

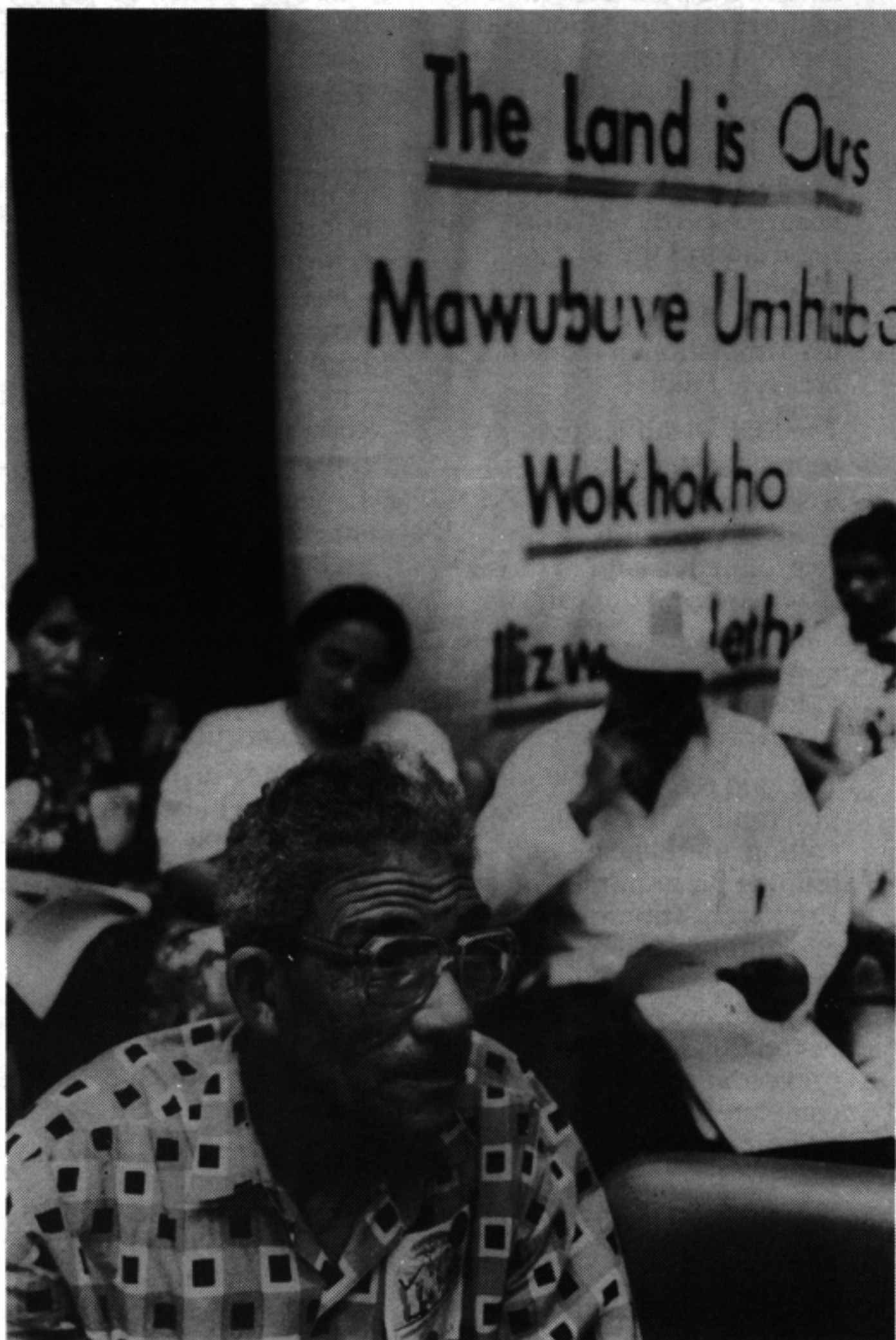
Rural people unite around land rights

MORE than 700 rural and landless community delegates met in February to discuss what they want on land and development. Organised by the National Land Committee (NLC) and its affiliates, the conference allowed what was possibly the broadest range of rural communities to specifically voice their land and development needs for the first time.

"We look forward to the birth of a new South Africa. But for us there will be nothing new until there is land and services and growth. These are the biggest difficulties facing our country in the future. We will not sit back and watch as the wealth builds up in the cities, while on the edges of the cities, in the small towns and in the countryside, we continue to suffer and starve," they said.

Some of the demands adopted by the conference are more radical than current land reform proposals now being debated. If stuck to vigorously, there is the promise of a head-on clash with current landowners and a future government.

While the ANC's Reconstruction and Development Programme



More than 700 delegates from 353 rural and landless communities gathered in Bloemfontein on February 12 and 13 to draw up a charter of land and development demands.

(RDP) and World Bank proposals favour a market-assisted land redistribution and have pegged 1913 as a cut-off date for land restitution claims, the Community Land Conference has demanded that the cut-off date be 1652. The conference also called for the scrapping of the property rights and restitution clauses in the interim constitution. And there were ambitious demands for farmworker and labour tenant rights.

At the conference, some community delegates were concerned that the demand for land claims to date back to 1652 could be problematic. "Is there potential for conflict? If we claimed back land as far back as this, what would it mean?" asked a delegate. In reply another delegate said that the demand did not mean people should be forced off the land they were living on. With this as a motivation, the conference accepted the demand.

Commenting on the event afterwards, delegates from Crimen and Charlestown in Natal said the conference had reaffirmed their commitment to struggle for land rights.

"It was a historic moment," said Mrs Anna Ntanzu a delegate from Charlestown. "Things I have thought about for a long time were tabled and discussed. The discussion made me feel good. I particularly liked the question of equal rights for women."

The Charlestown community got back its land at the end of 1992, but, said Mrs Ntanzu, "there are still many things we do not have. We hope that by coming together and speaking with one voice we will get



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somewhere. There are many other people who do not have land and we must struggle together. Whoever takes over from this government must also know what we want."

"The conference made us feel that we should carry on and should put more effort into our struggle," said Mrs Hemmie Hlubi from the Crimen community.

"I will be going back to my community to report on what happened. I think it will make our struggle stronger if different communities visit one another."

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The National Party and the South African Agricultural Union have condemned the demands as unrealistic and part of an attempt to give a future ANC-led government to embark on a radical, socialist-oriented land reform programme.

The ANC Land Desk's Derek Hanekom dismissed these sentiments as an overreaction and said the demands should be seen as a response to the current plight of rural people. "I think it's fine that people have expressed these demands," he said.

"An ANC government will be sympathetic to the plight of rural and landless people, but will not accede to their demand that land claims dating from 1652 be considered." - Derek Hanekom of the ANC's Land Desk.

"It's understandable that they would make the kinds of demands they have made, as they've been deprived of basic rights for decades."

He said that although the ANC would be sympathetic to the plight of rural and landless people, it would not accede to their demand that land claims dating from 1652 be considered by a future land claims court.

An estimated 3 million people were forcibly removed through apartheid land policies between 1960 and 1982 alone.

"We believe a land claims court must be effective and for this to happen, it has to deal with very specific claims. We believe that 1913 is an acceptable cut-off date for claims which could be

brought to a land claims court process," he said.

He said it was also unlikely that the property rights and restitution clauses in the interim constitution would be scrapped.

"It would be possible for parliament to consider amendments to the property rights and restitution clauses if these proved to be hindrances to a land restoration programme," he said, "but we don't believe that these would inhibit a future government from expropriating land for restitution."

He said that land for redistribution would not be expropriated. Instead, the ANC proposed using market and state assisted processes for redistribution. "We don't need a constitutional guarantee for this," Mr Hanekom said.

He said he believed it would be counterproductive for people to now fight to change the constitution. "The interim constitution is a compromise document and people have to come to terms with that," he said.

Brendan Pearce, the NLC's national advocacy officer, explained that the demand for 1652 as a cut-off date for land claims arose because some communities at the conference had land claims predating 1913.

Mr Pearce said it was unclear at this stage how open communities would be to compromise on their demands, but he believed the realities of the situation would force communities to realise that 1652 was problematic.

Mr Pearce said he believed that communities were determined to see the property rights and restitution clauses scrapped

because they believed these prejudiced the resolution of land claims, even from 1913.

"They have threatened to occupy land, if necessary. There is likely to be a lot of conflict around the issue, but I think a new government will be forced to amend the clauses to accommodate communities' concerns," he said.

"I think a new government will be forced to accommodate communities' concerns." - the National Land Committee's Brendan Pearce.

Communities had not set a time limit on the scrapping of the clauses, he said. But they would raise the matter with the Transitional Executive Council.

Community delegates from the different regions who had attended the conference will meet towards the end of February to thrash out a plan of action around the demands.