

# **WHAT IS THE AGENDA OF THE RURAL LAND SOCIAL MOVEMENTS IN POST APARTHEID SOUTH AFRICA?**

**A case study of the  
Tenure Security Coordinating Committee (TSCC)**

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A mini-thesis submitted in partial fulfilment of the requirements for  
the degree of Master of Philosophy in Land and Agrarian Studies

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**May 2005**

**Declaration**

I declare that “What is the Agenda of Rural Land Social Movements in Post-Apartheid South Africa? A case study of the Tenure Security Coordinating Committee (TSCC)” is my own work, that it has not been submitted for any degree or examination in any other university, and that all the sources I have used or quoted have been indicated and acknowledged by complete references.

Siphesihle C. Mkhize

May 2005

Signature.....

## **Acknowledgements**

I salute the TSCC executive members for allowing me the opportunity to participate and critically reflect on the aims, activities and strategies of their movement. I am grateful to them for openly sharing their struggle experiences, challenges and successes.

A special expression of appreciation goes to the Association for Rural Advancement, my former employer, for enabling this research by generously allowing me the time and providing financial resources required. Thanks to Phili Mkhize, Donna Hornby, Domini Lewis, Mark Butler, Trish Gierke, Chris Mkolatsia, Sanjaya Pillay and Raj Patel who assisted me with editing, formatting and providing some valuable critical comments to this study.

I thank my supervisor, Dr. Edward Lahiff, for giving focus to the study and for his patience and motivation, which provided me with much needed encouragement.

I am humbled by and grateful for the support and patience of my family during the study period – Phili, Sandi, and Salu.

## **Abstract**

# **WHAT IS THE AGENDA OF RURAL LAND SOCIAL MOVEMENTS IN POST APARTHEID SOUTH AFRICA? A case study of the Tenure Security Coordinating Committee (TSCC)**

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**M.Phil. (Mini-thesis) Land and Agrarian Studies**

This is an original case study that aims to locate South African post-apartheid rural land social movements within existing theoretical approaches. The land social movements organize around land rights and access for landless people and for those whose land rights are weak or threatened. The study analyzes conditions contributing to the emergence of land social movements in the post-apartheid South Africa and struggle methods they employ, using a case study of the Tenure Security Coordinating Committee (TSCC) in KwaZulu-Natal. This analysis is intended to contribute to greater understanding of social movements in South Africa and in developing countries more generally.

The study includes a review of international and South African literature on social movements as well as land and agrarian reform. Primary research involved an analysis of TSCC documents such as its constitution and minutes; interviews with primary participants in the TSCC; interviews with organizations and fieldworkers playing a supportive role to the social movements; and participation in various activities of the TSCC such as meetings and campaigns.

The study found that the TSCC is the product of post-apartheid South African conditions in the countryside and the ANC government's failure to address key local concerns such as landlessness, evictions and poverty. The study found that the TSCC is not a revolutionary grouping whose aim is to take over state power; instead it wants to draw the attention of the state to the concerns of its constituency. The TSCC struggle methods fall within the ambit of the South Africa law.

## **Keywords**

Farm-dwellers

Labour Tenants

Land Reform

Agriculture

Agrarian Reform

Social Movements

Popular Struggle

Dispossession

Post-Apartheid Transformation

Civil Society

## **Acronyms**

ANC	African National Congress
APF	Anti-Privatisation Forum
AFRA	Association for Rural Advancement
DLA	Department of Land Affairs
ESTA	Extension of Security of Tenure Act
FEDCO	Farm Eviction and Development Committee
LPM	Landless Peoples Movement
LRAD	Land Redistribution and Agriculture Development
LTA	Land Reform (Labour Tenant) Act
MLTC	Mpumalanga Labour Tenant Committee
NLC	National Land Committee
NMRLA	Natal Midlands Residents and Landowners Association
NRLC	Natal Rural Land Committee
SAHRC	South African Human Rights Commission
SPP	Surplus Peoples Project
TAC	Treatment Action Campaign
TSCC	Tenure Security Coordinating Committee
UDF	United Democratic Front
WSSD	World Summit on Sustainable Development

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## **CHAPTER 1 INTRODUCTION**

The emergence of new social movements in post apartheid South Africa has been the cause of much speculation regarding their intentions, motives and what they aim to achieve. The most notable social movements that have emerged in post apartheid South Africa are the Landless People's Movement (LPM), the Treatment Action Campaign (TAC) and the Anti-Privatization Forum (APF). Political activists, especially within the ruling African National Congress (ANC), have questioned the need for these social movements, arguing that the democratically elected government is best situated to address the issues they raise and that it is important for people to support the government in its efforts rather than to oppose it. The Non-Governmental Organizations such as the National Land Committee (NLC) have argued that these movements are responding to the negative effects of the neo-liberal policies adopted by the democratic government. The sheer magnitude and diversity of these social movements has impelled a number of intellectuals to turn their attention to this emerging phenomenon (Ballard et al, 2004; Greenberg, 2004; Bond, 2000 and 2004), which can not be easily located within the existing theoretical frameworks of social movements.

This study aims to develop an understanding of the agenda of rural land social movements in post apartheid South Africa in order to contribute to the process of theoretically locating this emerging phenomenon. The land social movements organize around land access and rights issues for landless people and for those whose land rights are weak or threatened. While many social movements have emerged since the end of apartheid in 1994, this study will only focus on land social movements, which have sparked fears amongst many that Zimbabwe-style land invasions will be replicated in South Africa. The relevance of focusing on land social movements is that they are not only concerned with consumption demands but also with productive issues. Land is a productive resource which is currently in the hands of a small minority because of past dispossession and racial discrimination. Any attempt to transform landownership patterns is likely to cause major social and political tensions.

To gain deeper insight into the functioning and modus operandi of post apartheid land social movements, a case study of the Tenure Security Coordinating Committee (TSCC) based in KwaZulu-Natal was chosen. The TSCC is a founding member and the KwaZulu-Natal branch of the Landless Peoples Movement (LPM), which is a national coordinating body of landless people.

This study seeks to identify existing theoretical approaches that could be used to analyze the emergence of land social movements in post apartheid South Africa. This analysis is intended to contribute to greater understanding of social movements in South Africa and in developing countries more generally.

## **Background**

South Africa has a rich history of social movements located in the historical struggles of black people against racial oppression and economic exploitation. The formation of the African National Congress (ANC) in 1912 marked the beginning of sustained mobilization against the racial social order in general, and land dispossession in particular, by the combined forces of progressive traditional leaders and African middle-class intellectuals (DRC, 2001: 3). In this context, a history of linking local grievances to political campaigns developed. The combined struggles of the civic associations, trade unions, student, youth and religious organisations under the strategic leadership of the United Democratic Front (UDF) during the 1980s openly challenged the apartheid regime and laid the basis for the emergence of a new political reality (Thoka and Lesufi, 2001: 6).

Swilling (1992 cited in Bond, 2004: 15) describes the relationship between community struggles and the UDF during the mid-1980s as being driven by local communities responding to their abysmal living conditions. As these local struggles and organizations grew, the UDF played a critical role in articulating common national demands for the dismantling of the apartheid state. In so doing, according to Swilling (1992 cited in Bond 2004: 15), black communities were drawn into a movement predicated on a notion that the transfer of political power to the representatives of the majority was a precondition for the realization of basic

economic demands such as decent shelter, affordable transport, proper health care, adequate education, access to land and a decent income.

Some political activists therefore saw the coming to power of the African National Congress in 1994 as an overarching goal of the struggle, which led to the suspension of local resistance. People were now mobilized to support the democratic state and its developmental agenda. The organizations<sup>1</sup> that led mass mobilization against the apartheid regime were mostly collapsed into the ANC and those that remained<sup>2</sup> formed an alliance with the ANC.

Although the overall goal of dismantling apartheid was achieved, many local concerns which fuelled the struggle, such as landlessness, remained unresolved. Whilst the ANC's stance on local concerns such as poverty and landlessness is radically different from that of the previous regime, its response to these concerns has been embarrassingly inadequate. In response to this state of affairs, social movements have re-emerged and have mobilized against the failure of state policies and the way in which such policies are being implemented. Probably the most important factor giving rise to the emergence of contemporary social movements in South Africa, according to Ballard et al (2004: 13), is the high and growing levels of poverty and inequality that characterize South African society. Although much of the poverty and inequality is directly attributable to the apartheid policies of the past, the current government's macro economic policies are seen by many to be exacerbating the situation (Ballard et al, 2004; Thoka and Lesufi, 2001).

What makes these social movements different from those of the past is that they are independent of traditional party-electoral political machines and, according to Bond (2004: 11), are led and directed by grassroots leaders. These social movements have strong ties with local communities and their emphasis on grassroots participation and accountability has enabled them to mobilize previously unorganized groups such as the unemployed, young women, squatters, and indigenous people (Bond, 2004: 11).

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<sup>1</sup> The UDF and Mass Democratic Movement

<sup>2</sup> South African Communist Party, South African National Civic Association, Congress of South African Trade Union

According to Patel (2004: 6) the demand for land played a central mobilizing role in the struggle against apartheid. However, the government has made little progress in its commitments to justice for South Africa's rural and disenfranchised poor. From the days of the Freedom Charter, in which the ANC proclaimed in 1955 "All shall have the right to occupy land wherever they choose", the ANC promised in 1994 to redistribute 30% of agricultural land within five years. The target date was subsequently extended to 2015. To reach this target the government would need to transfer 2.1 million hectares a year (Patel, 2004: 6). The prospects are not good as it has only managed to transfer this much in the ten years since the programme started.

The formation of the Landless People's Movement in 2001 was in response to the failure of the government's market-based land policy to transform the land and agrarian structure in South Africa. The LPM's emergence was received with mixed feelings by government, property owners and non-governmental organizations (NGOs). These mixed responses reflected the perceptions of stakeholders about the motives, nature and character of the LPM. The mixed responses could be attributed to a number of factors including, but not limited to, the following.

Firstly, the government response is possibly informed by fear that activities of social movements could undermine the rule of law. Government has stated that it will not tolerate any unlawful activity by the LPM (*Natal Witness* 'War of words on TV over land claims' 2 July 2001). Secondly, the ANC government views itself as the "true champion" and representative of the poor in South Africa (*ANC Election Manifesto*, 2004). The emergence of grassroots organizations such as the LPM, which purports to speak on behalf of the landless poor, challenges the ANC's claim to be the authentic voice of the poor, which might possibly threaten its voting base. The LPM protested that it had no political ambitions but this did not stop the ANC worrying about potentially losing their key voter base - the poor (*City Press*, 'ANC alerts its branches to ultra left threat: social movements gaining ground' 12 December 2004).

Thirdly, government's response to the emergence of new social movements may be a reaction to political criticism levelled against it by social movements such as the LPM (*Sowetan*, 'Landless people slam Minister' 3 September 2001). The government has not embraced the new social movements as contributing to the plurality of civil

society, which according to Habib (2003 cited in Ballard et al, 2004: 17) is one of the essential elements in a system of checks and balances indispensable to all mature democracies.

Property owners, on the other hand, are concerned about the possibility of the destabilization of agricultural production on commercial farms and losing their farms to the landless people. Many have therefore responded by tightening security around their properties through the employment of private security companies, while others have attempted to evict farm-dwellers from their farms (AFRA, 2001: 7). The Agricultural Union of South Africa (AGRI-SA), which is a union of mainly white commercial farmers, has called for the speeding up of land reform (*Daily News*, 'Farmers to meet on land, labour issues' 11 July 2002). This seems to be based on the desire to ensure stability in the agricultural sector in order to enable the dominant mode of large scale commercial farming to continue.

The government's market driven land reform programme does not threaten to radically transform property ownership patterns in South Africa; hence organized agriculture is comfortable to call for its acceleration. The willing-buyer, willing-seller approach is inherently biased in favour of the landed class and skewed towards meeting the interests of those with resources and who are able to pay for land (Patel, 2004: 7). The poor may be willing buyers, but the reality is that they do not have money to buy land. They therefore depend on the limited state grants to purchase land from those current owners who are willing to release land to the market. In most cases the land offered to the landless is of poor quality and is overvalued making it unaffordable to the land reform beneficiaries who are forced to pool together their grants to buy farms collectively (Mkhize, 2004: 9). As a result they become overcrowded and the new owners are unable to productively farm on the land.

Land rights NGOs, such as those affiliated to the National Land Committee, have welcomed and sometimes supported the emergence of these social movements, believing that they can challenge the social conditions that shape the everyday lives of poor rural people. These NGOs argue that market driven land reform will not fundamentally transform the land and agrarian structure in South Africa; hence their support for the more radical demands of the land social movements (NLC, 2002: 4).

## **Objectives of the Study**

In endeavouring to explain the agenda of land social movements in the post apartheid South Africa, this study has the following specific objectives:

- To identify theoretical approaches that could be used to analyze the emergence of post apartheid social movements in South Africa
- To analyze the conditions contributing to the rise of land social movements in post apartheid South Africa, using the TSCC as a case study
- To document the key demands and proposals of the land social movements in South Africa
- To document the strategies and tactics of the land social movements in South Africa
- To analyze the constituency profile of the TSCC
- To assess the TSCC's relationship with the Association for Rural Advancement (a land rights non-governmental organization based in KwaZulu-Natal) and the impact of this relationship on the TSCC's strategies.

## **Limitations of the study**

It should be acknowledged from the outset that the reliance of this study on the TSCC case study is its major limitation because it cannot necessarily draw conclusions that are applicable to all post apartheid (land) social movements in South Africa. It is nevertheless a potentially useful exercise in that it contributes to a process of identifying appropriate theoretical approaches to social movements in post apartheid South Africa and also serves to test the application of theory to a specific case.

## **Rationale for selecting the TSCC as a case study**

The Tenure Security Coordinating Committee was formed in 1997 to mobilize and co-ordinate the activities of the farm-dweller community structures in the nine districts of KwaZulu-Natal (see map of TSCC areas on page 17). The formation of the TSCC was preceded by a number of initiatives by landless communities in South Africa to coordinate their land struggles and speak with one voice. A march to the World Trade Centre organized by the National Land Committee (NLC) during

negotiations in 1993 in order to demand the scrapping of the property clause from the interim constitution instilled the idea of building a strong rural social movement.

This culminated in the “Back to the land campaign” organized by the NLC in 1994. Rural communities from various provinces gathered in Bloemfontein to draft and adopt the Rural Development Charter that was handed to the new ANC-led Government of National Unity (GNU) as the development vision of rural people. In this meeting, the rural communities acknowledged that their political voice was weak and resolved to form a strong rural social movement which would represent their interests (AFRA, 2002: 14).

In KwaZulu-Natal, communities working with the Association for Rural Advancement (AFRA), a land rights NGO, had long stated their intention of forming a representative structure that would drive their land and development struggles. A series of community workshops held in 1993 to discuss land and rural development issues in the province culminated in the formation of two representative structures, the Natal Midlands Residents and Landowners Association (NMRLA) and the Natal Farm Tenants Steering Committee (AFRA, 1993: 6). The former structure comprised mainly communities who were previously owners of land, such as restitution claimants. The latter structure comprised mainly farm-dwellers. The term farm-dweller is used by the TSCC to refer to people residing on commercial farms – including labour tenants, farm-workers, squatters and farm occupiers (as defined by the Extension of Security of Tenure Act No. 62 of 1997).

In 1995, the Natal Rural Land Committee (NRLC) was formed in order to link the two structures. The formation of the NRLC led to conflict between the members of the two former structures. NMRLA members felt that the NRLC was dominated by farm-dwellers and not representative enough of diverse communities in the province. All these structures collapsed in 1996, as the tension could not be resolved (AFRA, 2002). Landless communities, however, continued to network with each other on issues of common interest. In 1997, representatives of mainly farm communities who had gathered to discuss the Extension of Security of Tenure Bill seized the opportunity and formed a committee to co-ordinate the activities of farm-dwellers in

the province (AFRA, 2002). This committee was named the Tenure Security Coordinating Committee.

The TSCC is based in the province of KwaZulu-Natal, which is characterized by a large rural population with high poverty levels (Department of Traditional and Local Government, 2000). It is estimated that in KwaZulu-Natal there are more than two million people living on commercial farms as farm-workers, farm occupiers or labour tenants (AFRA, 1999: 41). The TSCC membership is derived mainly from these categories of people who are considered to be amongst the most impoverished people in the country, living in insecure arrangements on land belonging to other people (Hall, 2003: 1).

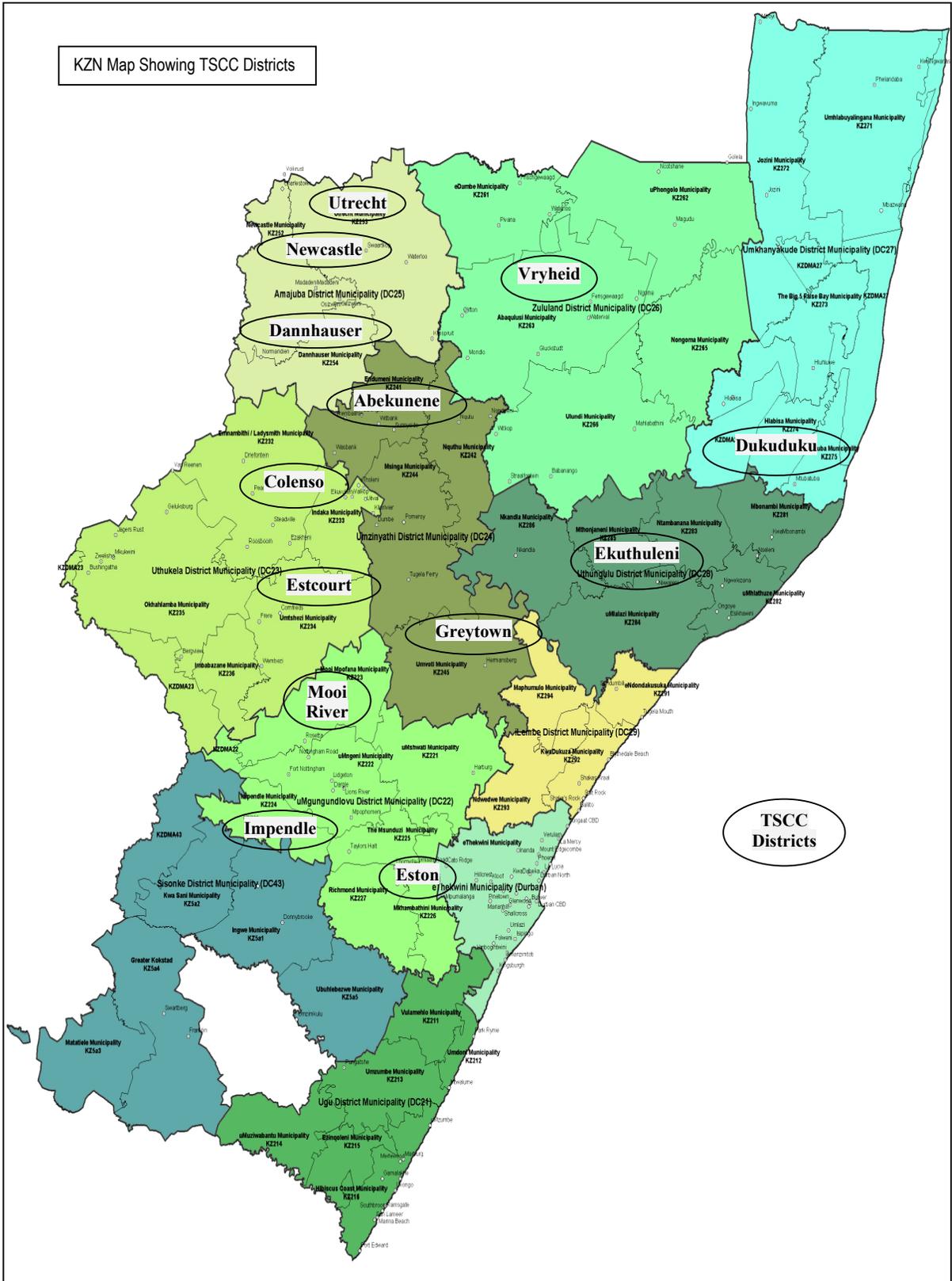
The TSCC is one of the founding and most active members of the Landless People's Movement (LPM) formed in 2001. The LPM is a national organization of the landless people in South Africa. Both the National Organizer and the General Secretary of the LPM are members of the TSCC. The TSCC has organized two major campaigns in KwaZulu-Natal to register their demands and concerns about the plight of farm-dwellers, namely the "Free the Farm-dweller" and the "No Land No Vote" campaigns. These campaigns will be discussed in detail in Chapter Four.

The TSCC has a strong working relationship with the Association for Rural Advancement (AFRA), a non-governmental organization which has provided it with financial and material support<sup>3</sup>. Through its links with the LPM, the TSCC has been exposed to the national and international struggles of the landless poor. The TSCC thus presents a base from which to understand the nature of the post apartheid land social movements in South Africa.

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<sup>3</sup> The author was the Director of AFRA and Chairperson of the NLC up to March 2005.

KZN Map Showing TSSC Districts



## **Towards defining a Social Movement phenomenon**

While various studies have focused on the origins of particular social movements and analyzed the factors that contributed to their emergence in a particular time and place, less emphasis has been placed on tracking the historical origins of the social movement itself as a form of mass mobilization and social transformation. According to Buechler (2000: 5), whilst there have always been episodes of collective action in diverse societies throughout history, there is a particular moment when collective action underwent a qualitative transformation that can be identified as the origins of social movements.

This historical moment was part of the modernization of European society. The term “modernization” can obscure the depth and disruptiveness of the wide reaching changes and dislocations associated with the transition from feudalism to capitalism, the consolidation of modern nation-states, and the transformation of masses of people from rural peasants to an urban proletariat (Buechler, 2000: 5). The extent and rapidity of these changes were testimony to the fact that social order was not a given but rather a contested, historical creation subject to transformation. This period coincided with the moment during the Enlightenment when philosophers challenged the belief that nature was a ‘given’ whose laws might be uncovered but could never be reconstituted. The implication of this was the gradual awareness that the ‘laws’ of society were malleable social creations that could be altered by the conscious intervention of social agents (Buechler, 2000: 5).

It was the confluence of these intellectual currents with state building and the emergence of capitalism that gave rise to social movements as a distinctively modern form of collective action. Neidhardt and Rucht (1991: 449), for instance, argue that “the idea of conscious collective action having the capacity to change society as a whole came only with the era of enlightenment”. Touraine (1985: 778) points out that modernity ushered in a qualitatively new era where people’s capacity for self production, self transformation and self destruction is boundless and results in social movements extending into all aspects of social and cultural life.

Social movements have recently emerged as a particularly important phenomenon for the poor and dispossessed during the era of globalization. However, some scholars have cautioned against assuming that there is a universal definition for a social movement (Cardosso, 1987; Touraine, 1988; Jelin, 1986). Touraine (1988: 42) in particular argues that it is impossible to define an object of study called social movements without first selecting a general mode of analysis of social life on the basis of which a category of facts called social movements can be constituted. Similarly, Cardoso (1987 quoted in Foweraker 1995: 39) warns that often “movements form a unity only when we look at them from the outside searching for similarities. If we prioritize their differences, they cease to form a uniform object, showing their fragmentation”.

Nevertheless, some scholars have attempted to provide definitions for social movements. Jelin (1986) defines social movements “as forms of collective action with a high degree of popular participation, which use non-institutional channels, and which formulate their demands while simultaneously finding forms of action to express them, thus establishing themselves as collective subjects, that is, as a group or social category” (quoted in Escobar and Alvarez 1992: 15). Social movements largely exist within that sphere defined as civil society: “the organized expression of various interests and values operating in the triangular space between the family, state, and the market” (Habib and Kotze 2002: 3). According to Melluci (1996: 28) the notion of a social movement is an analytical category which designates that form of collective action which invokes solidarity, manifests a conflict and entails a breach of the limits of compatibility of the system within which that action takes place.

Clearly a more precise definition remains elusive given the complexity and diversity of social movements. For the purposes of this study, social movements are defined as forms of politically and socially collective actions involving multiple organizations and networks aimed at challenging the prevailing social order within which they are located. This definition captures the essence and nature of social movements in the post-apartheid South Africa.

## **Research Design and Summary of Methods Used for Data Collection**

This study has its origins in 1997 when I observed the birth of the TSCC and played a role, in my capacity as an employee of AFRA, in nurturing the TSCC to become a strong and viable social movement in KwaZulu-Natal. My decision to reflect on social movements and investigate this phenomenon comes at a time when there is widespread misinformation about the origins and agenda of social movements of landless people in South Africa (Thoka and Lesufi, 2001: 4).

In order to understand the conditions leading to the emergence of land social movements internationally and in South Africa, the study reviews both the historical and theoretical literature on social movements. The theoretical literature review focuses on Marxist, Post-modernist and Social Closure theories, which broadly capture the ways of thinking about social movements in the late 20<sup>th</sup> and 21<sup>st</sup> centuries. It also focuses on Resource Mobilization theory to understand the challenging task of social mobilization faced by social movements.

In order to contextualize the conditions leading to the emergence of land social movements in post apartheid South Africa and to understand their aims, objectives, key demands and strategies, primary and secondary documents relating to the TSCC, such as its constitution, meeting minutes and media statements, were analyzed. To deepen my understanding of the demands and strategies of the TSCC, individual and focus group interviews were conducted with primary participants in the TSCC and the organizations with which the TSCC works. Fieldworkers and scholars who are playing a supportive role to these movements or are in the process of studying them were also interviewed for the purposes of drawing from their understanding of social movements. These interviews were loosely structured, open-ended and interactive to allow respondents to reflect freely on their views and experiences.

In order to gain insights into the activities of the TSCC, I became an observer in several of their activities, such as executive meetings and campaigns during the period February 2004 to March 2005. The data collected was analyzed and conclusions presented for verification to a meeting of the executive committee of the TSCC, who gave critical feedback on the analysis. This feedback was vital to ensure the factual

representation of the TSCC case study and afforded the TSCC leadership an opportunity to contribute to the analysis of their own movement. As Melluci (1996: 2) eloquently points out, reflection on the analysis of social movements is not warranted for the sake of scholarship only, but can contribute to the culture of movements themselves by enhancing their democratic practices, thus avoiding their turning into “authoritarian” structures.

### **Outline of the study**

This study is organized into five chapters including this introductory chapter. Key issues discussed in each of the remaining four chapters are outlined below.

#### **Chapter 2**

This chapter attempts to theoretically locate the post apartheid land social movements in South Africa. In order to achieve this objective the chapter draws on Marxist, Post-modernist and Social Closure theories of social movements. The form and shape any social movement takes in reality is determined by the resources it has for organization. For this reason, this chapter will also review the Resource Mobilization theory of social movements, which cuts across all the above-mentioned theories. However, this chapter does not attempt to integrate these theories or to construct a new way of thinking about social movements. Rather, it lays out a range of theoretical approaches that can be used to analyze the TSCC in subsequent chapters.

#### **Chapter 3**

The chapter commences by reflecting on the South African experience of social movements before and after 1994 and proceeds to analyze the socio-political and structural conditions underlying the emergence of the TSCC in 1997. The political economy of land in the KwaZulu-Natal countryside and government’s initiatives to redress historical imbalances through its market driven land reform programme are discussed as the key conditions leading to the emergence of the TSCC. The chapter then introduces the TSCC case study by outlining reasons for its formation and central demands.

#### **Chapter 4**

This chapter considers the struggle tactics and strategies of the TSCC and how they have changed over time as the TSCC grew and learned new methods of struggle. The

effectiveness of these struggle tactics and strategies in meeting the central demands of the TSCC are evaluated. The TSCC's reasons for existence, demands, struggle tactics and strategies, constituency and leadership profile are assessed against the theories of social movements discussed in chapter two. In order to understand how external forces have influenced the TSCC's struggle tactics and strategies, this chapter also analyzes the role played by AFRA in supporting the TSCC.

### **Chapter 5**

This final chapter summarizes the arguments and findings made in this thesis. The chapter argues that the TSCC's agenda fits within the theory of social closure as it represents a category of people who are not enjoying the rights accorded to South African citizens because they are excluded from the normal societal and political decision-making processes. It concludes by considering the implications of the study for the broader understanding of social movements in South Africa.

## **CHAPTER 2 THEORETICAL APPROACHES TO THE STUDY OF SOCIAL MOVEMENTS**

### **Introduction**

The new social movements have been an important political development internationally since the 1960s and have been the subject of much political and social theorizing. Social movements bring together apparently diverse and sometimes conflicting interests and strategies. In South Africa, there is a long tradition of social mobilization related to the challenges of apartheid and capitalism. Since the demise of apartheid, South Africa has experienced the re-emergence of new social movements. These social movements have been described as initiatives of the poor in response to the government's neo-liberal economic policies. However, there has been little attempt in South Africa to locate these new social movements theoretically.

This chapter attempts to contribute to a process of theoretically locating the post apartheid land social movements in South Africa. In order to achieve this objective, the chapter draws on Marxist, Post-Modernist and Social Closure theories of social movements. In order to unpack the challenging task of social mobilization, the chapter will also review Resource Mobilization theory, which emphasizes the need for resource mobilization to sustain the activities of social movements.

### **Structural Marxism**

Prior to the emergence of the new social movements, workers' and peasants' movements were at the forefront of the struggle for social change. According to the Marxist view, the labour movement is the leading agent for social transformation in the industrialized nations (Petras, 1997). Structural Marxist theory is concerned with social transformation and views social movements as organized systems of actors. The division into distinct social classes is organized around the issues of ownership and non-ownership of the means of production, with the two main groups under capitalism being the capitalist class and the working class. The class struggle and conflict is primarily between these two contending social and economic classes.

The structural Marxist analysis contends that class conflict leads to the emergence of a revolutionary consciousness within the working class, making this class the driving

force in the struggle for social change. Class struggle leads to the overthrow of the bourgeois state, which underpins property regimes that support the exploitative class structure. The state in this view is seen as an instrument that serves the interests of the capitalist class by creating the conditions for the accumulation of profit. With the overthrow of the bourgeois state and capitalist system, a classless society is born where workers control the means of production.

Structural Marxist theorists assume that social mobilization will necessarily follow the identification of the structural pre-conditions for social movement activity (based on class analysis). These theorists attempt to deduce an understanding of specific events from a higher-level theory and treat the social structure as a coherent, holistic and relatively unambiguous entity, however ridden with contradictions. However, Scott (1991: 52) argues that the limit of the Structural Marxist theory of social movements stems precisely from its generalizing ambitions, which excludes many of the most interesting questions raised by the existence of social movements. It does not address pertinent questions such as why mobilization occurs or why it takes the specific form that it does. Social movements will not necessarily appear, nor do agents necessarily act collectively, according to Scott (1991: 52), in the presence of particular structural pre-conditions. The appearance of such movements will depend upon a host of other factors, which are context specific and that cannot be deduced from social structural conditions.

The new social movements internationally have been hailed by activists and scholars involved in the field of social movements as catalysts and agents of total transformation aiming to create an alternative society and challenge the status quo *in toto* (Petras, 1997; Thoka and Lesufi, 2001). In South Africa, however, it seems that the principal demand of post apartheid social movements is to be included in the political economy as a means of bringing societal transformation. Social movements in the post apartheid South Africa seek to draw the attention of the state to their demands and in so doing, change the nature of the state and society. This is in contrast to social movements that emerged during the apartheid period in South Africa, which intended to overthrow the state in order to create an alternative society.

The Landless People's Movement in South Africa is made up of the landless and poor class of people who are demanding the transfer of land from the rich and capitalist class who own most of the land. The LPM aims to shift property ownership patterns without necessarily challenging the legitimacy of the state as Marxist theorists would contend is necessary for social transformation. Furthermore, the LPM does not represent only working class interests but the interests of the unemployed, subsistence peasant farmers and labour tenants who are petty commodity producers with limited control of the means of production.

The Marxist approach is useful in analyzing the structural conditions in the underlying political economy within which protest and resistance emerge. Whilst the contradictions under capitalism will provoke all sorts of conflicts and resistances, unless, and until, social movements express the interests of a 'class'<sup>4</sup>, and those interests are welded into a political programme that does indeed aim for revolutionary transformation of those structural conditions, they are unlikely to extract anything more than modest reforms, while leaving intact the material conditions that reproduce the conditions they oppose.

### **Post-modernism**

The Post-modernist school of thought on new social movements is too diverse to be represented by a single tendency, but includes German (Claus Offe), French (Alain Touraine) and Italian (Alberto Melluci) versions. But all versions agree that the new social movements arose in the period from the 1960s to the present (Foweraker, 1995: 14). The new social movement theory developed partly in response to what was considered to be an outmoded style of class analysis and the fact that contemporary social movements were expressing social conflicts of contemporary society, which cannot necessarily be explained in class terms. According to Melluci (1996: 113), contemporary social movements, whether youth, feminist or environmentalist, have not only generated conflicting actors, forms of action, and issues extraneous to the tradition of struggle prevalent in the societies of industrial capitalism, but they have also brought to light the ineffectiveness of the traditional institutions of political representation as a vehicle for the new demands.

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<sup>4</sup> At least in the sense of a group whose composition and identity is related to the structure of the political-economy

Given the broadness and diversity of the Post-modernism theory I will only draw on their broad common features and similarities in this section. The Post-modernist theorists (Touraine, 1988; Melluci, 1989; Habermas, 1976) focus on the conditions under which social movement activity takes place. These theorists make no attempt to subordinate social movement activity to pre-given interests such as class but attempt to make sense of new social movements as reactions to the conditions prevalent in late capitalist society (Scott, 1991: 73). The Post-modernists describe social movements as social in character, concerned not so much with political power but more with changes of values, lifestyle and defence of civil society.

Touraine (1981: 31) locates the emergence of the new social movements within the post-industrial society, where a shift from industrial to post-industrial society is marked primarily by a shift in the nature of production away from manufacturing and towards knowledge-based industries. Associated with this development is the displacement of conflict away from the workplace and a replacement of the category of 'worker' with more nebulous social groupings as the prime actors within potential oppositional forces. Touraine (1981) further observes that it is no longer the ownership and control of manufacturing production, but the ownership and control of knowledge production, which forms the main source of social power.

Melluci (1996: 4) asserts that contemporary social movements assume the form of solidarity networks entrusted with potent cultural meanings and it is precisely these meanings that distinguish them so sharply from political actors and formal organizations alongside them. According to Melluci (1996: 4) movements are not entities that move with the unity of goals attributed to them by ideologues but are systems of action: complex networks among the different levels and meanings of social action. The central argument of Melluci is that the social movements are no longer collective actions corresponding to concrete interests of organized social groups but they combine, in a creative and changing way, political action with cultural and psychological experiences into cultural innovation and social conflicts. According to Melluci (1996: 13) this approach illuminates the contemporary heterogeneity and transformation of new social movements.

According to Habermas (1976: 46), new social movements are indicators of potential legitimation in late capitalism. The analysis of legitimation is grounded in two basic propositions: firstly, that the political system requires an input of mass loyalty that is as diffuse as possible and secondly, this requirement must be met at a time when capitalism is changing in certain vital respects, including changes in the expansive role of the state as economic steering mechanism and its simultaneous expansion into the socio-cultural system in the form of welfare schemes (Habermas, 1976: 46).

Whilst various Post-modernist scholars attach different emphasis in their analysis of new social movements, the structure of their argument has remained constant. New social movements are located in the socio-cultural sphere, and the emphasis of their activities is on motivation, morality and legitimation.

### **Social Closure, Exclusion and Interest Intermediation**

For the purposes of this study I am grouping and discussing these theories under one section because of the way they compliment each other. I am also going to refer to all these theories as Social Closure theory, for the purposes of presenting information.

Closure theory was developed by Weber and elaborated by Parkin and Collins for the analysis of domination in society and the countervailing struggle provoked by such domination (Murphy, 1988: 16). Weber (1978 cited in Murphy 1988: 8) used the term 'closure' to refer to the process of subordination whereby one group monopolizes advantages by closing off opportunities to another group of outsiders beneath it. This has the potential to provoke usurpation practices by those who are excluded from the polity based on race, class or property monopolies. The object of this counter struggle is to escape subjection and to bite into the advantages of the dominant groups (Murphy, 1988: 16).

According to Parkin (1979: 53), property as capital confers the right to deny men access to the means of life and labour. Not only does he see property as the most important single form of closure, but it is also defined in a way that is very similar to the Marxian definition based on the ownership of the means of production and the resulting necessity for non-owners to sell their labour in exchange for the means of

subsistence. According to Murphy (1988: 28), Weberian theory is not only based on property and is not reducible to Marxian theory even though there is an overlap between the two theories. Closure theorists (Parkin, 1979; Murphy, 1988) argue that Marx provides an incomplete basis for the analysis of social closure in the contemporary world – a world whose class structure has changed over the last 130 years.

According to Scott (1991: 136), the limitations of the Marxist and Post-modernist approaches can be supplemented by a sociological theory of social closure on the one hand and a political theory of interest intermediation on the other. Sociologists who locate social movements within long-term theories of social change have dominated the theoretical explanations of social movements. However political scientists rather than sociologists have developed a theory locating social movements within their specific political contexts. (For examples of more context-specific, institutional and political approaches to new movements see Kitschelt, 1985 and 1988; Burklin, 1985 and 1987; Poguntke, 1987.)

Social Closure theory contends that social movements exist neither to demand total social transformation of society nor to challenge the legitimacy of the state. Rather, they seek to ensure that the groups that are excluded by the powers-that-be are included into the polity. In contrast to macro-level identification of the aims of social movements which exclude political forms of activity, a theory of integration enables us to identify two central types of social movement activity: (i) the expansion of citizenship – that is groups who are excluded from benefits typically available to citizens, and (ii) the inclusion of excluded groups into the polity – that is groups excluded from established elite groupings and from processes of elite negotiation (Scott, 1991: 135). This theory assumes that the central aim of social movements is integration, in contrast to the macro-theories discussed earlier.

Social closure theory enlarges the meaning of exploitation from its restricted Marxian usage – the appropriation of surplus value by capitalists from workers – to include all practices by which one group maximizes its own opportunities at the expense of another (Murphy, 1988: 28). According to this theory of social closure, social movements emerge to demand inclusion of the excluded groups such as the landless

into the polity, both in terms of direct participation in the political process and in the sharing of benefits.

At the level of concrete political analysis, new social movements can be viewed as reactions to the failure of the institutions of interest intermediation such as parliament, the mass media and political parties to defend and promote the rights of particular groups. According to Kitschelt (1985) social theorists have tended to overlook the failure of institutions of political intermediation to take new political demands on board and accommodate the interests of certain central social groups, and therefore fail to account for the form of social movement activity that has taken place in the political arena. It has thus been largely left to political scientists to point to the significance of the existing 'political opportunity structures' in shaping the course of social movement strategy and its success or failure.

Political opportunity theorists point to the formation of protest cycles which begin with an increase in structurally created political opportunities which are then expanded by movements as they successfully mobilize, offering greater opportunities for the creation of new movements (Ballard, et al, 2003: 3). In this way, political opportunity is not simply given, but is also strongly affected by the actions of collective actors. Protest cycles are expanded by heightened mobilization and rapid innovation as different actors learn from and improve upon existing models of collective action (Ballard, et al, 2003: 3). Political opportunity approaches therefore offer significant contributions to the study of social movements, by highlighting the opportunities for action and suggesting the possible forms that movements may take as they respond to the context in which they organize.

The theoretical approaches discussed above focus on the macro analysis of the origins, nature and character of the social movements. However, these theories fail to recognise the challenging task of mobilization and sustaining an organization. According to Scott (1991: 109) they fail to theorize the role of organisations in social mobilization, which is never imagined as a purposive and deliberate process. Resource Mobilization Theory, however, focuses on the problematic nature of social mobilization.

## **Resource Mobilization Theory (RMT)**

The premise of Resource Mobilization Theory is that mobilizing sufficient resources to maintain and expand a social movement is a challenging task. Resource Mobilization Theory is based on the idea that successful movements acquire resources and create advantageous exchange relationships with other groups as they achieve success in fulfilling their goals (Costain, 1992: XIV). Organization and leadership are necessary precisely because the movement is goal oriented and must make the strategic choices that allow it to achieve those goals (Foweraker, 1995: 16).

Resource Mobilization Theory as a paradigm within social movement theory was stimulated by the publication of Mancur Olson's seminal *The Logic of Collective Action* in 1965. The premise of Olson's work is that of neo-classical economics: (i) social phenomena are to be explained with reference to the preferences and choices of individuals; (ii) individuals act rationally to maximize their interests and minimize their costs (cited in Scott, 1991: 110). Olson's model is methodologically individualist and grounded in rational choice theory.

Resource Mobilization theorists have identified the following types of imperatives placed upon organizations and movements by the limitations of collective action: (i) the necessity of providing divisible private benefits as well as indivisible collective ones, which places high organisational costs upon collective bodies; (ii) the search for resources such as external funding, which becomes a major organisational preoccupation; (iii) the organisation is restricted in the demands and sacrifices it can realistically expect of its members; (iv) thus occasional low cost/low risk tactics are preferable to frequent, high cost/high risk activities (Piven and Cloward, 1977: 14).

It is argued by RMT scholars that the net result of these limitations of collective action may be to move away from loose organisations, which require major commitment from their participants, to more formal and tightly structured organizations managed by professionals. As collective action is no longer spontaneous but organizationally driven, grassroots members' participation would be restricted to occasional meetings, collective action and the like. The temptation to engage in illegal

activities would be lowered as movements are constrained to stick to agreed requirements of the donor-funded programmes.

## **Conclusion**

This chapter has outlined a range of theoretical approaches that could be used to analyze and locate the post apartheid land social movements in South Africa. The chapter draws on the Marxist, Post-modernist and Social Closure theories of social movements. The Marxist tradition has asserted that collective action cannot be analyzed without addressing its relationship to structural conditions, which provides resources and constraints for the action itself, and has emphasized the centrality of class conflict in the analysis of social movements, while the Post-modern tradition places emphasis on the collective and creative practices of groups. The social closure tradition contends that social movements exist neither to demand total social transformation of the society nor the legitimacy of the state, but instead to make sure that the groups that are excluded by the powers-that-be are included into the polity.

In order to understand the challenging task of social mobilization faced by social movements, this chapter also discussed Resource Mobilization Theory. This theory emphasizes the need for resource mobilization to sustain the activities of social movement and the contradictions this implies. The key issue highlighted in this chapter, which will be interrogated further in the subsequent chapters, is the role of social structure in creating the conditions for the emergence of social movements. While different authors allocate varying degrees of attention to underlying structural factors, it is quite clear that no movement can be understood without some investigation of the material structure within which it is formed.

The next chapter will examine the South African experience of social movements before and after 1994 and analyze the socio-political structural conditions underlying the emergence of the TSCC in 1997. The political economy of land in the KwaZulu-Natal countryside and the South African government's initiatives to redress historical imbalances through its market driven land reform programme are discussed as the key conditions leading to the emergence of the TSCC.

## **CHAPTER 3 THE EMERGENCE OF THE TSCC**

### **Introduction**

For agrarian reform measures to be effective there has to be an active and organized participation of the organizations of the landless (Bayat, 2000). This is necessary because agrarian reform implies redistribution of landed property among poorer households and this can hardly come voluntarily from the landed class, which in some cases includes government elites. These dominant social forces - government and landed groups - are generally keen to maintain the status quo. It is only when there is a widespread mobilisation from below that some section of the state may be inclined to consider agrarian reform as an essential rural development agenda. According to Bayat (2000: 7) "pressure from below" is the requisite for meaningful policy change and institutional reform conducive to social development and for people's livelihoods and rights.

In South Africa the coming to power of the ANC led to the demobilisation of social activism. This demobilisation of social activism lasted only for about five years as the reality struck many people that the ANC government was unsatisfactorily addressing the local grievances that fuelled the struggle against apartheid (Ballard, et al, 2004). Whilst it was inevitable that social activism would re-emerge, it seemed to happen very quickly compared to other transitional societies where the liberation "honeymoon" tended to last for decades (Ballard, et al, 2004: 1). After the ANC government assumed political office there was an expectation that the history of dispossession which had left many people poor and landless, would be urgently redressed (Mkhize, 2004). The failure of government policies to show much progress on key issues such as land transformation led to the emergence of land social movements to demand urgent transformation of land and agrarian structure in South Africa.

The re-emergence of activism coincided with South Africa's second democratic elections and the ascension to the Presidency by Thabo Mbeki (Ballard et al, 2004: 1). This was after five years of waiting for the promises of delivery to happen. The demands of the land social movements were mainly directed at the government's ineffective policy and its service delivery failures. It therefore becomes important to

understand the political economy underlying the emergence of the land social movements during the late 1990s in South Africa.

### **Conditions on the South African commercial farms – before and after 1994**

Farms have long been the locus of economic conflict in South Africa (Hall, 2003: 3). Both colonization and apartheid brutally dispossessed African people of control and access to their prime means of production – land. Sol Plaatjie (1916: 21) summarized this brutality as follows: "Awakening on Friday morning, June 20, 1913, the South African native found himself, not actually a slave, but a pariah in the land of his birth." Whilst this statement refers to the effects of the 1913 Natives Land Act, it was also relevant to prior colonial land dispossessions that had taken place.

According to Bundy (1990: 5) "the 1913 Act had been preceded by a vast number of land laws in the British colonies and the Boer republics before 1910: laws controlling squatting, regulating tenancies, imposing taxes and rents, and escalating the penalties and punishments for their transgression. But the 1913 law – while it echoed details from earlier legislation – went much further" The 1913 Native Land Act was a powerful piece of legislation, which formed the basis on which South Africa was (and is) divided along racial lines. The Act divided South Africa into areas where black people could own land (called 'reserves') and the rest of the country, where they could not (Bundy, 1988).

The Act went further to regulate exactly who could live on white-owned farms and under what circumstances. Large numbers of black people were already providing cheap labour on farms and doing domestic chores for 'white masters'. These groups of people were given permission to live on white farms whilst providing their labour, but the end of employment meant their immediate relocation to the 'native reserves' or 'homelands'. This meant the elaboration and implementation of the nightmare fantasy of a 'white' country where black people could claim no legitimate rights to land but whose labour was fundamental to the development of South Africa. That 'development' included nurturing a class of white commercial farmers whose success was secured not only through the exploitation of African farm labour and overburdened natural environments, but also through massive state subsidisation and support.

The consequence of land dispossession led to many black producers becoming tenants on white owned farms. According to Forsyth (1994: 3) there were three broad types of tenancy in Natal. Firstly, where a tenant would pay cash rent for land, which he could farm independently. Secondly, a tenant would acquire land by rendering a service in lieu of rent. Thirdly, a tenant could pay rent and render service. The government tried with little success to regulate the redistribution of labour among white farmers as many black people were fleeing white farms to work in the cities and on the mines, which were paying better wages. The fact that tenants preferred to flee the white farms to enter migrant labour meant that the labour supply on white farms continued to be insufficient and uncertain (Bundy, 1990).

Labour tenancy, as a system of land access and labour supply, emerged in the nineteenth century as white landowners sought to limit land available to Africans, not because they themselves were in short supply, but in order to compel Africans into labour. The difficulties of securing cheap and certain labour left settler farmers vulnerable to competition from African producers and Indian market gardeners (Williams, 1996). However, fulltime labouring was not a favoured option for these black producers. According to Hornby (1998: 24), labour tenancy began emerging as the tussles between different agricultural production systems gradually gave way to the dominance of settler agriculture on large tracts of land. It emerged as a strategy that served two purposes: it retained land access for Africans producers and kept a steady labour supply for settler farmers.

The general (and legal) definition of labour tenant requires that their labour is rewarded predominantly in land rather than cash wages. A class of labour tenant farmers were relatively well off compared to other tenants as they kept large herds of cattle and produced substantial volumes of crops. Africans used the labour tenancy system as a strategy to access land for independent production. The labour tenancy system also provided time for Africans to earn money through migrant labour, when they were not working for the white landowner. The shifts and changes in the nature of labour tenancy were themselves the product of the ongoing struggle for land and labour. The bargaining power of labour tenants was reduced through legislative interventions that reduced the availability of land to Africans in the 20<sup>th</sup> century. This

meant that the possibility and threat of eviction became increasingly effective as a crude instrument of labour control (Hornby, 1998: 25).

Government attempted on several occasions to impose more stringent controls on Africans working as labour tenants on white farms. In the 1950s all labour tenants had to be licensed and registered with the local Native Commissioner at the cost of one pound per tenant. Labour Tenant Control Boards were established at a local level to police the farms to ensure that there were not too many Africans on any one farm (Forsyth, 1994: 5). In 1955, the Nel Committee recommended the total abolition of the labour tenant system as it considered the system (labour tenancy) to be outdated and inappropriate for the supply of labour in an agricultural sector which was trying to establish itself on a modern commercial basis (SPP, 1983: 45).

Labour tenancy was always a flexible relationship between landowners and tenants. As the practice was discouraged it proved to be highly adaptable and very resilient. The government's attempts to abolish labour tenancy led to increasing numbers of evictions of tenants. According to SPP (1983: 78) between 1960 and 1970, 340 000 labour tenants and 753 000 squatters are estimated to have been removed nationally. Between 1970 and 1974 a further 400 000 labour tenants were moved after the abolition of labour tenancy in 1973. Despite the legislation and the evictions, the attempt to completely abolish labour tenancy was not successful as there are currently more than 20 000 labour tenants in South Africa. Its continued survival related specifically to the role it played in providing labour to white farmers and access to land for Africans.

In the first half of the twentieth century, the land laws were extraordinarily successful in compelling the majority of African producers to work as labour tenants for white farmers as a means of accessing land. This was an enormous setback for the economic independence of the African peasantry, which, according to Bundy (1988) was very prosperous before it was systematically undermined in favour of racially structured capitalist development. More recently, there are numerous reports of landowners attempting to shift labour tenancy arrangements into farm-worker contracts in order to evade the rights granted to tenants in terms of the Land Reform (Labour Tenants) Act of 1995 (AFRA, 2000). Today it is increasingly difficult to differentiate between

different classes of tenants found on commercial farms because of the deliberate strategy of farm-owners to evade the terms of the Land Reform (Labour Tenants) Act.

### **South Africa Agricultural Economy**

The historic development of agriculture in South Africa on the basis of large-scale capitalist farming by white settlers continues to dominate the agricultural sector in terms of area, outputs, contribution to the national economy and also the land reform debate. However, as a result of global trade pressures and strong moves to deregulate the industry which have gathered momentum in South Africa since 1994 in terms of its neo-liberal macroeconomic policies, the commercial agriculture sector is under considerable economic pressure, with high levels of debt, farm failure and challenges to established products on the global market (Walker, 2001: 25). As a result, these “major pressure points and uncertainties must raise serious questions about the viability of the new black commercial farming programme as well as the attractiveness of full-time farming for many would-be farmers with extremely limited personal resources” (Walker, 2001: 25).

The colonial and apartheid regimes maintained large-scale commercial farming through land dispossession and cheap labour supply by Africans. The government support for white commercial agriculture prior to the 1990s was extensive and included subsidised access to credit and other factors of production, price support mechanisms, tax incentives, export rebates and statutory single channel marketing (Van Zyl, 1996). Whilst various studies have demonstrated that small scale farming was efficient and profitable (Van Zyl, 1996), a century of policy interventions has suppressed its profitability in order to protect white farmers from black competition and to assure the white farm sector of low-wage labour (Deininger and Binswinger, 1992).

The Freedom Charter adopted by the People’s Congress in 1955 demanded that the land shall be shared among those who work it and “the state shall help the peasants with implements, seeds, tractors and dams to save soil and assist the tillers” (Freedom Charter, 1955). However, when the ANC assumed political office in 1994, they chose a different path than the one suggested in the Freedom Charter. The ANC government

continued with the previous regime's process of deregulating and liberalizing agriculture, which resulted in subsidy cuts to farmers. In so far as it was committed to reform of the agricultural sector, the ANC government preferred large-scale commercial farming at the expense of small-scale and subsistence farming. The emphasis on large-scale commercial farming means that there is limited arable land available for small-scale farmers to produce on. The ANC's unwillingness to promote small-scale farming is demonstrated by the fact that it has not repealed the notorious Subdivision of Agricultural Land Act of 1970, which makes it impossible to subdivide an existing title deed without ministerial approval. As a result of this we have seen many land reform beneficiaries forced to purchase large farms on which to produce collectively (Mkhize, 2004: 9).

Whilst the processes of liberalisation are exerting pressure on large-scale commercial agriculture across Africa, it is mostly the small-scale commodity producers who are worst affected. According to Bryceson and Bank (2001) "peasant agricultural production has been experiencing a much slower and possibly more painful death as the removal of transport and crop input subsidies, especially for fertilizers, subverts farmers' returns, exhausts soils gradually and reduces yields." The declining terms of trade and subsidy cutbacks had an adverse impact on small-holder production in South Africa and in other developing countries.

To date the capitalist and export oriented commercial agriculture sector is a source of livelihood for many rural people (Republic of South Africa, 2000). While it contributes 4% of South Africa's gross domestic product (GDP) and 14% of the country's foreign exchange earnings, commercial agriculture is one of the largest employers in the country, providing about 625 000 permanent jobs and 305 000 temporary or part-time jobs, and farm-workers' wages constitute 39% of rural incomes (Republic of South Africa, 2000). Agriculture has a stronger multiplier effect on employment than any other sector and is potentially key to poverty eradication (Van Zyl and Vink, 1998).

It is clear that in the South African context land and agriculture go hand in hand. To reform agriculture would require a more equitable redistribution of land. According to Bonti-Ankomah (1997: 14), an agrarian system involves a pattern of land distribution,

ownership structure, farming systems and social and institutional arrangements. The current land reform programme in South Africa seems to have failed to coordinate land and agricultural reforms. Practically, the national Department of Land Affairs drives land reform, and agriculture reforms are driven by the national Department of Agriculture, although both departments fall under one ministry. Ironically the National Department of Agriculture has been slow in providing support to land reform beneficiaries, vacillating between its perceived obligation to commercial agriculture and its support for new landowners (McIntosh Xaba and Associates, 2003: 27).

According to Greenberg (2002: 1), a significant failure in most analyses of the land reform process in South Africa to date has been the artificial separation of agricultural restructuring and land reform. The land reform programme has been treated as if it has a separate and coherent logic in and of itself. However, according to Greenberg (2002: 1), land dispossession has played a central role historically, not only in structuring the agrarian order but also in shaping the political economy of the country as a whole. If agrarian reform is not considered as a combined process of land and agricultural reorganization embedded in the broader process of political democratisation and economic restructuring, it becomes very difficult to make sense of the developments in the rural polity and economy since 1994 (Greenberg, 2002: 1).

The Land Redistribution for Agricultural Development (LRAD) Programme has brought a new emphasis to the need for joint responsibility between the Department of Land Affairs and the Department of Agriculture (DLA, 2002). Post transfer support has officially become part of the responsibility of provincial Departments of Agriculture. However, budget and capacity constraints continue to frustrate the provincial departments in their efforts to support the LRAD programme. Land rights non-governmental organizations (NGOs) have critiqued LRAD as a programme that will benefit the black elites at the expense of the landless poor (NLC, 2002: 3). The limited state support available for land reform beneficiaries will be channelled to the relatively better off. Before the introduction of LRAD, redistribution programme applicants had to be 'income poor' to access a grant to assist in the purchase of land; now applicants must be able to contribute their own capital to access this support and the more they can contribute, the more support they will qualify for on a sliding scale (Greenberg, 2003: 15). Clearly the intention is to prioritise better-off claimants and,

given the very small overall land reform budget from which state support is drawn, this shift inevitably happens at the expense of the really poor.

An important trend in the South African rural economy in recent years has been the conversion of land away from agriculture to wildlife management or eco-tourism ventures. These ventures require the continued exclusion of the poor from large areas thus undermining their livelihood systems. These new ventures have also attracted foreign investors who have acquired agricultural land and converted it for purposes of tourism. According to Conway (2004: 1) the net result of this has been the escalation of land prices and further marginalization of the landless poor.

### **Continued dispossession on farms after liberation**

Since the end of apartheid there has been a dramatic increase in evictions of farm-dwellers from commercial farms (Maseko Hlongwa and Associates, 2000: 5). These evictions appeared to be a pre-emptive response by landowners to the effect of the tenure laws passed by government to protect the rights of the farm-dwellers (*Natal Mercury*, 'Rural Association calls for a stop to evictions' 21 March 1998). These evictions have been coupled with widespread denial of access to basic resources like water, firewood, and grazing land. When farm-dwellers attempt to access these resources they are often physically abused and their livestock impounded (AFRA, 1999). To release their livestock from the pound they are required to pay exorbitant fees which are unaffordable.

According to the Eviction Monitoring Project (EMP), a joint initiative of the DLA, AFRA and KwaNalu in KwaZulu-Natal (2000) 669 cases of evictions from commercial farms in KZN during the years 1998 and 1999 were recorded and only 29 of these were legal evictions involving a court order (Maseko Hlongwa and Associates, 2000: 5). A total of 9 813 people were affected by evictions in less than two years. Despite these high eviction figures not a single farmer was arrested for illegally evicting people without a court order, which is a criminal offence in terms of the Extension of Security of Tenure Act 62 of 1997 (EMP, 2000).

The South African Human Rights Commission documented a number of cases where landowners or their private commandos (militias) physically abused farm-dwellers (SAHRC, 2003). The justice system did not protect the rights of the farm-dwellers when they were violated. In small rural towns of KwaZulu-Natal the justice system is controlled by white elites who are related to farmers or are farmers themselves (see *Natal Witness*, 'Utrecht farmer, sons acquitted' 25 March 2004 and *Sowetan*, 'Farmer has community up in arms' 09 May 2003).

To compound matters, the Legal Aid Board which had been funding attorneys to defend poor people such as farm-dwellers, changed its payment structure in 1999 resulting in attorneys no longer being willing to take any cases that would be financed through the Legal Aid Board. This left many farm-dwellers with no attorneys to defend their rights in court. The crisis in the justice system allowed landowners to evict the farm-dwellers from 'their' land without following proper legal procedures such as getting a court order to institute evictions (*Sunday Independent, Reconstruct*, 'New legal aid tariffs leave the poor in the lurch' 14 November 1999).

### **Tenure Reform in South Africa**

The South African Constitution sanctions land tenure reform in South Africa. Section 25(6) of the Constitution states that "a person or community whose tenure of land is legally insecure as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of parliament, either to tenure which is legally secure or to comparable redress" (Republic of South Africa, 1996a). This mandate was interpreted by the Department of Land Affairs in its White Paper on South African Land Policy (1997) as "a programme aiming to create secure forms of land tenure for all; accommodate diverse forms of land tenure; help resolve tenure disputes and provide alternatives for people who are displaced in the process". In line with this mandate the government promulgated two key pieces of legislation aimed at protecting and promoting the interest of farm-dwellers in South Africa. These are the Extension of Security of Tenure Act (no. 62 of 1997) and Land Reform (Labour Tenants) Act No 3 of 1996.

### Extension of Security of Tenure Act (no. 62 of 1997)

The Extension of Security of Tenure Act (no. 62 of 1997), or ESTA, regulates relationships between landowners and farm occupiers on agricultural land through defining rights and prescribing procedures for evictions. The Land Reform (Labour Tenants) Act No 3 of 1996 (LTA) aims to protect labour tenants from eviction and to give them the right to acquire ownership of the land that they live on or use. In terms of the Labour Tenants Act, applications for tenure upgrade can either be adjudicated in the Land Claims Court or DLA can provide support to negotiate out-of-court settlements.

A recent study evaluating tenure reform conducted by Ruth Hall in 2003, describes how both ESTA and LTA have failed to transform the land and agrarian structure and failed to stop evictions or improve the livelihoods of farm-dwellers. ESTA has not provided viable long-term tenure security because it has not prevented evictions and has not been accompanied by a proactive approach by government to subdivide and transfer land to those with insecure land rights (Hall, 2003: 23).

ESTA provides relatively weak rights to farm occupiers by making provisions for how evictions should happen instead of preventing them. Lahiff (2001: 2) attributed increased evictions of farm-dwellers to complicity by magistrates and police in farming districts, the collapse of the legal aid systems, limited capacity for implementation on the part of DLA and, above all, widespread disregard for the law by landowners. In fact the Act has been criticised by many (Turner and Ibsen, 2000: 25) as being more of a charter for legal evictions than an effective shield for the disadvantaged.

### Land Reform (Labour Tenants) Act No 3 of 1996

The LTA implementation has been hampered by the institutional and capacity constraints of the responsible government department (Hall, 2003: 32). For instance, as late as July 10, 1997, a memo from the then director of the Provincial Office of the DLA, to the then Director General, bemoans the fact that although the Act was operational from the 22 March 1996 “not a single post has been created within the

affected provinces for its implementation although a policy sub-directorate now exists in Pretoria to cover policy implications affecting farm-workers and labour tenants” (DLA Memo from Richard Clacey quoted in Hornby, 1998).

In addition to procedural hold-ups, implementation has thrown up definitional questions regarding who a labour tenant is in terms of the Act (Hall, 2003: 29). This is because tenancy arrangements are often based on verbal contracts and are subject to change (Forsyth, 1994: 20). This means that a landowner could change the status of a labour tenant to that of a farm-worker, willy-nilly.

The definition of a labour tenant in terms of the LTA requires that their labour be rewarded predominantly in land rather than cash wages. The following story relates a deliberate process by many landowners during the 1990s to undermine their tenants’ ability to claim protection under the LTA by converting their labour tenants to wage labourers, or by reducing cropping agreements and cutting livestock numbers. “All the men were working on the farm for a six month contract per year and were paid as low as 50 cents for the contract, but they were free to keep unlimited number of livestock. The wages have since improved a little with the introduction of permanent employment and monthly payments. However, livestock has been cut to five cattle per working man and two for every working woman” (Gcinephi Nene quoted in AFRA News, 2000: 15).

Another shortcoming is that although LTA protects labour tenants from eviction and creates a right to purchase the land they use, the only means available from the DLA to assist in this purchase is the provision of a Settlement and Land Acquisition Grant (SLAG) of R16 000 per household (Hall, 2003: 30). As this grant is generally insufficient to purchase a farm, and farm owners are generally unwilling to subdivide their land, labour tenants resort to pooling their grants to buy formerly white-owned farms elsewhere. The pooling of grants results in beneficiaries being too crowded to farm the land productively.

The government land reform programme that aims to strengthen tenure rights of farm-dwellers and generally redress land imbalances through land redistribution, has failed to achieve both these objectives. According to DLA’s own statistics only 3% of land

had been redistributed under government land reform by the end of 2003 (DLA, 2004). The basic structure of the land and agrarian economy in the countryside remain virtually the same despite ten years of land reform intervention.

It is against this background of changes in the agricultural sector, the continued evictions and human rights violations and land reform challenges, that the TSCC and other land social movements have emerged in post apartheid South Africa.

### **The formation of the TSCC**

The TSCC was formed in 1997 almost three years into the new dispensation in South Africa. Representatives of mainly farm communities who had gathered, with the assistance of the Association For Rural Advancement (AFRA), to discuss the Extension of Security of Tenure Bill seized the opportunity and formed a committee to co-ordinate the activities of farm-dwellers in the province (AFRA, 2002). The committee was named the Tenure Security Co-ordinating Committee (TSCC) and it was then made up of representatives from Vryheid, Estcourt, Danhouser, Howick, Newcastle, Greytown, Impendle, Colenso and Mooi River. The main objectives of the TSCC were the dissemination of information on ESTA and LTA to farm communities and the mobilisation and co-ordination of the activities of different farm community structures. The Dukuduku, Melmoth, and Boschoek communities, which are restitution and redistribution claiming communities who live communally, on state- and church-owned lands, subsequently joined the TSCC when its constitution was amended to accommodate non-farm communities [Interview 9]<sup>5</sup>.

Although the constitution of the TSCC was amended in 2002 to accommodate all landless and land reform committees, including restitution and redistribution claimants, who subscribe to and support the struggle for tenure security, the TSCC remained predominantly a farm-dweller structure. According to Langa [Interview 9] the term farm-dweller was used to unite and mobilize people who were residing on farms. The landowners and government are keen to divide and separate people living on farms into labour tenants, farm-workers, and squatters but according to Madlala

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<sup>5</sup> These and similar numbered references refer to interviews conducted specifically for this study, and are listed after the Bibliography.

[Interview 8] “we (people living on farms) are all facing similar conditions – tenure insecurity, no access to development, and human rights abuse”.

The constituency of the TSCC is situated mainly in the Natal Midlands and Northern Zululand, the areas where labour tenants are concentrated in the province of KwaZulu-Natal (Hornby, 1998). The South African Human Rights Commission (2003: 144) estimates the wages of farm-workers at an average of R300.00 a month. This means that most of the farm-worker families live below the poverty line. Having had an opportunity to visit various districts of the TSCC in 2002 to 2004, I can confirm that the TSCC constituency is made up of farm-dwellers who come from humble backgrounds.

Whilst the TSCC represents diverse social groups residing on farms, unemployed farm occupiers dominate its leadership structure. Ngubane [Interview 6] attributed this to the reality that farm-workers and labour tenants are fully committed in their work and do not have time to participate in TSCC activities. Khumalo [Interview 4] argued that those who are still employed by white farmers do not want to jeopardize their employment by joining the TSCC. However, “when they are dismissed from work or evicted from land they come running to the TSCC” [Interview 4]. The TSCC however maintains that it represents all people residing on commercial farms in KwaZulu-Natal. In this it is probably correct, in that it undoubtedly enjoys the general support from farm dwellers, both employed and unemployed.

The TSCC has battled to attract students into its leadership structure. Most farm dwelling students who pursue tertiary education upon finishing high school, leave the commercial farms in order to be nearer to tertiary institutions [Interview 11]. Some landowners force students to leave a farm permanently as they “are adults who are not working on a farm” [Interview 9]. The landowners seem to be terrified of accommodating students on their farms as they view them as troublesome people [Interview 9]. The TSCC seem to have failed to mobilize students into its leadership structures in order to build a layer of organic intellectuals.

TSCC members [Interview 12] explained that they use their own limited resources to carry out the activities of the TSCC. They stated that their commitment to the struggle

is a necessary sacrifice which would benefit their children. These members conceded that some people on the farms do not want to participate in collective actions but are happy to benefit from the successes of mobilization. This lack of commitment by some farm-dwellers does not dampen their spirit and commitment to the struggle of the TSCC; instead they are proud of the contribution they are making.

Some scholars (Thoka and Lesufi, 2001: 2) have argued that the post apartheid social movements are responding to the effects of the neo-liberal policies adopted by the democratic government. However, whilst the TSCC struggle can be contextualized as challenging the government's neo-liberal land policies, it has not embraced any clear ideological position. Benjamin (2004: 79) asserts that such movements are involved in predominantly defensive struggles for survival, which have not translated into a broader anti-capitalist campaign. The struggle against privatization of water or the struggles for land are broad demands attempting to frame daily survival struggles of the supporters of these movements (Benjamin, 2004: 79)

According to Shabalala [Interview 7] the TSCC has not embraced any ideological position because its members come from the ANC, SACP, IFP, and PAC and ideological orientations of these political parties are generally known in KwaZulu-Natal. For example, it is known that IFP supports capitalism and is against socialism and communism. If the TSCC actively challenged capitalism it would politically alienate some of its members who are IFP and be seen as sympathizing with organizations such as the PAC and SACP who are known for challenging capitalism [Interview 7].

Shabalala's comments above appear to be referring to party political allegiance rather than clear ideological differences, as the issue of ideology has not been discussed within the TSCC structures and communities. However, in a province such as KwaZulu-Natal where there was political violence which claimed thousands of lives, it is understandable for people to be cautious about party-political affiliations. It is also the case that in KwaZulu-Natal if you are called a communist you are automatically associated with the ANC, even though the ANC is not a communist organization – but its alliance with the SACP and its past political pronouncements suggested that they were supporting communism or socialism.

### **TSCC Ally – the Association for Rural Advancement**

The main ally of the TSCC in KwaZulu-Natal is the Association for Rural Advancement (AFRA). AFRA is an independent rural land service organisation (affiliated to the National Land Committee) that attempts to redress the legacy of unjust land dispensation in South Africa. AFRA is committed to promoting the values of race and gender equality and participatory democracy. It strives towards this vision by working in partnership with groups of black rural people in KwaZulu-Natal, who are trying to obtain land restitution, redistribution and secure tenure. AFRA places special emphasis on working with marginalized groups including women, the youth and the poorest of the poor (AFRA, 2003). At the national and regional levels AFRA lobbies and advocates for a just land reform programme.

AFRA and the TSCC have a long working relationship in the field of land and rural development, dating back to 1997 when the TSCC was formed. AFRA has supported the TSCC with organisational development, capacity building, and financial resources. AFRA has also facilitated exchange visits with other landless communities and brokered necessary resources for the TSCC.

During the mid-1990s, NGOs were repeatedly challenged and questioned by government about the constituency that they claimed to represent [Interview 13]. Government would question why it was urban NGO activists who were raising alarm bells and purporting to represent the interest of the rural landless poor [Interview 14]. The influence of the NGOs over government was dwindling at this time and there was a need for a change in strategy. AFRA was convinced that the market driven land reform programme would not transform the land and agrarian structure in South Africa and that there was a need for strong grassroots opposition to this strategy [Interview 14].

### **Reasons for the TSCC formation**

TSCC members [Interview 12] cited the following reasons why the TSCC was formed in 1997. Firstly, evictions and harassment of farm-dwellers were happening despite the new tenure laws passed by government. Secondly, the intended beneficiaries did

not know the government land laws and the TSCC intended to assist in communicating these policies. Thirdly, those in power did not prioritise the interests of the landless poor and this was evident in the heavy reliance on the market to transform the land and agrarian sector; a reliance which was seen as failing to alleviate poverty and unemployment. Fourthly, the government land reform process was happening very slowly.

Lastly, there was a need to strengthen the weak political voice of the landless poor in South Africa by building a strong movement to champion their cause. The weak political voice of farm-dwellers and their alienation from the broader political and economic context of the province contributed to their marginalisation and their inability to assert their rights and demands for equitable redress and inclusion in development and economic opportunities at local and regional levels (Greenberg, 2004: 34). The TSCC thus intended to develop and enhance the capacity of rural farm-dwellers to effectively organise and co-ordinate their efforts to achieve this redress.

The TSCC was formed when frustration was creeping in about the failure of the land reform programme to deliver land and protect the rights of farm-dwellers. On the other hand, the TSCC hoped that the new policies would make a difference if they were effectively communicated to and known by the intended beneficiaries [Interview 11]. The two-pronged objectives of the TSCC depict the state of uncertainty amongst the rural people who gathered in 1997 to give birth to the TSCC. On the one hand they saw their role as disseminating information about government policies (collaborating with government) and on the other hand they would mobilise and coordinate the activities of farm communities to challenge the state (thus suggesting a more radical approach in demanding and defending their land rights).

### **Central Demands and political programme of the TSCC**

The TSCC's political programme is centred on the three central demands to the government, namely:

- *Stop evictions and human rights abuse on commercial farms;*
- *Give land to farm-dwellers who are the tillers of the soil;*

- *Provide development services and support to people living on farms.*

(TSCC Funding Proposal, 2002:4)

These demands have been tabled at various engagements with senior DLA officials. The land reform programme is seen by the TSCC as failing to achieve these three key demands and it is for this reason that they have called for a Land Summit involving all major stakeholders to deliberate how the land reform programme could be overhauled (TSCC press statement, 27 April 2003). The Land Summit, according to the TSCC, would be an important consultative and participatory forum involving major stakeholders, including the landless, to discuss an alternative land and agrarian policy that is not market oriented.

The government statistics on the achievements of land reform show that less than 3% of land had been transferred under the land reform programme by the end of 2003 (DLA, 2004). Perusing the Integrated Development Plans (IDPs) of nine district municipalities in KwaZulu-Natal shows that there are limited developmental services, infrastructure and projects targeted towards the farm-dwellers (Department of Traditional and Local Government, 2000). In its media statement issued on Freedom Day, 27 April 2003, the TSCC asserted:

*“On this ninth anniversary of Freedom Day in South Africa the country’s 7 million landless farm-dwellers remain the citizens without rights. We therefore have no reason to celebrate Freedom Day whilst we are continuously subjected to illegal evictions, gross human rights abuses, low wages, sub-human working and living conditions on WHITE commercial farms in South Africa. We have on countless occasions met with the government officials, embarked on public demonstrations, and issued media statements highlighting the plight of the landless farm-dwellers in South Africa. It is regrettable that all these legal actions have fallen into deaf ears and not yielded any tangible results to alleviate the situation of farm-dwellers”.* (TSCC, 2003)

## **Conclusion**

The chapter has outlined the process of land dispossession, which led to many African people working on white owned farms in order to secure access to land. The

conditions that most people worked under were oppressive and their tenure was insecure and unprotected. The white landowners in most cases managed the relationship with the black farm-dwellers through the use of brutality.

The dominant mode of production during the apartheid period was large-scale commercial farming which was supported through massive state subsidies. Subsistence farming was undermined and not promoted. When the ANC government took power in 1994 it did not transform this dominant mode of farming: instead it was consolidated and partially de-racialised. It continued with the processes of deregulation and liberalization of agriculture which were started in the 1990s, resulting in the elimination of subsidies to farmers.

The chapter then critically discussed the ANC government's attempt to redress land imbalances on the commercial farms through tenure reform and concluded that this process is failing to address the challenges faced by farm-dwellers or to change the land and agrarian structure in the countryside. The case study of the TSCC was then introduced, looking at its reasons for formation and its central demands.

## **CHAPTER 4 TSCC STRUGGLE TACTICS**

### **Introduction**

The struggle methods and tactics of any social movement shape its nature and character. It is the mobilization methods that suggest the possible forms movements will take as they respond to the context in which they organize. The political opportunities available for mobilization are utilized by movements to heighten their struggles and gain new support. This chapter will outline the struggle tactics of the TSCC since its formation and how these have evolved over time as the TSCC grew and learned new methods of struggle. This chapter will show that during the formative years of the TSCC it tended to adopt moderate struggle tactics such as writing letters, holding meetings and dialogue with government officials about its key demands.

These struggle tactics suggest that the TSCC accepted, at some level, the government rhetoric of the redistributive land reform programme, that it would redress the history of dispossession and alter the land and agrarian structure in South Africa. However, as it engaged with government officials it realized that the market-based approach was failing to effectively redistribute land and secure the tenure of the farm-dwellers.

Realizing that the government was not being proactive in responding to its key demands for redistributive land reform, the TSCC jettisoned its boardroom engagement approach in favour of more confrontational tactics such as sit-ins, marches, threats to invade land and mobilization of the landless, which culminated in the formation of the LPM in 2001.

### **Struggle tactics of the TSCC**

The TSCC uses multi-pronged tactics of struggle in pursuance of its objectives. The mixture of tactics is defined by a variety of factors such as the TSCC's access to the state, the resources (financial and skills) at its disposal, and the impact of each strategy. For example, when the TSCC was formed and indicated its willingness to support the government in implementing land reform, the government officials were readily available to meet with the TSCC. However, when the government officials failed to meet the TSCC's demands for redistributive land reform they started

avoiding meeting with the TSCC. The TSCC in response began engaging in public demonstrations such as sit-ins and marches to air its demands. These public demonstrations, in most cases, were made possible by the availability of the financial resources leveraged through AFRA.

There are struggle tactics that are forced by circumstances upon the TSCC such as mediation between landowners and farm-dwellers. According to Mkhize [Interview 5] the TSCC never intended playing this role but, because it provides the only visible leadership, it gets drawn into such activity. The following are the struggle tactics that have been employed by the TSCC since its formation.

#### Meeting and dialogue with relevant government officials

The minutes of the TSCC executive committee meetings point to a series of meetings that have been held with various senior government officials (TSCC Minutes, 26 April 2003). The TSCC held a series of meetings with the Director of the KZN Provincial Land Reform Office and also with the Deputy Directors based in District Land Reform Offices during the period between 1999 and 2001. The TSCC also held two meetings with the Director General of the Department of Land Affairs. The TSCC has engaged with junior DLA and municipal officials at district levels. In almost all these engagements, the TSCC demanded that government stop evictions and human rights violations on farms and speed up the transfer of land to farm-dwellers. In these meetings government would promise to attend to these demands but these promises were not followed up with any action [Interview 3].

This strategy suggests that the TSCC believed that the ANC government, with persuasion, would address the concerns of farm-dwellers. It is noticeable that the TSCC mainly used this strategy during its formative years when it apparently had no intentions of publicly confronting the government. The TSCC belief in land reform was in line with the spirit of the Constitution and ANC rhetoric on land issues. What emerged from their engagement with government officials was that the government vision of land reform is watered down through market friendly policies and programmes, budgetary constraints, and other priorities. This type of engagement has given the TSCC a better understanding of government land policy and its limitations [Interview 7].

Whilst there is mutual solidarity between the ANC and the rural landless poor at the rhetorical level, this has never been given any substantial content. Unlike urban workers in COSATU, the ANC has never made specific commitments to the rural poor or attempted to mobilize them, and rural people have not been specifically involved in negotiating policy; this in turn relates to the lack of structures representing the rural poor and their inability to hold the ANC to account. Where the ANC has made promises such as redistributing 30% of agricultural land, this has been a ‘free gift’ from above, not the result of real negotiation – as a result the ANC feels free to abandon its targets.

#### Written submissions to the relevant authorities

Since its formation the TSCC has made a number of written submissions with the assistance of AFRA, to the different authorities in South Africa. For example, submissions were made to the Minister of Land and Agricultural Affairs in 1999 about the slow pace of the land reform programme and failure by the DLA to act upon Labour Tenants’ claims. This according to the TSCC Secretary [Interview 3] resulted in the DLA embarking on a national campaign to register the claims of labour tenants, which began in KZN and Mpumalanga in 1999. The DLA contracted AFRA to communicate with and assist labour tenants to register applications for rights in land in terms of Section 16 of the Land Reform (Labour Tenant) Act in these two provinces, and the TSCC played a crucial role in terms of informing communities in the various districts about the registration campaign.

Provincially, the TSCC made various submissions to the local municipalities Integrated Development Plans (2001-2002) complaining about the exclusion of farm-dwellers in the IDP process. In 2004, a submission was made to the Provincial Portfolio Committee on Land and Agriculture regarding the amendment of the KZN Cemeteries and Crematoria Act. This Act prevents farm-dwellers from burying their dead on farms and therefore denies farm-dwellers in KwaZulu-Natal their burial rights accorded by ESTA and the LTA (*Natal Witness* ‘May law have mercy on them’ by Del Grande. 09 August 2004).

These written submissions show an extensive effort by the TSCC to draw the attention of relevant authorities to the plight of farm-dwellers. It can also be deduced from this strategy that the TSCC tried to use non-confrontational methods in engaging with government. Most importantly as the TSCC grows, it has recognized that the struggle has to be fought on many fronts not just with the DLA but also with local government authorities. The local authorities became the new sites of struggle for the TSCC as most development projects were decided and implemented by municipalities. As Hadebe [Interview 11] asserted, “we now have councillors within our communities where we can take some of our demands unlike in the past where we had to go to town or Pretoria”

#### Embarking on public demonstrations

Since its formation the TSCC has embarked on a number of collective actions mainly directed at the state. The members of the TSCC [Interview 12] recalled the following public demonstrations and campaigns organized and co-coordinated by the TSCC since its formation.

In July 1998, the Vryheid district structure (FEDCO) affiliated to the TSCC staged a march in Vryheid to protest against the collusion amongst the farmers, police and magistrates against farm-dwellers in the area. Approximately 500 people attended the march from Vryheid and surrounding farms. The delegates attended this march at their own expense, which according to the TSCC Chairperson [Interview 1] “was proof that people are fed up by inefficiency of the justice system to protect them from evictions and human rights violations in farms even in a new dispensation”

In 1999, the TSCC actively participated in the Rural Development Initiative (RDI) driven by the South African Non Governmental Organization Coalition (SANGOCO), the National Land Committee (NLC), the Rural Development Sector Network (RDSN) and the Trust for Community Outreach Enterprise (TCOE). TSCC members used the platform created by this initiative in the province to canvass support from landless people and request their participation in the structure. The TSCC also participated in the Bloemfontein RDI national meeting of rural communities that adopted the Land and Rural Development Charter. During 1999, the TSCC supported the South African Human Rights Commission’s campaign to investigate human rights

abuses on farms. The TSCC prepared and arranged for people resident on farms and who were affected by these abuses to participate in these hearings [Interview 8].

As the TSCC grew it embarked on general demonstrations and participated in processes designed by other organizations. This strategy signalled a change in the method of struggle by the TSCC from the boardroom engagements to public demonstrations against government. The government did not take kindly to being publicly challenged by social movements such as the TSCC (*City Press*, 'No land grabs in KZN' 03 June 2001). One DLA provincial government official accused the TSCC leadership of being ill-informed about land reform progress in their own areas and of allowing themselves to be used by NGOs such as AFRA to raise false alarms about land reform [Interview 2].

This was odd because TSCC leaders' lives and daily experience ensure they are fully aware of the challenges faced by farm-dwellers on commercial farms. Khumalo [Interview 4] argued that the government's insinuation "that TSCC members are not capable of thinking for themselves but require NGOs such as AFRA to do so is unfortunate". According to Kubheka [Interview 10] "it was these arrogant statements by government officials that made us work hard in building the TSCC and form the Landless Peoples Movement, which will speak on our behalf"

In 2000, the TSCC stepped up the pace of its struggle and embarked on a series of intensive campaigns which focused on the DLA in particular. For example, the TSCC members staged a sit-in at the DLA Vryheid office in August 2000 to register their dissatisfaction about the performance of land reform in the province. They occupied the DLA offices in Vryheid and took over the switchboard. They insisted that they would not leave the office until they met with the Provincial Director. The Provincial Director had to drive more than 300 kilometres from Pietermaritzburg to Vryheid to meet with TSCC members. He was told about the problems facing the landless people such as evictions and human rights violations on farms and the slow pace of land delivery to farm-dwellers. The Provincial Director made undertakings to address these issues within a reasonable period of time. According to Langa [Interview 9] "we never trusted that a white director would be able to betray white farmers and give land to blacks"

In September 2000, the then DLA Director General (DG) and the then KZN Provincial Director and officials attended a meeting with the TSCC in Utrecht (near Newcastle) to discuss the concerns raised by the TSCC. In this meeting the TSCC, supported ironically by provincial DLA officials, expressed a vote of no confidence in the Provincial Director who was seen as a stumbling block to processing land reform projects. The Provincial Director was accused of blocking land reform projects that were submitted by junior DLA officials. The then DG, Gilingwe Mayende, announced to the delight of TSCC members, that he would relocate the Provincial Director to the Pretoria office [Personal Observation].

During October 2000, the TSCC led labour tenants from KwaZulu-Natal to support the Mpumalanga labour tenants' march held to protest the role of private security companies in harassing farm-dwellers and the collapse of the legal aid programme, and called for the scrapping of the LTA and ESTA [Interview 8]. During the same month, a TSCC delegation went to the KwaZulu-Natal Provincial DLA office to enquire about the progress of promises made by DLA in previous meetings. The DLA presented a list of approved land reform projects in TSCC operational areas and promised to give quarterly reports on the progress of each of these projects. The TSCC members were not happy about this piecemeal approach as they felt that DLA was using a "divide and rule" tactic by reducing legitimate demands of the TSCC to individual projects, while offering nothing to communities whose projects have not been approved [Majola, Interview 2].

During 2000, the TSCC started flexing its muscles and using more confrontational methods of struggle. The forceful occupation of the Vryheid DLA office signalled the shift from negotiation to demand mode. The TSCC members were impressed with the swift response they received from the DLA through their actions. They observed that with enough pressure the government would respond to their demands. Whilst the removal of the Provincial Director was seen as a victory by the TSCC, it did not do much to achieve their central demands. When the Provincial Director was replaced, the continuing problems suggested that these were institutional embedded challenges, which required major policy shifts from government [Interview 9].

However, the successful sit-in gave the TSCC the courage to go and support the struggles of labour tenants in the neighbouring province of Mpumalanga. This solidarity action began the process of escalating what had been purely local land struggles into the national arena. The visit also marked the beginning of the long relationship between the TSCC and Mpumalanga Labour Tenant Committee (MLTC), which culminated in the formation of the LPM in 2001 (AFRA, 2002).

In March 2001, the TSCC developed a programme of action for all its districts and resolved to engage local government structures in their respective areas. This was soon after the second local government elections in South Africa and the government had asked all municipalities to formulate Integrated Development Plans (IDP) articulating how development would happen. The TSCC intended to participate in the relevant structures that were created, for example the IDP Representative Forums [Interview 6].

In April 2001 there was a workshop in Wakkeestroom (Mpumalanga Province) attended by KwaZulu-Natal TSCC delegates and Mpumalanga farm communities to discuss evictions and abuse on farms. Threats of land invasions were rife prior to this meeting and as a result there was a heavy police presence during the workshop. The government made it very clear that it was not going to tolerate any land invasions in South Africa (*City Press*, 'Mugabe invited to SA land grab rally' 29 April 2001). Subsequent to this workshop there was another joint MLTC and TSCC meeting on the 17 June 2001 held in Ladysmith (KwaZulu-Natal), which resolved the following:

- *To call a national meeting of landless people in South Africa to discuss the formation of a national representative structure of landless people;*
- *To invite President Robert Mugabe (Zimbabwe) to address the landless people in South Africa;*
- *To compile a dossier of all correspondence sent to various government departments by landless communities and send it to President Thabo Mbeki (South Africa);*
- *To invade land if Mbeki fails to respond to the demands of landless people*

(TSCC Workshop Minutes, 17 June 2001)

In July 2001 rural communities from different provinces of South Africa gathered in Gauteng to register their dissatisfaction with the performance of the government land reform programme and call for immediate action. This meeting of landless communities resolved that rural people should exert their authority and form a strong social movement to represent their interests and needs. The Landless People's Movement (LPM) was consequently formed with an interim national structure (Greenberg, 2004). Two members of the TSCC were elected to the interim national council. This gathering also made a strong call to government to convene a land summit, which would review the land reform programme.

The TSCC prides itself in being one of the founding members of the Landless People's Movement (LPM). This was an important strategy to escalate the local and provincial struggles of the landless communities into the national and international arena. The chairperson of the TSCC [Interview 1] explained that since land was regarded by government as a national competence, they were having difficulties discussing policy matters with provincial officials, as they had no authority to change the policy. "It was therefore necessary that a national movement be formed to engage with Land Affairs at a national level" [Interview 1].

The TSCC, through its affiliation to the LPM, has developed some links with other provincial formations of the landless communities and has established relationships with international organizations such as the Landless Rural Workers Movement, *Movimento Dos Trabalhadores Rurais Sem Terra* (MST), in Brazil and *La Via Campesina*, an international network of peasant organisations. The TSCC has learned a great deal about the strategies of these organizations and has come to understand how other communities struggle.

Inspired by the successful national mobilization, the TSCC organized a march and a rally in Newcastle on 13 July 2002 to raise awareness of the plight of the landless and the continuing harassment of farm-dwellers by private security companies. More than a thousand people joined the march and the rally, at which different cultural activities took place (*Natal Witness*, 'Land Affairs Director slammed' 15 July 2002). According to Ngubane [Interview 6] "this march demonstrated the strength of the TSCC in the province and the preparedness of landless people in KwaZulu-Natal to publicly

confront their enemies” The farm-dwellers who attended the march said they were not afraid to be seen in newspapers and on television by their landowners, publicly demonstrating against them [Interview 6].

In August 2002, the TSCC and AFRA organized a picket outside a privately owned farm in Howick to protest against the landowner who was illegally evicting farm-dwellers. Delegates from various districts participated and TSCC members rebuilt houses that had been destroyed by the landowner [Personal Observation]. This picketing happened under heavy police presence. The farmer, feeling the pressure from the TSCC, discontinued his plan to evict the farm-dwellers (see *Natal Mercury*, ‘Farmer backs down on evictions’ 15 October 2002). According to Mkhize [Interview 5] “this is one event that brought shivers down the spine of many landowners in KwaZulu-Natal”. Landowners realized that they could no longer evict farm-dwellers willy-nilly. The TSCC demonstrated that it was ready to defend farm-dwellers even by taking the law into its own hands. As Ngubane [Interview 6] pointed out, “if the law cannot defend us we will defend ourselves”.

In August 2002, the TSCC participated in the South African Human Rights Commission (SAHRC) hearings into farm abuse. They were given a platform to present their submission to the hearings but were censored by the SAHRC when they attempted to name specific incidents of abuse and the names of perpetrators and victims. This angered the TSCC delegation, which then walked out of the hearings (*Natal Mercury*, ‘Exploitation of farm-workers highlighted’ 06 August 2002). Other community members attending the hearings joined the walkout (see *Echo*, ‘Labourers disrupt SAHRC hearing’ 08 August 2002). According to Kubheka [Interview 10] “the SAHRC hearings were a farce created to bluff people that government is doing something when they are doing nothing”. The chairperson of the TSCC boasted that these confrontational actions of the TSCC showed that “it was becoming a mature people’s movement ready to act against those who violate landless people’s rights” [Interview 1]

In August 2002, the TSCC also organized communities to participate in the Week of the Landless (WOL) and a march, organized as an alternative event to the World Summit on Sustainable Development (WSSD) held in Gauteng. Approximately

twenty-five thousand landless people, with other organizations, marched from Alexandra Township to Sandton to present the memorandum to the international gathering convened by the United Nations (*Sunday Times*, 'Protests go off without a hitch' 01 September 2002). According to Hadebe [Interview 11], who is a TSCC member and LPM General Secretary, the march "showed Mbeki that social movements have a massive following amongst the poor". Hadebe's statement was in reference to the parallel march organized by the ANC and its alliance partners, which failed to attract many people (Personal Observation, 2002).

In October 2002 TSCC, AFRA, and the Farm Eviction and Development Committee (FEDCO) jointly organized a demonstration in Vryheid against human rights abuses of people living on commercial farms. This demonstration was sparked by a gruesome incident where a Vryheid farm-owner allegedly burnt a child on the 5<sup>th</sup> of April 2002 and the police took no action against the alleged perpetrator of the crime. More than 700 landless people across the province participated in the demonstration. The FEDCO Secretary hailed the march as a major success as it managed to bring together formations of the landless people and political parties to speak with one voice against abuse of farm-dwellers [Interview 7].

The TSCC activities in 2002 suggested that the TSCC had now become a fully-fledged movement capable of responding effectively when the rights of farm-dwellers were threatened. This built the confidence of the TSCC members and brought hope that the TSCC would be a real defender of the rights of farm-dwellers. The series of public demonstrations which were publicized by the mass media (*Natal Witness*, 'Tales of abuse on farms' 06 August 2002; *Natal Mercury*, 'Exploitation of farmworkers highlighted' 06 August 2002; and *Echo*, 'Labourers disrupt hearing' 08 August 2002), turned the TSCC into a widely recognized movement of the farm-dwellers in KwaZulu-Natal. Despite all these efforts by the TSCC, however, the evictions continued and land reform never picked up any pace. The government refused to budge and call the land summit to review its market-based land reform programme.

Sensing that government was not seriously responding to its demands, the TSCC, in April 2003, boycotted celebrating nine years of freedom because it felt the new

dispensation had not changed their situation as farm-dwellers [Interview 4]. The TSCC then announced that it would be embarking on a 'Free the Farm-dweller Campaign' supported by the Landless People's Movement in order to register their dissatisfaction with the failure of government to protect and promote their rights and interests. The TSCC issued a 30 days ultimatum to abusive farmers to reinstate the farm-dwellers they had illegally evicted from farms and to stop any abusive actions against farm-dwellers (*Natal Witness*, 'Landless issues ultimatum to farmers who illegally evict tenants' 28 April 2003).

In May 2003, the TSCC under the banner of the LPM hosted the "Free the Farm-dweller Campaign" in KwaZulu-Natal. More than 2 000 farm-dwellers from different provinces braved the cold weather and attended the event (AFRA, 2003). They camped in tents for three days, committed to sending a clear message to abusive farmers that the Landless Peoples Movement would defend the rights of farm-dwellers in South Africa. Messages of solidarity poured in from various development oriented organizations and activists. The event ended with a march to the KwaZulu-Natal Legislature to hand over a memorandum to the Provincial Premier. This memorandum made the following declarations, which sparked fears amongst landowners (*Natal Witness*, 'Threats of landless alarm farmers' 01 June 2003):

- *We are hereby launching a national FREE THE FARM-DWELLER CAMPAIGN, which will continue until all of South Africa's seven-million farm-dwellers have land of their own;*
- *This campaign is a declaration of war against all abusive landowners;*
- *We will no longer allow any farm-dwellers to be abused or evicted from their homes;*
- *We will begin immediately sending volunteers to reinstate evicted farm-dwellers to their homes;*
- *We will form a Landless People's Army to protect farm-dwellers against farm abuse and against the brutality of the farm commandos and private security companies;*
- *We shall monitor and reject the mushrooming of game farms and game reserves, which are displacing farm-dwellers from their homes;*
- *We will identify all abusive farmers for the LPM's TAKE BACK THE LAND CAMPAIGN, so that these farmers can be chased away and their land can be returned to the people;*

□ *We will identify all unused or unproductive land for the LPM's TAKE BACK THE LAND CAMPAIGN, so that we can begin to occupy and use this land productively to feed our families;*

□ *We will begin to mobilize the country's 26-million poor and landless people, and especially the seven-million farm-dwellers, to support and participate in the LPM's NO LAND! NO VOTE! CAMPAIGN in the run-up to the 2004 elections.*

(LPM Memorandum, Free the Farm-dweller Campaign, 30 May 2003)

These were the most radical pronouncement made by the TSCC (under the LPM banner) since its formation and an indication that their patience was wearing thin day by day. Organized agriculture, in the form of the KwaZulu-Natal Agricultural Union (KWANALU), which is a union of mainly white commercial farmers in KwaZulu-Natal, responded to these demands by calling for a meeting with the TSCC to discuss how the problems could be resolved amicably (*Natal Witness*, 'Farmers seek talks on ultimatum' 5 June 2003). The meeting took place in July 2003 between the TSCC and KWANALU to discuss the problems on farms. KWANALU promised to look into the problems and work with the farming community to resolve the issues [Interview 11]. However, KWANALU failed to address the problems tabled by the TSCC because "most of the problematic farmers were not KWANALU members" (TSCC Minutes, 21 August 2003)

The LPM's 'No Land No Vote Campaign' followed the 'Free the Farm-dweller Campaign' in 2004 with support from the TSCC. According to the TSCC members [Interview 12] this campaign was co-coordinated by the LPM and it was acknowledged that not much mobilization happened in KwaZulu-Natal around this campaign because of lack of resources and fear of confrontation with the major political parties in the province, namely the African National Congress (ANC) and Inkatha Freedom Party (IFP). According to Madlala [Interview 8] "TSCC members never saw the importance of voting whilst politicians were constantly overlooking the issue of land, but they (TSCC members) could not actively mobilize communities not to vote in fear of reprisals from the ANC and IFP". The 'No Land No Vote Campaign' showed that the TSCC was making a distinction between challenging government on its land policies and engaging in what could be seen as direct political opposition to the main political parties.

### Land Occupation Threats

The TSCC members [Interview 12] stated that in trying to bring land issues into the political agenda it had to resort to the threats of land occupations. According to Ngubane [Interview 6], “government was very much concerned about preventing another “Zimbabwe” happening in South Africa”. The DLA officials would respond very quickly to the threats of land occupations by calling for emergency meetings with the TSCC. Perhaps this was a tactic by DLA to diffuse the immediate situation, and never led to any fundamental change in policy or practice. The TSCC chairperson [Interview 1] confirmed that in most cases when they made such threats they had not prepared communities for the eventuality when they might have to translate their threats into reality. However, he was confident that their constituency would have responded positively if such a threat was to be carried out [Interview 1].

The TSCC members conceded that not a single land occupation had been carried out by the TSCC since its formation [Interview 12]. The only activity which bordered on land occupation was when the TSCC reinstated the farm-dwellers who were illegally evicted from a Howick farm. In this instance the landowner backed down and allowed the evicted community members to be reinstated. This action was very important in sending a clear message that the TSCC was not going to tolerate farmers who evicted farm-dwellers willy-nilly but it cannot be described as a land occupation.

### Media Campaigns

The TSCC has issued various media statements to a number of newspapers and it has also invited the media to cover its campaigns. According to the TSCC members [Interview 12], this ensured that their struggles would be known by other communities and help to garner support from various stakeholders. In order to sharpen their skills on how to utilize the media effectively, the TSCC requested and received media training funded by an international NGO, German Development Service (DED). As a result of this training the TSCC has independently issued media statements and engaged with journalists with a view to publicizing their activities and demands. According to Mkhize [Interview 5] the media training “armed the TSCC with skills and knowledge of attracting media people to our events”. Mkhize [Interview 5]

attributed the presence of many journalists during the “Free the Farm-dweller Campaign” to the media skills and knowledge they acquired through training.

#### Mobilization of landless communities

The TSCC Constitution (2002) instructs the TSCC to work towards building local committees and making sure that those committees’ activities are co-coordinated at district and provincial levels. The TSCC seems to be garnering support in areas where evictions and human rights violations are on the rise. TSCC members have adopted an approach of working with district structures and, in cases where these do not exist, they assist individual committees to network with each other. The strategy used here was to invite various independent land committees in the districts to discuss the idea of forming district representative structures to affiliate to the TSCC [Interview 2].

In addition to campaigns, the TSCC has been involved in a number of awareness campaigns around land and human rights violation on farms. These campaigns happen at local community level and in some instances it has used the media to disseminate important information to farm-dwellers. The TSCC’s prime objective is to mobilise landless communities in KwaZulu-Natal to challenge government’s failing land reform programme [Interview 9].

Some people from Non-Governmental Organizations [Interview 14] have argued that the TSCC does not offer clear solutions to problems they critique. Such charges according to McKinely and Naidoo (2004, 16) fail to grasp that it is precisely in the collective act of resistance, in the collective act of speaking to lived realities and in the collective act of questioning the dogma of lowered expectation and inevitability, that the social movements are involved in a collective act of bringing about alternatives. By locating their critique and struggle at the coalface of life as experienced on a daily basis by those who are most oppressed, the social movements are part of rewriting the story of life itself (McKinely and Naidoo, 2004, 16)

#### Intervention in negotiations and mediation

TSCC members spend most of their organisational time engaged in negotiations and mediation between landowners and farm-dwellers at a local level. When the farm-dwellers are threatened with evictions, denied access to water and firewood, or have

their livestock impounded, their first stop is the TSCC local members. The first step of the TSCC members is to negotiate with the farmer and request a locally negotiated solution. In some instances the landowner agrees and mediation then takes place. In instances where the negotiations are rejected, “the TSCC report the case to AFRA who will organize the lawyers to deal with the matter” [Interview 9].

Some members of the TSCC reported that in certain instances the landowners approach the TSCC to intervene in disputes, especially when farm-dwellers are refusing to accept the conditions imposed by the landowners. The TSCC intervene with caution in such matters and their role is to advise the farm-dwellers about their land rights and encourage them to take the necessary action to defend their land rights. In this regard Madlala [Interview 8] remarked, “We are not agents of the landowners but of farm-dwellers”.

TSCC members interviewed mentioned that they had received extensive training by AFRA on conflict management and leadership and it has helped them to carry out their responsibilities effectively. However, the TSCC’s association with the LPM has made some landowners view them as “anarchists who only wants to take over the farms by force” [Interview 2]. This perception by certain landowners is hindering the TSCC from mediating effectively in certain areas.

#### Political Education and Training

The TSCC at this stage does not have a clearly defined ideology [Interview 14]. The LPM facilitated political education training for TSCC members in 2003 in order to equip the movement with skills to analyse the socio-political conditions in the country and how they impact on people’s day-to-day lives. The training session encouraged TSCC members to form political discussion forums in their respective areas, to analyze the structural conditions in the underlying political economy and aim for revolutionary transformation of those conditions that reproduce the conditions they protest [Interview 15].

According to Ndlovu [Interview 3] “Most TSCC members who attended this training never saw any immediate value of the training as it was talking about far distant issues such as NEPAD, GEAR (Growth, Development and Redistribution), World Bank,

IMF (International Monetary Fund)” The TSCC executive never organized any political discussion forums nor had any plans to do so in the foreseeable future [Interview 13]. Ndlovu [Interview 3] argues that “few community people will attend NEPAD or GEAR workshops but they would attend in their numbers when we organize a workshop focusing on their daily experiences, such as evictions from farms”.

The TSCC annual plans of 2004 and 2005 do not reflect any activity related to political discussion forums in districts. This suggests that the TSCC does not at this stage see any value in analyzing the structural conditions that result in their constituency being evicted from farms and remaining landless and poor. It seems the TSCC’s struggles and activities are limited to addressing more immediate problems such as evictions, landlessness and poverty whilst leaving intact the underlying conditions such as neo-liberal policies that reproduce these problems.

## **Conclusion**

The TSCC struggle methods outlined in this chapter depict a movement that has evolved over time and developed in its practices and thinking as it meets new challenges. The TSCC has been effective in creating a climate where illegal evictions of farm-dwellers have been challenged. The TSCC seem to have also managed to withstand the political pressure from the state and landowners to accept the current land reform despite its limitations for the landless people. The TSCC continued to demand the land rights of farm-dwellers and the landless people in KwaZulu-Natal.

Whilst the post apartheid social movements have been perceived as lawless organizations by some government officials and landowners, the TSCC struggle tactics have remained within the ambit of the Constitution. The TSCC has not called for the overthrow of the government - instead it is demanding that the government take the side of the landless poor in resource and land allocation. The state has thus been identified by the TSCC as a site of struggle and as a potential ally.

The above methods of struggle also depict a movement which employs multi-pronged tactics and strategies to achieve its aims. During its formative years, the TSCC

preferred to use non-confrontational methods of struggle such as meetings and submissions. When these did not achieve their intended aims they shifted to public demonstrations and to more confrontational methods such as sit-ins and threatening to invade land.

The formation of the LPM in 2001 signalled the beginning of a sustained struggle for land at a national level. Sites of struggle shifted from local to national, and these struggles culminated in the “Free the Farm-dweller Campaign” in 2003, which made bold statements and indicated that the farm-dwellers were ready to defend themselves against abusive farmers and “take” the land of abusive farmers.

The LPM campaign on ‘No Land No Vote’ demonstrated the feeling of being let down by political parties, media and government. This campaign was a reaction to the failure of the institutions of interest intermediation: parliaments, the media and especially the political parties, to protect, promote and fulfil the interests of farm-dwellers.

By default the TSCC finds itself having to mediate between landowners and farm-dwellers. Whilst this was not its original plan, members have accepted it and have equipped themselves with necessary skills to carry out this task. The TSCC has also identified the mass media as an effective lobbying tool which can effectively communicate its land demands and draw support from other communities. The TSCC struggle tactics effectively highlighted the plight of the farm-dwellers in KwaZulu Natal and challenged the democratic government’s land reform programme, which does not seem to be effectively addressing the challenges of landlessness and evictions in South Africa.

## **CHAPTER 5                    ANALYSIS AND CONCLUSIONS**

### **Introduction**

The emergence of the TSCC in 1997 was motivated by the continued dispossession, harassment, landlessness, and poverty of farm-dwellers, despite the new government's policies aimed at addressing such conditions. Farm-dweller communities have not realised the benefits that most South African citizens enjoy as a result of the new democratic dispensation. They remain locked in the shackles created by their long history of dispossession and exploitation. This chapter will interrogate whether the existing theoretical approaches discussed in Chapter Two could be used to analyze the conditions contributing to the emergence of the TSCC. The TSCC's reasons for existence, demands, struggle strategies and tactics, and constituency profile will be analyzed in order to understand the nature and character of the TSCC.

The TSCC does not directly challenge structural conditions, such as the way property is structured, that perpetuate unequal power relations in society neither does it demand the total transformation of society. However, the chapter will argue that the TSCC's demands for redistributive land reform would result in the transformation of the land and agrarian structure in South Africa, thus potentially transforming the society.

The chapter will also analyze the role played by the Association for Rural Advancement in supporting the TSCC and how this has shaped the struggle tactics and strategies of the latter.

### **The emergence of the TSCC**

The emergence of the TSCC needs to be viewed in terms of its members' relationship to productive assets, class and the state. The TSCC is the product of structural conditions that prevailed in the countryside such as evictions, landlessness, abuse and lack of access to development by farm-dwellers. The TSCC was concerned that the interests of farm-dwellers were not prioritized by those in power because of their weak political voice - hence it attempted to consolidate this voice through organizing, mobilizing and coordinating the activities of the farm-dweller structures.

The emergence of the TSCC can be viewed as a reaction to the failure of the institutions of interest intermediation: parliaments, the media and especially the political parties. The TSCC members bemoan the fact that they have been let down by their 'own' government and that other political parties do not have their interests at heart. The media has also been criticized by the TSCC members who felt that it is not highlighting their plight. The TSCC's feeling of being let down by these institutions of interest intermediation led it to boycott celebrations of Freedom Day in 2003. In 2004, it refused to participate in the general election because political parties were not prioritizing the issue of land transformation. This protest action was not just directed at government land policies but at the main political parties as well.

The emergence of the TSCC reflects growing resistance to the effects of the neo-liberal policies adopted by the ANC government. Whilst the TSCC's central demands and struggle tactics do not systematically challenge these policies, its demand for redistributive land reform indirectly challenges the ANC's support of large scale commercial landownership and market-based land policies, which are not achieving an equitable redistribution of the land. The TSCC's indirect challenge of these policies is framed and located at the coalface of people's daily survival struggles and realities of landlessness, evictions and poverty.

Issues that directly affect people's livelihoods such as evictions, lack of food, land, and employment influence mobilization. The social movements challenge these daily experiences in their crude form. The effectiveness of issue-based social movements such as the TSCC is that they articulate burning issues that directly affect them in a way that does not require a higher, institutional level of political representation and analysis.

Despite the above argument, it is crucial that social movements such as the TSCC are capacitated to make linkages between their daily experiences and the root causes of such conditions. This would enable the social movements to shape their demands and struggle tactics in a way that addresses both the symptoms and the root causes of the structural conditions they experience. This would greatly enhance the effectiveness of the demands and struggle tactics of social movements such as the TSCC. Already the TSCC's demands for a land summit to review the current land reform policy and

programme suggest that it is making linkages between the daily experiences of evictions and landlessness and the market-based land reform policies that seem to perpetuate rather than curb such conditions.

### **The changing character of the TSCC**

The TSCC does not demonstrate the characteristics of fighting for total transformation and creation of an alternative society in the Marxist definition of transformation. However it is the argument of this study that the TSCC's demand for redistributive land reform would result in the transformation of the land and agrarian structure in South Africa, thus potentially transforming the society.

The TSCC is clearly located within civil society and is not a revolutionary group whose aim is to take over state power. The TSCC's demands and struggle tactics suggest that it believes that if the state is sufficiently influenced, it will address the plight of the farm-dwellers. The state is seen as a legitimate institution to transform land and agrarian structure in South Africa, rather than as an instrument that only serves the interests of the capitalist class that require to be overthrown, as Marxist theorists would contend.

The TSCC's demand for the review of land reform policy suggests that the movement is becoming aware that the current policies are not going to transform the way property is structured in South Africa. The perpetuation of large-scale commercial farming is not going to address poverty on farms and there is a need to invest in subsistence and small-scale farming. The TSCC is demanding that the state should provide small-scale and subsistence farmers with agricultural extension, infrastructural development and other support services.

The theoretical approach which seems to better explain the nature and character of the TSCC is Social Closure Theory which contends that social movements seek to ensure that the groups that are excluded by the powers-that-be are included in the polity. The political result of this integration may potentially mean the transformation of society, but this is not the main intention. For example, the TSCC's demand for redistributive

land reform may result in the transformation of the land and agrarian structure in South Africa, but it may also stop short of this.

The TSCC represent a category of people (farm-dwellers) who are not fully enjoying the land and development rights accorded to South African citizens by the Constitution. The supreme law of the land – the Constitution - which clearly instructs the state to respect, protect, promote and fulfil various rights, accords these rights to all citizens, including farm-dwellers. This was reiterated by the Constitutional Court in the case of Grootboom vs. Oostenberg Municipality and others, where the Court held that the state has a transformation function that can be legally enforced (De Vos, 2001). This means that the TSCC's demands for state action on land reform are constitutionally justified and can potentially lead to land and agrarian transformation in South Africa.

#### **Is the TSCC a class based movement?**

The TSCC represents diverse social classes without any structured relationship with the wider working class movement, and theoretical explanations based on class are therefore difficult to apply to the TSCC. The TSCC represents a mix of different classes and social forces including labour tenants, farm-workers, squatters and unemployed farm occupiers. The TSCC is primarily concerned with trying to get the state to take the side of the poor in social conflicts over land rights. The TSCC struggle for land is not a classical conflict between classes (landed and landless) as most of its demands and activities are directed towards the ANC government, but it remains a class struggle at heart even though the site of struggle has been displaced by a competition for state support.

If the TSCC wants to present a more durable political challenge to the system that continues to allow evictions and forced removals, it is going to require greater political clarity. This brings into focus the questions of class alignment and which classes are driving the social movements such as the TSCC. The TSCC, while representing diverse social classes, is driven mainly by unemployed farm occupiers. There is limited representation of labour tenants and farm-workers in the TSCC leadership structure. This can be attributed to a number of factors including the fact

that farm-workers and labour tenants have limited time (since they are otherwise employed) to commit to the activities of the TSCC.

In some cases farm-workers and labour tenants want to maintain good social relations with landowners who might view their active participation in the TSCC unfavourably. The unemployed farm occupiers are the most vulnerable group amongst farm-dwellers because they have no form of contractual relationship with the landowner, and the legislation protecting them, ESTA, is not strong enough to give them long-term tenure security on farms. Hence, it is in their interest to organize themselves in order to defend their tenure rights on farms, and they have relatively little to lose by doing so.

The TSCC leadership has been strategically cautious not to discriminate against other groups such as labour tenants, squatters and farm-workers. They have embraced them as part of the landless people who do not own and control land. It can be argued that labour tenants cannot be described as landless as they are tenant farmers. However, the TSCC believes that labour tenants, despite the Labour Tenant Act, are no different than other farm-dwellers in terms of treatment they receive from landowners, lack of tenure security and not owning and controlling land. The approach of the TSCC has been to align all these diverse social groupings under the banner of farm-dwellers struggling to have land of their own.

The alignment approach of the TSCC has been effective in mobilizing and advancing the struggles of the landless people in KwaZulu-Natal. It has allowed people who are restitution claimants, labour tenant claimants, farm-workers, squatters and farm occupiers to join forces in demanding equitable redistribution of land in South Africa. The TSCC is challenging the 'divisive' government approach of categorizing the landless people into categories such as labour tenants, redistribution applicants, farm occupiers and restitution claimants, and attempting to find different solutions to the tenure problems of each group. The TSCC argues for a holistic approach, which does not prioritize one group's rights over the other: an approach that addresses the challenges of all the landless people in South Africa.

This unified approach has also enabled the TSCC to attract people who have organizational skills associated with organizing in the workplace. As most TSCC leaders are unemployed and lack the organizational skills needed to build a movement, the participation of experienced organizers<sup>6</sup>, together with external support from resource organizations such as AFRA, enables the TSCC to gain the social power needed to mobilize farm-dwellers. It is worrying that the TSCC has not been able to attract students into their ranks, and this relative absence of students makes the development of a layer of organic intellectuals more difficult.

### **TSCC's resource mobilization**

The TSCC relies on AFRA in order to leverage necessary resources and forge useful alliances for lobbying and advocacy. Whilst others have argued that a relationship of a social movement and an NGO, despite its good intentions, might lead to containment of grassroots organizational self-activity through the creation of externally imposed political expediency, it is the argument of this study that the activities of social movements such as the TSCC would be limited without the financial support leveraged through external institutions such as AFRA. It would be difficult for the TSCC to survive only on the commitment and volunteerism of its members to sustain its activities, as they come from humble backgrounds.

Both AFRA and TSCC have acknowledged the unequal power relations that exist between their organizations. For example, AFRA controls the resources such as finance, skills and networks that the TSCC is dependent on for its functioning. These power dynamics becomes evident when the two organizations do not agree on a particular course of action to be taken, thus resulting in resources being withheld or not channelled to that particular action by AFRA.

In order to overcome the unequal power relations, AFRA and the TSCC have successfully raised funding for a joint farm-dweller project to be implemented in KwaZulu-Natal. The management and decision-making over resource allocation of this project will be jointly managed by AFRA and the TSCC. This project has a long-term view of developing the financial capacity of the TSCC in order to be able to raise

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<sup>6</sup> Two TSCC executive committee members have a trade union background.

and manage its own finances. The joint funding proposal is premised on the belief that the affected people should be central in processes and activities that determine the allocation of resources.

If the struggle against poverty can only be successful where the poor are active and politically engaged, then NGOs have an important role to play in creating an enabling environment for the social mobilization of the poor and shifting civil society politically in favour of fundamental political and economic transformation (DRC, 2001: 12). However, it must be recognized that the agenda of a social movement is broader than that of NGOs, which are constrained by narrowly defined and time bound projects, strict donor contracts and conforming to the law.

## **Conclusion**

What emerges from this study is that the TSCC is not a monolithic or homogenous institution that can be generalized under a single theory. This study has shown that the TSCC is locally based and motivated by factors and conditions prevalent in its particular locality and time. The TSCC exists to challenge the prevailing social order, which undermines the interests of its constituency. A theoretical paradigm that seeks to homogenize all experience, thought and action of a social movement in a single theoretical framework can not be applied to the TSCC.

The TSCC has played a crucial role in highlighting the plight of the farm-dwellers in KwaZulu-Natal and in challenging the continued evictions and human rights violations on commercial farms. The TSCC has also challenged the democratic government's land reform programme, which does not seem to be effectively addressing the challenges of landlessness and evictions in South Africa.

The TSCC's role in formation of the Landless Peoples Movement in 2001 is notable, as this escalated and coordinated the struggle for land at a national level. The campaigns that the LPM and the TSCC embarked on, such as the "Free the Farm-dweller" and "No Land No Vote", indicated that they were ready to defend farm-dwellers against abusive farmers and threaten to take the land of abusive farmers.

These campaigns were not just targeted at government's land policies but were a direct political challenge to the main political parties and institutions.

The activities of the TSCC have not been welcomed by everyone, particularly the state and landowners. Immense pressure has been exerted by the state to compel the TSCC to jettison its confrontational struggle methods and allow the market driven land reform to redistribute land to the landless. The TSCC, however, managed to withstand the political pressure from the state to accept the current land reform programme despite its shortcomings.

Social movements such as the TSCC provide a platform for landless communities to organize and demand equitable redistribution of land. The TSCC is challenging the perpetuation of apartheid's harsh realities of land dispossession, inequalities and monopolisation of resources by the few. It embraces a vision that was captured in the Freedom Charter in 1955 – “the land shall be shared among those who work it”. This is the vision that fuelled the struggle against apartheid and it is the same vision that is fuelling the struggle against the neo-liberal land policies of the ANC government.

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## List of Interviewees

Interviews were held with the following respondents.

<b>Interview No.</b>	<b>Name</b>	<b>Position</b>	<b>Interview Date</b>
1	Absolom Masondo	TSCC Chairperson	26 March 2004
2	Twister Majola	TSCC Deputy Chairperson	23 July 2004
3	Thembi Ndlovu	TSCC Secretary	23 July 2004 and 22 April 2005
4	Sipho Khumalo	TSCC Treasurer	23 July 2004
5	Senzo Mkhize	Deputy Secretary	03 August 2004
6	Mr Ngubane	Additional member	03 August 2004
7	Mr. Shabalala	Additional member	03 August 2004
8	Zukwa Madlala	Additional member	03 August 2004
9	Vela Langa	Additional member	01 March 2004
10	Mangaliso Kubheka	LPM National Organiser and TSCC Additional member	26 March 2004; 27 and January 2005
11	Thobekile Hadebe	LPM General Secretary and TSCC Additional member	01 March 2004 and 27 January 2005
12	TSCC Focus Group	Khumalo, Ndlovu, Mkhize, Masondo, Ngubane, and Hadebe	21 October 2004
13	Sifiso Kunene	AFRA Fieldworker	30 April 2004 and 08 February 2005
14	Musa Zakwe	AFRA Programme Coordinator	05 August 2004
15	Zamo Zwane	AFRA fieldworker	18 March 2005