that, the texts of the Bible are

sites of the struggle; and, for the Bible to liberate the oppressed, the oppressed must first liberate the Bible (pp. 172, 193). He therefore commends to his colleagues, the historical-materialist reading by contending that, black theologians must read their own history as a struggle and interpret the biblical texts in the light of this historical struggle. Mosala distinguishes three different modes of production; the communal, tributary, and capitalist. These provide the context of the black struggle and must inform black theological hermeneutics. Texts from Micah (chs. 4 and 5) and Luke (chs. 6 and 7) are used to illuminate and support the author's hypothetical assumptions and to point the way to a new biblical hermeneutics of liberation.

Having supported his hypothesis with the materialist reading of the Biblical texts, Mosala becomes convinced that the Bible is a ruling-class document and represents the ideological and political interests of the ruling class (cf. p. 121). With such a judgement made, it is not surprising to see Mosala becoming ideologically suspicious of such theological statements as: "The Bible is the 'Word of God'"; because according to him, by definition, the "Word of God" cannot be criticized let alone challenged in the light of the black experience (p.17). Therefore, before the Bible can be used hermeneutically in the struggle for liberation, Mosala contends, it must first be de-ideologized (p.121). To do this, Mosala urged not to appropriate the biblical texts unproblematically; but rather to "struggle with the dominant forces within the texts to get beyond them to the suppressed oppositional forces" (p. 187 emphasis added).

Differently put, Black Theology must transcend the ideological limits that the biblical text imposes on its story by using the history, culture and the struggle of the black people as a hermeneutical tool. For Mosala then, black history, black culture and the black struggle become a sources for deciphering the biblical texts (pp. 164-5). However, to say that the black struggle against apartheid must inform black hermeneutics of liberation is not just enough. According to Mosala, the struggle against the vicious circle of apartheid is appropriated differently by different theologians; and, it is the form a black theologian appropriates this struggle that ascertains the manner that theologian uses the Bible. In other words, it is the ideological location of the theologian that influences his/her biblical hermeneutics.

Therefore, in an "epilogue" (pp. 190-193), Mosala does not just speak of a "plurality of biblical hermeneutics", but also, a "plurality of black theologies of liberation" and he identifies three nuances. First, there is a bourgeois-orientated Black theology which seeks to restore the former black ruling class positions. Such a theology, which takes its roots from Ethiopianism, shares ideological and political interests of the "royalist counterparts in the Bible" (p. 191).

Secondly, there is a Black theology which emerged out of the perspective of middle-class, mission-trained blacks. Mosala traces the historical roots of this theology to the prophetic tradition in black society, and sees the Black Consciousness movement and philosophy which gave rise to Black theology in the early 1970s as a continuation of this tradition.

But Mosala condemns these two theological trends in favor of a third one which, according to him, draws insights from the perspective of the black working class; and takes its historical roots from the struggles of the lowest and poorest

members of the black community (pp. 191f). Thus for Mosala, "the social, cultural, political, and economic world of the black working class and peasantry constitutes the only valid hermeneutical starting point for a black theology of liberation" (p.21).

Black Hermeneutics and Black Theology in South Africa is an outstanding contribution to the discussion on biblical hermeneutics anywhere; and so far, the best in Africa. Doubtlessly, it has raised the African biblical hermeneutical discussion to a high level of scholarly sophistication. With this book Mosala has taken South African black, and indeed all liberation orientated theologians who claim to be spokespersons for their own communities to task. They are seriously challenged not to uncritically accept for example, such biblically held truth as "God sides with the oppressed", because, within Israelite society itself, there were oppressor classes as well as oppressed classes. There is no doubt that with such an analysis, Mosala has made a vital contribution by extending the hermeneutical field of vision as well as bringing home the significant truth that the South African Black theologian cannot identify with the struggle for liberation until his or her intellectual beliefs in the cross of Jesus Christ takes on an existential dimension.

I would like to conclude on a critical note. Already, I have alluded to the fact that although, Mosala accuses black theologians of using Western intellectual framework in theological hermeneutics, he himself is not free from that bondage when he chose to employ a methodology associated with orthodox Marxism. I agree more than anyone else that, in contemporary Africa, theological hermeneutics cannot avoid Marxist analysis of society just as a business today cannot avoid using modern computers. However, I am also aware, like most African theologians, of the limitations of orthodox Marxist analysis when it comes to the question of culture which plays no small role in Mosala's theology. Because of its narrowness, rigidity and even dogmatism, orthodox marxism only sees the oppressive and negative elements in culture, and does not appreciate the importance of popular cultural resistance against domination and oppression.

Perhaps, it is here that certain African theorists can be a source of inspiration and inform our theological-hermeneutical praxis. For instance, by insisting that cultural resistance has always been an integral part of African people's struggle for liberation, Amilcar Cabral may help in developing a corrective to the Marxist tools of analysis to make them more pertinent to the African situation. By maintaining that, liberation is "necessarily an act of culture," Cabral has left much to posterity and his praxis would continue to serve as an invaluable source. Like Frantz Fanon, Cabral has taught us that during the struggle of God's people for full humanity, "Culture is not put into cold storage."

Reviewed by Emmanuel Martey.

## **Book Announcements.**

**Black Methodists and white supremacy in South Africa, by Daryl Balia.**

In this book Balia delves into the history of the early African Christians in South Africa and comes up with moving accounts of inspired evangelism. He writes