

"...the RSA and the self-governing territories will take co-responsibility in a political and administrative sense."

AFRA interviewed Johan Scheepers, Deputy Minister of Regional and Land Affairs, on November 16 and 20 1992. Johan Scheepers was until recently Deputy Minister of Law and Order and Deputy Minister of Regional and Land Affairs. As Deputy Minister of Law and Order, he was chief coordinator of the State Security Council structures. He was recently relieved of his Law and Order portfolio. Since his transfer from Law and Order to land affairs exclusively, Johan Scheepers has been handling the government's current transfer of state land to joint homeland administration.

'Land access is

When the government released its White Paper On Land Reform, it said that it could not accept the principle of restitution to victims of its past policies. In answer to dispossessed communities demand that their land be returned, the government established the Advisory Commission on Land Allocation (ACLA). The current land transfers to the homelands are said to be an attempt to compensate them for land which was lost in terms of apartheid policies. How do you explain these seemingly contradictory positions?

The present agreements on joint administration through which land will be transferred to tribes, individuals, companies, etc. have not been negotiated in order to compensate for land which was lost in terms of apartheid policies, but to address serious backlogs in the development of black people in South Africa. Talks on land for the inhabitants of self-governing territories or on the development of the area take place with the governments and not with the inhabitants of such an area.

What do you believe should be the role of an interim government on land issues?

An interim government should determine and implement medium term strategy concerning land and address outstanding issues in the relative short time at its disposal. Broadening the right of access to land does not mean people receiving state land, but assisting people, as far as possible, to

become landowners within the free market system. The transfer of state land with regard to the Lebowa agreement, however, addressed the disparity in land ownership between white and non-white.

On the Agenda programme on SATV on Sunday, November 8 1992, you indicated that the ANC is opposing the current land transfer plan because it has a particular political agenda. What, in your view is this agenda of the ANC's? Do you believe that the transfer plan will prevent the ANC from implementing this apparent political agenda? How?

The political agenda of the ANC has on numerous occasions been spelled out by the ANC itself, namely, that a moratorium should be placed on the alienation of all state land. This will enable them to redistribute the land themselves in a new South Africa with the sole purpose of broadening their power base. The government is not making decisions around land in order to prevent the ANC from implementing its political agenda in a new South Africa. Government's sole purpose in its decision-making process regarding former SADT land is to address the development needs of black people in South Africa. Should the ANC implement their threat, namely that they will not honour the current agreements on SADT land, it will be their responsibility to explain the morality of their depriving act to the same

my priority'

black people they claim to serve.

On the same Agenda programme, you also said that you would not say where the land earmarked for transfer was because the ANC had already effected occupation of some land. Can you tell us where this has occurred in Natal?

During recent discussions with KwaZulu concerning former SADT land this problem was brought to my attention. Full particulars will be given by the KwaZulu government on all SADT land concerned within the near future. Concerning the occupation of land by the ANC, full particulars can be obtained from the KwaZulu government.

We have heard that agreement has been reached with five homeland governments over the land transfer plan, including the governments of Lebowa and Qwa Qwa. Who are the other three homeland governments? What is the nature of these agreements?

Negotiations with Gazankulu, KwaNdebele and KaNgwane have been finalised. A full media statement will be released in this regard. KwaZulu has made proposals to the RSA government for consideration.

Regarding former SADT land now under your department in Natal, the KwaZulu government has said that it believes title to this land should come to it. What is your view of this claim by the KwaZulu government?

I conduct my negotiations directly with the KwaZulu government and not via the media. I state my viewpoint on their point of view during negotiations. I will state my viewpoint publicly when necessary on the condition that it does not hamper the present process of negotiations.

Have you reached a settlement with KwaZulu over the former SADT land in Natal? If not, what have been the obstacles to reaching agreement? When can we expect to hear an announcement about the former SADT land in Natal?

It is only fair, during the negotiations process, that suggestions under discussion only be made public after further consideration. This was my personal experience during negotiations on the establishment of the National Peace Accord and during CODESA. However, anyone can feel free to approach the KwaZulu government to determine their proposals, but the government is not prepared to breach that trust.

Various groups have warned about the potential of increased violence if land is transferred to KwaZulu administration (joint or single). Do you believe the

potential for further violence around land exists in Natal? If so, how do you plan to minimise this?

The government has set up various structures to deal with violence or potential violence, for example, the National Peace Committee (NPC), regional and local dispute resolution committees and the Goldstone Commission, that can be approached in this regard.

You have refused to say where the land earmarked for transfer is exactly. Are you prepared to tell us what land in Natal is affected?

These particulars are available from the Deeds Office in Pietermaritzburg, that falls under the Department of Regional and Land Affairs, and can be obtained by way of the usual procedures. It contains all the former SADT land within and surrounding KwaZulu.

In your agreements with Lebowa and Qwa Qwa, land was transferred to companies and corporations. Does this involve transfer of ownership?

Initially, yes, but under the condition that private ownership must be promoted on this land by the RSA and the self-governing territories concerned. This is one of the reasons why joint administration has been agreed to.

In the case of land being transferred to tribes, will ownership be with the chief or with individuals in the tribes? Will ownership be communal or private individual ownership?

Ownership will be with the tribe and not the chief. For that purpose tribes are in terms of act of parliament legal persons. It is up to the tribe concerned to decide whether and how they want to individualise ownership of their land. Because the RSA government is involved in the administration of the land concerned, it will promote individual ownership. Eventual individual ownership has been accepted by both Lebowa and Qwa Qwa.

What will joint administration mean in practice? What is the motivation from the government for this?

Joint administration will mean that:

- the land concerned will stay part of the RSA and will not form part of the self-governing territories
- the RSA and the self-governing territories will take co-responsibility in a political and administrative sense
- RSA laws will apply

Joint administration will serve as a mechanism to bring about accountability to the taxpayer, will prevent maladministration and ensure effective interim management, especially on a regional level.

I am surprised at the call for maintaining the status quo regarding SADT land. Sole

administration by self-governing territories is now being converted into joint administration on many parts of land.

When will the agreements with the governments of Lebowa and Qwa Qwa come into effect?

Working groups between self-governing territories and various departments of the RSA are at present determining finer details of the agreement, before implementation.

The joint statements released by the South African and homeland governments with whom settlement has already been reached indicated that the agreements would be forwarded to ACLA. Will the whole agreements be considered by ACLA? What will be the procedure for ACLA considering these agreements?

The whole agreements regarding Lebowa and Qwa Qwa have been referred to ACLA for consideration. With regard to the procedure that ACLA will follow, it is suggested that this question be directed to ACLA as it is an independent commission that determines its own rules in terms of the Act.

The planned transfer was condemned by a wide range of groups (South African Agricultural Union, Democratic Party, etc). Despite your motivations for the transfer, there is now a deep conflict around this issue. At a time when reconciliation is so urgently

needed in our country, are you willing to consider another way to deal with the transfer of land?

The only conflict that exists in this regard is the conflict that the ANC propagates in the media. The DP as well as the SAAU support the concept of joint administration albeit as an alternative solution to their proposals. By transferring former SADT land to individuals, tribes and companies, etc., the government is addressing the disparity in the black and white ratio in land ownership, endeavours to improve the quality of life of the people in South Africa and to allow them access to land as private owners. Through these actions, reconciliation in this country should be promoted and therefore the government does not consider any alternatives to handling this difficult matter.

How do you think the problem of landlessness may be addressed in South Africa?

The problem of landlessness can be addressed by broadening access to land to all people in South Africa. At present the Department of Regional and Land Affairs is giving urgent attention to this matter and a media release will soon be issued in this regard. Broad consultation will also be undertaken. The answer does, however, not lie with redistribution of land due to the impracticalities and financial implications that accompanies such a policy.

What do you see as the main obstacles to solving the land question in South Africa and how do you see these being overcome?

The main obstacle is the politicisation of the land issue and the instigation of violence regarding this matter by parties whose main concern is political power, instead of treating land as a development matter. These obstacles can be overcome by a process of consultation between interested parties whereby the development needs of deprived communities can be addressed, and not by political agendas of political parties and organisations.

What is the likely future of your department?

This department has a definite role to play in the present and future South Africa dealing with the land question. The possibility exists that it may, in future, develop into a fully fledged Department of Land Affairs as land matters are at present fragmented within different state departments.

How do you see your political future? Are you willing to serve a democratically elected government as minister of land affairs?

I am a politician and intend to stay one. Should I be asked to serve in a new democratically elected government, I will do so.

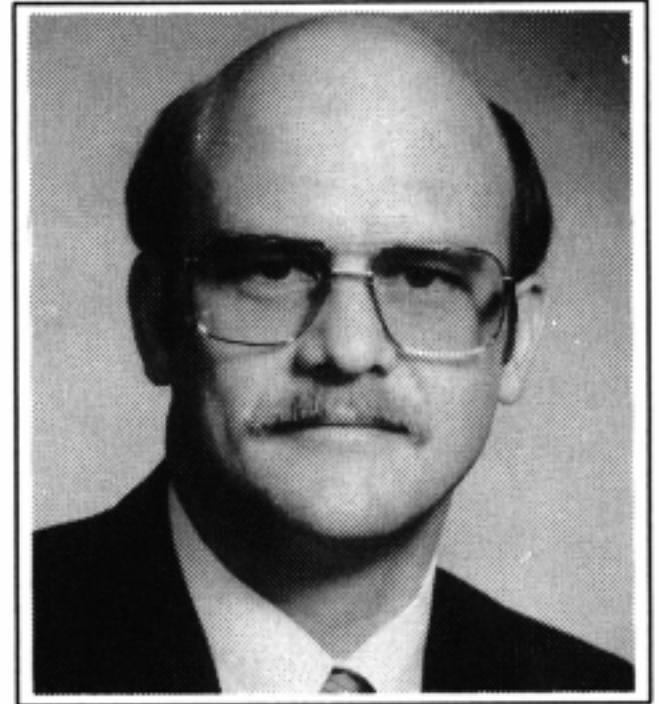
The present Nationalist Party government (that you serve) has been responsible for forced removals and

various other measures that have caused much bitterness and pain amongst black communities. What is your government prepared to do to make up for this pain and suffering?

A lot of wrong has been committed through the centuries and decades by different governments to different ethnic groups in South Africa - including the Afrikaner.

Pain and suffering due to forced removals must be addressed with empathy and in a responsible manner based on merit. The redistribution of land should not be seen as a solution. For this reason ACLA has been instituted to deal with claims in this regard while the broadening of access to land, especially to black people in South Africa, has a priority with me.

The transfer of former SADT land to tribes, individuals, etc., is but one of the responsible ways through which government is at present broadening access to land.



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