The Landless People's Movement and the Failure of Post-apartheid Land Reform

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1.   Introduction

In 2001, representatives of landless formations from around South Africa came together to form a national umbrella to take their struggles forward in a united way. The resultant Landless People's Movement (LPM) has arisen in a context of the negative effects of years of belt-tightening fiscal policies on the poor and marginalised majority of the country, following the adoption of the neo-liberal Growth, Employment and Redistribution (GEAR) macroeconomic strategy in 1996. Despite the historically significant process of political democratisation, marked by the first universal democratic elections in South Africa in 1994, economic restructuring has favoured the owners of economic power over those without. The African National Congress (ANC) continues to provide the political leadership for an alliance that groups large-scale capital with the organised working class to pursue seemingly common interests based on a developmental platform. The resulting corporatist arrangement, exemplified by the tripartite National Economic Development and Labour Council (Nedlac), ties a redistributive project to capitalist economic growth based on an export-led strategy. While the inward-looking apartheid economic institutions and regulations are dismantled in favour of outward-looking institutions and regulations that facilitated globally competitive economic activity, social policies are designed to play a welfarist role to ameliorate the fallout of economic restructuring. This is coupled with the 'marketisation' of social services, where potential citizens entitled to social services are transformed into customers (clients or consumers) who have to pay for these services.

In rural and urban areas alike, the most marginalised under apartheid bear a heavy burden in post-apartheid economic restructuring. Farm dwellers and labour tenants face mass retrenchments and evictions as landowners are exposed to global competition and reorganise their product mixes and workforces. The needs of women, whose tenure on farms and in communal lands is least secure, are highlighted in policy but seldom in practice. Residents of informal settlements in and around major conurbations find that investment friendly government policies are raising the value of the land they live on but do not have legal access to, greatly increasing their tenure insecurity as owners speculate

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and clear the land for future development. Political channels to deal with this are closed as residents remain disorganised, it is said that the ruling party imposes its control over channels for public participation, and local planning and development objectives are increasingly skewed towards the interests of the capitalist economy.

This context saw the rise of a number of grassroots movements that are politically independent of the ruling Alliance and organise in opposition to the government's macro-economic policies and its negative effects. A loose alliance has developed between the landless movement and these other formations in their common antagonism to evictions and forced removals, water and electricity cut-offs and failure to deliver on promises made in the ANC's 1994 manifesto for transformation, the Reconstruction and Development Programme (RDP). The latter includes tenure security for all, and a transfer of at least 30% of agricultural land within the first 5 years of democracy.

The basic demands of the movement include the rapid and wide redistribution of land to the landless, and secure tenure for all. Based on the failure of the government's 'willing seller, willing buyer' model of land reform, the movement is calling for a review of this policy and its replacement with a new and more effective process not so tightly based on the market. The movement also calls for an end to evictions, whether on farms or in informal and other settlements, and a process of transferring land to those residing and working on it. The movement has targeted land occupations as one method of redistributing land through the self-activity of the landless, and has identified unproductive, unused or underused land and land belonging to abusive farmers as the focus for initial redistribution.

This research report was constructed on the basis of a participatory action research methodology. The key principles of this method are that research should play a direct role in building independent grassroots organisation, and that the subjects of the research drive the research agenda. The research must be a useful contribution to consolidating and carrying forward the independent programme of the subject organisation, i.e. knowledge is generated for purposes of action (Babbie *et al*. 2001:314). Provincial structures of the LPM in Gauteng and Mpumalanga selected a team of research assistants/trainees to work with the lead researcher[2]. The research process was driven by participant observation, which translated into active engagement with the structures of the movement at branch, provincial and national levels. The research team conducted around 140 semi-structured interviews with movement members and activists at all these levels, but mainly at branch level. Less formal, ongoing dialogue with movement members and supporting activists from around the country supplemented these interviews throughout the period of research.

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[2] The bulk of the interviews was conducted as part of a research project on urban and rural linkages in the landless movement in these two provinces, funded by the Centre for Civil Society. A report from that research has been published as CCS Research Report No 17 (2004).

2. Structural context of formation of the movement

2.1 Developmentalism and neo-liberalism in post-apartheid South Africa

After 1994, popular forces, previously organising against the hegemonic bloc that controlled the state, occupied the state. The state was now opened for direct contestation in the sense of a struggle to reorganise its institutions and ideology. The ideological cement based on the central notion of racial superiority/inferiority that held the apartheid hegemonic bloc together, disintegrated in the decades-long process of political challenge and economic reorganisation, and was replaced with developmentalism in the post-apartheid era.

The post-apartheid hegemonic bloc, under the political leadership of the African National Congress (ANC) and bolstered by the South African Communist Party (SACP) and the Congress of South African Trade Unions (Cosatu) in the Congress Alliance, is based at present on a reformist African nationalist politics. Export-oriented capital has not lost control of the political sphere, although it has been forced into making compromises in the new system of alliances that emerged with the breakdown of the apartheid power bloc under political leadership of the National Party. The African nationalist leadership and large-scale capital draw behind them organised labour, medium, small and domestically oriented capital and the middle classes. The bloc is a system of cross-class alliances built around perceived common interests in a particular historical period. The interests underpinning the bloc are modernisation of the economy, economic and political deracialisation at all levels, and the expansion of welfare.

Even within this set of common interests, however, there are (sometimes fundamental) differences about how these will be achieved. But there is a basic agreement to negotiate with one another in an attempt to resolve these differences. Thus, although there are fractures and contradictions in the hegemonic bloc, the goal is to manage these tensions. For oppositional forces outside the bloc, the goal is to intensify contradictions inside the bloc and draw elements into an alternative set of alliances. Such potential oppositional forces may range across the political and class spectrum. The combination of these more or less conscious efforts, plus a myriad other efforts and 'passive actions' across society, all impact on one another and the totality, to create results that go beyond the actions and understandings of any particular group.

Developmentalism is the guiding ideology of the post-apartheid hegemony, formulated through the political expression of the 'national democratic revolution'. Developmentalism has an international character and is rooted in the rise of the US as the hegemonic power in the post-World War 2 era. The ideology was constructed around the needs of ruling elites to break out of national economic frameworks and to expand markets globally on the one hand, and to counter the opposition to colonialism and the ideological threat of communism. Developmentalism, driven by the US, restructured global relations of production and proposed a political model of liberal democracy plus welfare as a counter to communism (see Esteva 1992; Watts 1993; Rist 1997). Post-apartheid developmentalism serves a similar purpose: to reorient the national economy to face

outwards, while simultaneously deflating rising grassroots struggles through a combination of welfare, meeting some popular demands and market discipline.

There is a general tendency to see neo-liberalism and developmentalism as two conflicting philosophies or approaches. For example, influential independent political analyst Steven Friedman (2004:9) has argued that: 'On the left, it is fashionable to label Mbeki's government "neo-liberal" – committed to market forces above all. This was never accurate: neo-liberals do not allocate about two-thirds of the budget to social services, or energetically pursue racial redistribution'. Friedman's analysis neglects a number of important provisos. First, the project of racial redistribution is not at all incompatible with a neo-liberal economic model. This is especially the case when racial redistribution is confined to elite empowerment through shares at the level of the capitalist class, coupled with the extension of an ideology of entrepreneurship-as-empowerment at the base, i.e. the model presently being developed by the ANC in government. This form of redistribution does not change the structure of the economy or alter fundamental economic relations for the vast majority. By and large, the white population remains well off (relatively or absolutely), while the black population mainly remains impoverished.

Second, the provision of social services is functional to the expansion of the capitalist system. Whether these services are provided by the state or by private capital, is dependent on the particular structure of these industries at a given time, as well as by their potential profitability. The government and large-scale (monopoly) capital alike realise that the consolidation of hegemonic power in post-apartheid South Africa requires the dampening of conflict in key areas of contestation – service delivery, local representation, education, housing. This is reminiscent of the late-apartheid 'oil spot' strategy where locations of rebellion or potential rebellion were identified and suffocated with selective reforms. In many instances, the state has to carry this out because profits cannot be made in this process. Perhaps this makes the state more social democratic, but only if we understand social democracy to be a form of welfare capitalism and not some 'middle way' between capitalism and socialism (whatever that may mean).

Simultaneously, government service delivery has been tightly stuffed into the box of economic efficiency through policies of user pays cost recovery, the elimination of 'inefficient' (including non market-compatible) subsidies and their selective replacement with 'market assisting' subsidies, the corporatisation of utilities to restore profitability and put them in a form that can easily be privatised in sections or as a whole, and the privatisation of those formerly state-owned or -controlled entities where private capital expressed sufficient interest in acquisition.

There is a strong relationship, in fact, between the neo-liberal restructuring of state provided services and black economic empowerment (Friedman's 'racial redistribution') as it has come to be practised. That is, the corporatisation and privatisation of state assets forms the basis for redistribution to a black elite. More recently, the withdrawal of municipalities from the provision of basic services such as water and electricity, and the command from above that municipalities engage in public-private partnerships to provide services at local level, opens up a broader base of black economic empowerment, but still

rooted in an individualist and profit-making ethos, through the provision of delivery contracts to local businesses. Thus, the way social services are delivered and the way racial redistribution is pursued are thus both compatible with neo-liberal macro-economic policies.

The capitalist state performs two essential functions. On the one hand, it co-ordinates and organises the general interests of the capitalist class, without being tied to a particular fraction of capital (but still pressurised by and under the influence of the dominant fractions). On the other hand, it controls the population through the dual processes of coercion and consent. The latter operates at an ideological level but, crucially, mass consensus requires a material substratum that is produced by the state (Poulantzas 1978:31). The state speaks in two different languages to these two different constituencies – in the South African context this translates into the language of poverty alleviation and eradication for the popular classes, and the language of liberalisation, deregulation and a lean state for the capitalist class. The ideology of development welds these together through the linking of growth and redistribution.

Neo-liberalism alters the relationship between welfare/basic needs policies and private wealth creation policies, through raising the market to pre-eminence as the mechanism for the allocation of productive resources and the distribution of the outputs from economic activity. In South Africa, the state assists in the process of constructing or consolidating markets, attempting to bring those unable to participate in the market economy into this formal economy by providing initial resources for them to become producers or consumers in the market. The state also steps in to prevent the market from failing – the most obvious examples being the renationalisation of the Post Office, or the bailing out of South African Airways. In practice, the shifting relationship between capitalist profit making and the provision of basic needs/services has meant precisely the 'marketisation' of service delivery, and the subordination of even the biggest social service delivery departments to the dictates of the Finance Ministry.

This should not be understood to mean that there is only an ideology of development and no material improvements for the majority. In the post-apartheid period, material improvements are politically necessary, since these were at the core of demands in the struggle against apartheid. However, these material improvements are provided in such a way that they support the modernisation and reorganisation of the national capitalist economy in its intersection with the global economy.

The official land reform programme is a perfect example of the central role provided to the market in issues of redistribution and redress by the developmental state. The programme is a willing seller, willing buyer model meaning that landowners must volunteer to sell their land and potential buyers have to pay the market price for land they want. The state provides some assistance to qualifying groups and individuals in the form of a small grant. Land reform is thus not incompatible with the market. On the contrary, the programme retains the integrity of the land market and aims to draw those previously excluded into the land market. There is certainly no attempt or intention to decommodify land.

2.2   Global context of the rise of the landless movement

The importance of land reform within the global post-war development context has ebbed and flowed, depending on the changing roles of the state and the market, and the popular forces mobilised around land reform. In many places, notably East Asia, a broad-based redistribution of land and a change in the pattern of landholding from concentrated large-scale holdings to widely spread smallholdings, formed a base for rapid industrialisation (Lipton 1996:5). Between the 1940s and the 1980s, during the 'golden age of development', land reform was based on a government-implemented redistributive reform with the aim of rapidly reducing poverty and inequalities and shifting power in favour of the peasantry (Riad El-Ghonemy 1999:1). However, the 'US-led neo-liberal counter-revolution of the 1980s and 1990s' (Arrighi, 2004:4) had a profound impact on government thinking around land reform. There was a sudden shift away from the government-led redistributive land reform to land market reform characterised by 'reliance on the formal credit market and on landed property transfer, freely negotiated in the open market' (Riad El-Ghonemy 1999:1). The 'willing seller, willing buyer' model of land redistribution emerged from this shift, with the World Bank playing a leading role in supporting and implementing it. A number of studies from Latin America, sub-Saharan Africa and Asia showed that the market-driven model of land reform did not decrease inequality, resulted in higher land prices, and rigidly attached land reform and agriculture, to the detriment of other possible land-based livelihood strategies (Binswanger & Deininger 1993; Borras 2001; Adams n.d).

The shift from a government-led redistributive reform model to a market-driven model sparked renewed global struggles around land. The *Movimento dos Trabhaladores Rurais Sem Terra* (MST, the Landless Rural Workers' Movement) in Brazil has been most influential. The MST was formed in the late 1970s in response to the 'sorrowful modernisation' of the military dictatorship that resulted in large international syndicates buying up land, soaking up available agricultural credit, and producing local surpluses that drove crop prices down and forced small farm families from the land (Wright & Wolford 2003:3). The movement, based on ongoing successful and permanent land occupations, has become the largest movement of the landless in the world, and a beacon for the organised landless across the globe. It has a particular significance for the South African movement, not least because of the many similarities in the agrarian structure (a dual agricultural economy, concentrated land ownership with racial overtones, vast inequality). The 'social obligations' clause in the Brazilian constitution, permitting the recognition and formalisation of occupations of underused land as long as the new occupants use it productively, also offers a clear opportunity for the landless movement in South Africa to lobby around at the legal level.

Also of importance in the new land struggles were the Zapatistas in Mexico, who have become famous as the spark for the new global social justice movement, but whose roots lie in a long historical struggle of the indigenous people to retain access to their land in the face of capitalist encroachment (Collier & Quaratiello 1999). The role of La Via Campesina in organising peasants, small farmers and rural workers has also grown in significance as networks become globalised.

The issue of land dispossession also rose to prominence in southern Africa following the Zimbabwean government's sudden shift from a willing seller, willing buyer model of land reform to a policy of large-scale expropriations in 2000. From 1983, the land reform programme in Zimbabwe had been constricted by structural adjustment policies that reduced the land reform budget (Tshuma 1993:55). There was a related shift in emphasis in the land reform programme, from redistribution of commercial land to the reorganisation and increased productivity of the communal areas (Roussos 1988:68; Thede 1993:102). Following the formal adoption of the Economic Structural Adjustment Programme (ESAP) in 1990, the criteria for access to land shifted from landlessness to 'capability' and 'productivity'. However, the economic reforms benefited mainly the white commercial farmers, offered little new investment to black smallholders, and did nothing to redistribute land, water and infrastructure (Moyo 2002:7).

The rural areas of Zimbabwe were characterised by low-intensity land occupations throughout the period since independence in 1980. The state variously supported or tolerated, deliberately engineered or ruthlessly suppressed these activities, depending on the political dynamics of the moment (see Tshuma 1997; Dladla & Munnik 2000; Moyo 2002). In 1998, another significant wave of community-led land occupations targeted large-scale commercial farms (Marongwe 2002:22-3). This was combined with a sharp decline in the economic conditions of the majority of the population in both rural and urban areas, and a growing loss of legitimacy for the ruling Zanu-PF. The land occupations in 2000 were a combination of a top-down state-driven populist initiative partially designed to deflect attention from the political and economic crisis in the urban areas, and a bottom-up locally driven process. Moyo (2002:23) argues that both Zanu-PF and the state followed behind the land occupations movement and tried to co-opt and contain it within the framework of the evolving land acquisition programme. Regardless of the political reasons for Zanu-PF's apparently radical turn on land redistribution in 2000, it raised the profile of the land question in South Africa and the region. Putting aside the particular political context for a moment, like the Brazilian 'social obligations' clause, the Zimbabwean expropriations provided an example of proactive state intervention in land redistribution. This offered the landless in South Africa a spark of hope that the state could actually act to redistribute land. It was in this regional context that the LPM was born in 2001.

3.   The reality of the post-apartheid developmental model

3.1   The reproduction of economic and social exclusion in rural areas

After ten years of democracy and the 'developmental state' in South Africa, the outcomes of economic and social policies are by no means indicative of a slow but steady progress in meeting the basic needs of the oppressed population. On the contrary, a widening wealth gap exists side by side with the deepening of poverty and marginalisation for large numbers of people unable to take advantage of the economic and political restructuring. In the framework of institutional economics – popular in policymaking circles for some years in South Africa now - this boils down to a question of creating adequate opportunities for

participation in formal economic and political life. However, such an approach neglects the reproduction and extension of exclusion that is built into the growth path and political structure of post-apartheid South Africa. This reproduction of exclusion is evident in both rural and urban areas, and impacts most heavily on those in the population with the fewest resources, marketable skills or institutional networks.

In the rural areas, the impacts of the processes of liberalisation and deregulation in commercial agriculture have been experienced unevenly in the sector. Export-oriented agri-businesses, especially in the Western Cape and KwaZulu-Natal, have seen global opportunities flourish. However, they have also experienced the full impact of the volatility of world markets in agricultural commodities and market distortions caused by huge subsidies to agri-businesses and barriers to access to markets in the core capitalist economies. Thousands of farmers who relied on apartheid subsidies to farm marginal land have been forced out of business or to restructure their businesses and workforces to survive.

Farm workers have borne the major brunt of agricultural restructuring. The shift from labour-intensive to capital-intensive agriculture from the 1960s led to a steep downward slope in the number of farm workers. The recent bout of restructuring has seen a continuation of this decline. According to the Development Bank of Southern Africa, agricultural employment dropped 25% between 1985 and 1992 (cited in Marcus, Eales & Wildschut 1996:104). A similar decline of 25% - from 1.2 million permanent and seasonal/casual workers to 900 000 – between 1990 and 1996 has also been recorded officially (Stats SA/NDA 1999:32). Aliber (2001:36) estimated a permanent workforce of just 580 000 in 2000.

This decline in employment has been accompanied by changing forms of employment. In particular, there is a growing tendency towards the use of casual and subcontracted labour in place of permanent workers. There is also a move towards relocating workers off the farms and recruiting even permanent workers from informal settlements or townships around the farms[3].

In many areas marginal lands, where landowners used to be subsidised to produce grain or run livestock, have converted into game farms to take advantage of tourism opportunities and to evade labour and tenure security laws. In Wakkerstroom in southeast Mpumalanga, labour tenants are feeling the brunt of this change in a reduction of access to productive land and in outright evictions. In 1994 the NLC was providing support to 500 labour tenants and their families facing eviction before the first democratic elections (Mvoko 1994:25). Farmers also responded to the 1995 Labour Tenants Bill with a wave of pre-emptive evictions of labour tenants (Mashego 1996). Once forced off the land, it became incredibly difficult for tenants to return to the land or prove the validity of their occupancy in terms of the Act. A tenant, Fios Nsibande, living on a farm near Driefontein, said:

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[3] This process has been best documented in the Western Cape. See Women on Farms Project 2003; du Toit 2003; du Toit & Ally 2001; Sunde & Kleinbooi 1999; Kritzinger & Vorster 1995.

> 'I used to have rights to grazing for 25 cattle and 12 horses. In March 2003,
> the farmer told me to cut my livestock to 12 cattle and 2 horses. I had to sell
> some of the cattle, and others I had to hire to other people. The farmer is
> paying me R150 and 2 bags of maize. But now he is also charging R10 per
> cow rent and R20 per horse because the horses are eating day and night. That
> is deducted from what I am paid.' (Interview, 19 Oct 2003)

Minimum wage legislation passed in 2002 has had little effect on the actual conditions of workers. Not only did farm workers on farms around Wakkerstroom say that the minimum wages were not paid in practice, but also that the wages of R650 a month are too low. Tenants and farm workers at a meeting said that the costs for their children and to cover funerals alone were more than the minimum wage, and that farmers made big deductions before paying wages, for example for livestock grazing (LPM meeting, Wakkerstroom, 18 Oct 2004).

Modernisation of the rural economy and administration is not limited to the restructuring of commercial agriculture. In Idutywa in the Eastern Cape, for example, municipal demarcations based on the integration of rural towns and the hinterland, have resulted in the incorporation of formerly communal land into the boundaries of the municipality. In 2000, the municipality earmarked land on which people were already living for dense low-income housing. This required the reduction in the size of the plots that these people were living on. The process of development, in this case, results in the loss of access to land, and this has stimulated a struggle taken up by the LPM in defence of existing land access at least, for the dispossessed majority.

Land reform has remained marginal during the transition to democracy in South Africa. Redistribution has been very slow, with less than 2.3% of agricultural land transferred at the end of 2002 under the combined redistribution and restitution programmes since political democratisation in 1994 (Dept of Finance 2003:129 & 131). Reform in the rural areas has mainly been limited to a restructuring of the commercial agricultural sector. Land reform has been side tracked, and there has been no significant attempt to reorganise the rural economy on the basis of a more egalitarian ownership structure. Land transfer and support to black farmers is occurring on the terms of sections of the white commercial farming sector. According to the Strategic Plan for South African Agriculture, 'it is important to deal efficiently with land reform to ensure rural stability and market certainty' (National Dept of Agriculture 2001: 16).

In the former bantustans, women's access to land remains dependent on men. Women are the majority of agricultural producers in the communal areas. However, at the household level men have the power to decide how land is used, what should be grown and how to divide the proceeds of productive activities. At a 'community' level, the all-male traditional authority structure has a significant hand in determining land allocations. In conditions of land scarcity and the power associated with control over land, African tradition has been interpreted to say that women may not hold land in their own name. Recent proposals for tenure reform in communal areas have reinforced and even extended the power of traditional authorities to allocate and manage land. Even core elements of the

Congress Alliance, including the ANC and the SACP, have criticised this for its perpetuation of gender inequality in the communal areas (see Ensor 2003:3; Vapi 2003:5). According to Masibuko Jara of the SACP, 'Rather than marking a bold step forward in helping to promote household sustainability for millions of rural poor, the amendment, in practice, will perpetuate their subject status, with…negative implications for women' (Naidoo 2003:3). For legal purposes, members of 'communities' have tended in the past (for example, in Communal Property Institutions) to be the household or household head. This marginalises women from the process and from the rights derived from transfer to 'communities' because household heads are usually taken to be men, even if they are absent most of the time (Cross & Hornby 2002:101).

On commercial farms, women fare no better. Access to housing and employment for women was and is dependent on a related man having employment. Even today, tenure security laws permit the eviction of women living in the same house as men if the man is legally retrenched and evicted. Historically, labour tenants have had access to a portion of land for productive use. This right has always been granted to men, with women relatives in a dependent relationship. The unpaid reproductive labour of women has been a critical feature of the survival of labour tenant households throughout decades of attack by landowners and the state. Men are entirely dominant in the leadership of labour tenant structures.

From a purely economic point of view, land reform is of limited importance for the path being followed. It is quite possible to reorganise the agricultural sector without any land reform at all. However, there remains a residue of political significance attached to land reform. Amongst the mass of the population, land reform is a legitimate and necessary process and is widely supported, mainly for reasons of justice and redress. This has partially been met by the focus on restitution – the return of land from which people were forcibly removed under apartheid and colonialism (after 1913). However, even white farmers are recognising the need to transfer some land to the black population and to see the establishment of a black commercial farming class.

Post-apartheid land reform has thus been reduced to a market-based process of deracialising land ownership, without disturbing markets or destabilising the political and social climate. This is very much in line with the drive to modernise the agrarian structure. For labour tenants and farm workers, the result has been the formal extension of minimum labour standards and formal protection against arbitrary evictions. In many instances the laws are only formalities, since actual relations of power on the ground determine practice. These relations include a powerful white social block that severely limits access to justice or security for farm dwellers, and a weak local state that is oriented upwards and is incapable of (or unwilling to) enforce legislation and government policy.

3.2   The reproduction of economic and social exclusion in urban areas

In the urban areas, the emphasis on capitalist investment and the growth of the formal economy as the driving force of social improvement has not played out according to the rhetoric. The development model reproduces racial dynamics, because those not equipped

to contribute to the 'knowledge economy' and unable to acquire these skills are the same people as those ejected from the late apartheid economy in both rural and urban areas, and who have found their way onto land on the outskirts of the city. Formal deracialisation is accompanied by continued exclusion based on economic 'value'.

In each of the components of urban growth – most relevantly in housing, employment and services – the short-term costs are borne by those who were supposed to be the primary beneficiaries of development and democracy. Apartheid housing laws in the urban areas denied the right of African women to acquire housing in their own name, and the legacy is that houses are mainly owned by men. In the informal settlements the situation is more equalised, in that all residents have insecure tenure and are open to the threat of evictions should landowners, including the state, so choose.

In housing, government policy and programmes have proven incapable of responding to the vast backlog or new demand. Practice has veered 'towards the construction of mass, non-functional schemes undertaken on disconnected parcels of land and characterised by a low-density, undifferentiated blanket of freestanding housing shells' (Khan & Ambert 2003:xxv). Despite the rhetoric of integrated urban spaces, most housing subsidy projects 'have been – and continue to be - located on cheap land in peripheral locations, thereby consolidating existing apartheid spatial patterns and creating new inequities' (Royston 2003:234). In the meantime, the restructuring of the spatial framework is proceeding at pace. The result is the threat or actuality of forced removals without an improvement in living conditions.

In southern Gauteng, technocratic 'efficient' land use planning means that informal settlements must be cleared to allow the more rational use of land. In many places, this process has begun and is being marketed as the beginning of the new-look city. In Newtown in the city centre, informal settlements have been totally destroyed and government-backed investment is turning the area into a gentrified 'cultural precinct'. The result is skyrocketing property prices in the area, directly subsidised by the city (Otter 2003:18). The culture of consumption of exotic food and highbrow art trumps the culture of everyday life in a squatter camp. The same processes are taking place in and around Soweto. In January 2002, 1750 families were evicted from Mandelaville informal settlement in Diepkloof because the land was zoned for business. In the process, a 71-year old man was arrested for encouraging residents to resist relocation (Mokopanele 2002:3). Nearly two years later the City of Johannesburg Property Company (JPC) announced that the 'prime property' was available for development. The JPC said it wanted to uplift the area and bring 'retail and business facilities closer to the community' (Wilson 2003:18). Apparently the evicted families were never considered part of the 'community' that stood to benefit from these facilities. In Kliptown, Blue IQ has committed R299m to upgrading the area, including the removal of residents living in informal settlements (Milazi 2003:35). Rumours of impeding forced removals are rife in other places too.

The residents who are made to disappear from the scene of these development initiatives are not offered improved circumstances – the 'legally secure tenure or comparable redress' offered in the Constitution (clause 25(6)). Instead, this clause is narrowly interpreted as

meaning that if you live in insecure circumstances and do not own the land you live on, you are legally entitled to be moved to a similar situation elsewhere (of the choosing of the council in the best national or regional or metropolitan interests), since you are not thereby receiving any less than you had. 'They tried to move people to Vlakfontein, from shack to shack. There were no houses on offer,' says Daniel Botha of Thembelihle. 'Some people were moved to Vlakfontein, but they returned to Thembelihle. They are working in Lens, but from there they must go by foot to work, there is no transport' (interview 18 Aug 2003).

The Greater Johannesburg Metropolitan Council's urban renewal strategy includes a commitment to 'be rid of informal settlements, and intends for land invasions to have ceased' (Thale 2002). This will include relocating people who have moved onto undesignated land. After the 2004 elections, the Gauteng provincial government again stated its plans to respond to the migration of the poor to the cities in search of jobs with force. Qedani Mahlangu, the new MEC for local government promised to draft a 'land invasion' policy that would give the metropolitan police and the SA Police Services the power to evict 'squatters' within 48 hours of them illegally occupying land. Municipalities would be expected to enforce the law strictly (Mboyane 2004a:4). Improvement of conditions is separated from removals. Hence, the situation where the council plans to remove 36 000 households from 26 settlements by 2004, yet only plans to eradicate the housing backlog by 2007. Even supposing the council meets its housing delivery targets and these households are on the list of beneficiaries, where should these households stay in the meantime? One can only conclude they are not on the list for housing. The provincial government's response to people looking for work and a place to stay, converts hundreds of thousands of people trying to survive into criminals. In the face of a coldly rational model of planning, the horror of forced removals has not been consigned to history along with apartheid, but remains alive in post-apartheid South Africa.

The demand for upgrading rather than relocation is widespread. This is especially so where residents are not convinced of improvements that are promised along with relocation. 'It's okay to move from shack to house, but not shack to shack. But the councillor says there is no budget for houses, so why should we move?' asks Daniel Botha. 'We have started to build our own things here. Another place is far away. It's safest to live where you stay. If you've been there a long time, you know the place, it's your place, even after five years' (interview 18 Aug 2003). Johannes Mokoleng from Thembelihle feels the same way: 'I don't want to stay anywhere else but here. I live here. If government wants to build me a house, they must build it here. I am used to this place' (Interview, 18 Aug 2003). From Finetown North, Emily Moranye says: 'I don't want to move anywhere else. My children are at the school in Ennerdale, there is transport nearby and a clinic' (Interview, 25 Aug 2003).

In both urban and rural areas, secure access to land is governed by laws that create a framework for evictions rather than an end to evictions, accompanied by a negotiated process of moving if the state feels this to be necessary. In the urban areas, the Prevention of Illegal Evictions and Unlawful Occupation of Land Act of 1998 (PIE) regulates the eviction process. Recent amendments tabled in Parliament aim to criminalise land

invasions and even make it a criminal act to collect funds for legal costs to fight evictions (Radebe 2003:3). In the rural areas, the Land Reform (Labour Tenants) Act of 1996 and the Extension of Security of Tenure Act (ESTA) of 1997 both establish a procedure for evictions to take place. Evictions are allowed if tenants or dwellers constitute an obstacle to economic activity. Tenure insecurity remains a key issue in both urban and rural areas. The post-apartheid developmental model fails to secure tenure, despite the Constitutional imperative to do so.

3.3　　The reproduction of political exclusion

This failure is compounded by the lack of opportunities for meaningful political participation. The democratisation of local government opened up the expectation of active participation in decision-making processes. However, planning has been limited to a technocratic exercise where participation amounts to little more than consultation or the provision of information from government to the population. There is no say in the way budgets are allocated and managed, except through a narrow process of participation politically controlled by elected councillors. Councillors and higher levels of government, rather than active citizens, determine the powers and functions of ward committees, community fora and various local-level management bodies. At the same time, the proportional representation model and the imbalance of power between spheres of government, means that local councils account to and orient their decisions to higher levels of government rather than to popular constituencies.

The result is that politically active citizens who are not part of the governing party, or who disagree with the ruling party's policies or programmes, find themselves excluded from formal decision-making processes. In the words of Sello Koithing of Eikenhof informal settlement: 'We tried to speak to government, then they opened their doors. But when you go there, they have all the answers prepared' (interview, 3 Sept 2003). Even at the provincial level, there is a belief that government does not really listen to issues, but arrives at meetings with prepared statements:

> 'There's something that I hear from the officials of the government… All these people at the MEC, they said those gates will be closed. We will only open if it is members of the ANC that are complaining about these things. So what is happening now to the LPM, because now you are complaining to these people, because you are LPM, you are not ANC members, so they are not going to listen to us because you are not ANC members. That thing is wrong. I believe they do this. Because if they considered everyone, we sat with them, and where's the response up until now?' (interview, 21 Nov 2003)

Violence has always been an integral part of social control in commercial farming areas. This is especially true for the poorer areas where farms are individually owned and undercapitalised, resulting in greater reliance on cheap labour. A social bloc comprising security forces (police and commandos), magistrates and farmers, ensures limited or no access to justice for dispossessed farm dwellers. The social block extends beyond issues of

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security, direct control and coercion. The way that power is exercised, as described here in Ceres in the Western Cape, is familiar in commercial farming areas around the country:

> Local government and membership of the most important white political parties has clearly been central over the years, but a more subtle and in some ways more important role has been control of local agro-food institutions, the boards of local credit institutions and banks, and the ability to use informal networks and family connections effectively. (du Toit 2003:9-10).

Farm dwellers find themselves trapped in a powerless position in this tightly knit network from which they were most decisively excluded. The social power built under apartheid remains intact across the rural areas, often based on force and networks that transcend (but often incorporate) the political power of the local state. According to an LPM organiser in Wakkerstroom,

> 'The *boers* have taken control over the police station again. There is a private security company that assaults farm workers, then takes them to the police station to be charged. I wrote a letter to the area commissioner, who sent the letter straight back to the security company. Next thing I received a phone call from the very same security company I was laying a charge against telling me not to make allegations against them.' (Interview, 18 Oct 2003)

A former farm dweller from Wakkerstroom district describes the real power relations in the farming areas:

> 'We will never, never speak to the farmers. People are scared of the *boers*. If you speak to them about land they will take you to a far away place and beat you, beat you until you sign that you retire from today, that you will no longer demand about land. They will beat you, though they are not in charge.' (Interview, 12 Aug 2003)

Black women face the additional oppression of patriarchal relations in the farm worker communities and in their households. Men are the ones formally employed, and women who want to live on the farm with them must often agree to also work on the farm when needed in exchange. If a man is evicted, women living in the same house are automatically evicted with him. Women mainly perform casual work, which means they do not earn an income throughout the year and are dependent on male members of the household. There are also instances when men appropriate wages or grants from women. In these conditions, demands for basic human rights and democracy remain on the immediate agenda, ten years after the demise of formal apartheid.

4.   Responding to exclusion: mobilising the landless

> [I]t is a struggle in the dark. In each of these groups, the original movement is deviated by the necessities of expression and action, by the objective limitation of the field of instruments (theoretical and practical), by the survival of

outdated significations and the ambiguity of new significations. – Jean-Paul Sartre, *Search for a Method* (1968:123)

4.1   Forging a 'landless' identity

The majority of the South African population are landless, in the sense that they do not have ownership of, or legally secure access to, land in their own name. In most cases, whether urban or rural, the majority are living on land that legally belongs to someone else. Their tenure rights are insecure and constantly open to threat, be it from the state or private landowners. From this perspective, not only farm workers and their dependents are landless, but also workers in the formal economy, informal workers and domestic workers who rent residential property or live in informal settlements, and the millions who reside in communal areas where land is owned and controlled by the state and traditional authorities. That this majority of the population identify themselves politically in ways other than as landless, is a product of the way that resistance to apartheid was shaped and politically channelled. The strength of the workers' movement from the early 1970s in particular and the unifying ideology of black nationalism in the struggle against racial oppression, overshadowed the more deeply entrenched processes of capitalist development that underpinned land dispossession as they unfolded concretely in South Africa. Land dispossession was viewed through the lenses of racial policies and lack of political democracy.

Under apartheid, the struggle for land was subsumed under a broader struggle for political rights and for unprejudiced participation in the economy. Land demand was not articulated in and of itself, but rather as a symbol of the lack of political democracy and the racism of the apartheid regime. Continuing tenure insecurity in the post-apartheid era, with limited protection of tenure rights on land not legally owned by occupiers in both rural and urban areas and limited redistribution of legal ownership, has exposed the limits of the processes of political democratisation and formal deracialisation. The landless movement has emerged in this space to begin constructing an identity around landlessness. This has been done on the basis of reformulating demands that have existed for decades – access to basic services, freedom of movement and freedom to choose to stay in one place, participation by people in decisions affecting their own lives – around the issue of land. This reformulation can be seen as the construction of a demand for land, but the deeper content goes beyond land. As Gillian Hart (2002) puts it, the landless movement is grappling with one dimension of the failure of the political class in the post-apartheid era to address ongoing poverty and inequality.

Not all members of the movement are landless in the sense of having no land at all in their own names. African commercial farmers are represented in the movement at all levels. Relatively wealthy labour tenants, with access to tracts of land and owning substantial cattle herds, work side by side with very poor tenants in the movement. This suggests that the formulation of the identity of 'landless' has as much to do with issues of redress and justice, the experience of dispossession, and inadequate access to land for productive purposes, as it does with issues of insecure tenure or total lack of access to productive land. This points to the reality of the landless movement as a popular movement without a

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clearly defined class base, reflecting the formulation of a growing demand for access to and ownership of land across classes. The movement is a mix of different class and social forces that the hegemonic bloc has been incapable of entirely absorbing into its own project.

4.2   NGOs and the formation of the landless movement

It is impossible to separate the formation the LPM from the non-governmental organisations (NGOs), and in particular the National Land Committee (NLC) and other rural NGOs. The political goal of constructing a grassroots movement was being discussed amongst rural NGOs within the first few years of political democracy, although it has always been a minority that has pushed the vision of an independent rural movement. The character of the movement remained undefined, however, for as long as there was no force on the political scene capable of putting the idea into practice, to paraphrase Boris Kagarlitsky (quoted in Marais 1998:194). This resulted in a series of efforts by NGO workers over a number of years to construct a rural movement of one type or another from above. This initially took the form of the Rural Development Initiative (RDI), a temporary coalition of rural NGOs and CBOs with a broad based rural character created in 1998. The RDI was closely aligned to the dominant developmental project, although in places an emerging critique of macro-economic constraints and the failures of delivery were evident. For example, in the section on rural economic development, the Rural People's Charter that came out of the RDI noted that 'budget cuts for social services and infrastructure are having a negative socio-economic effect on rural communities' and 'many of the causes of poverty are the result of the private sector's interests in short term profits at the expense of longer term social goals'. On land, there was a demand that 'unused or underutilised land be transferred to the landless for productive use' (RDI 1999).

The artificial, top-down character of the RDI, resting as it did on passive communities led by professional NGOs, led to its immediate collapse once funding for the big gathering in Bloemfontein was finished. In the aftermath, the national NGO networks continued working to realise the aim articulated in the RDI of forming a rural social movement, but in a sectoral manner. The Rural Development Services Network (RDSN), at that time one of the leading rural NGO networks, continued with its initiative together with the South African Municipal Workers' Union (Samwu) to form a national grassroots movement around rural water provision based on the demand of 50 litres free per person per day. The NLC and its affiliates continued support to grassroots structures around land demands, and the network was increasingly vocal in its criticism of the government's land reform programme. By 2001, both of these initiatives had borne fruit in the form of the Water Caucus and the Landless People's Movement. Instead of a single rural social movement, the NGOs had formed two partial and sector-based movements, the one a hybrid NGO-grassroots structure (the Water Caucus) and the other a clearly distinct but highly dependent grassroots umbrella.

The debate around social movements in the rural NGOs heated up and became more practical in the context of the rise of independent community movements struggling against privatisation, service cut-offs and evictions in the main urban areas, with an

overtly antagonistic stance towards government. While many individuals working in the rural NGO networks had come to the point where they saw the potential value of a mobilised grassroots movement in legitimising and supporting demands for redistribution and delivery, the majority were not in favour of an anti-government stance. Thus, although the NLC network at its annual general meetings, formally adopted resolutions in support of the formation of and assistance to an independent grassroots movement, the interpretation of this remained a point of contestation. The reasons behind this support varied from a desire by activists working in the NGOs to support an independent and radical grassroots movement of the landless, to a technocratic calculation that a national grassroots organisation aligned with a national NGO structure would have more influence in policy making circles. Recognition of the 'independence of communities' from NGOs is not at all the same thing as an active desire to support the building of a radical grassroots movement. More often than not, invoking 'community independence' as a reason for not acting is used by NGOs to justify political passivity.

The central role of the NGOs in forming the landless movement is highlighted by the significance of two United Nations events that took place in South Africa at the start of the new millennium. In 2001, the World Conference Against Racism (WCAR) in Durban permitted the NGOs to raise resources to facilitate a gathering of the community groups they had been working with. The resultant Landless People's Assembly set the stage for the launch of the Landless People's Movement. WCAR also provided the space and opportunity for resource mobilisation for the first joint national action of the new independent community movements under the banner of the Durban Social Forum. The choice of name signified a conscious association with the global social justice movement, and reinforced an anti-corporatist ideological outlook and an opposition to a state and corporate agenda at that time uniformly characterised as neo-liberal.

The movement launched at WCAR in 2001 was formed around two different types of grassroots mobilisation. On the one hand were groups organised through the NGOs (primarily NLC affiliates) to participate in government land reform programmes. For example, there are restitution forums, communal property associations (CPAs), farm worker forums, land rights forums and so on. In all cases, there has been an interaction with government, whether at the political or administrative level, to expedite the return or redistribution of land. In many cases, a key reason for dissatisfaction is that promises made by government officials in these meetings are not kept. In this light, frustration often stems from political and administrative dishonesty, rather than from a thoroughgoing critique of the land reform programme itself. Whatever the case, the failure of these structures to deliver land to those organised into these groups, has led to rising dissatisfaction and a radicalisation of demands.

The other type of mobilisation that formed the base of the LPM, is spontaneous[4] organisation to resist encroachment on existing land access. In the informal settlements, especially around Gauteng, the LPM spread rapidly by coming to the defence of residents

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[4] To use the term 'spontaneous' is not to deny the presence of pre-existing networks, formations or structures, but rather to suggest that these did not play a leading role - in their existing forms and on the basis of their already-constituted ideological frameworks – in generating or organising the new struggles.

who were faced with the immediate threat of forced removal in 2001 and 2002. As one member of the LPM in Eikenhof informal settlement in southern Gauteng put it: 'The LPM came to our rescue. We called the LPM at the time when the Red Ants were firing live bullets at our comrades. They came here. A person who helps you when you're in danger is a person who really cares about you' (Isaac Sello Koithing, interview, 3 Sept 2003).

In the rural areas, ongoing efforts to squeeze farm workers and labour tenants off the commercial farms has forced tenants to unite in resistance. These attempts by landowners to squeeze tenants off the farms go to the very heart of tenant survival strategies and the meagre resources they have at their command. The Mpumalanga Labour Tenant's Committee is a good example of grassroots organisation driven by necessity, even when NGOs were incapable of or unwilling to provide support for years at a time. Conditions of scarcity circumscribe what it is possible for the committee to do, and the necessity to generate additional resources and support made the committee an instrumental part in the formation of the LPM. Apart from Mpumalanga and Gauteng, other active land struggles encompassed by the movement with limited or no support from NGOs are taking place in KwaZulu-Natal, Eastern Cape, and North West. In these provinces, as well as in the Northern Province, Northern Cape and Western Cape, the movement is engaged in struggles in interaction with NGOs.

In 2002, the United Nations' World Summit on Sustainable Development (WSSD) in Johannesburg provided another opportunity for the NGOs to raise resources to bring the constituent parts of the movement together for the second Landless People's Assembly. On the outskirts of Soweto, more than 5000 delegates from around the country participated in a week of meetings and discussions. The week culminated in a 25 000 strong march, together with other social movements and international organisations organised under the banner of the Social Movements Indaba (SMI) against the neo-liberal hijacking of sustainable development through the WSSD. These two events were formative in structuring the trajectory of the movement, and in materialising connections with other likeminded movements both nationally and globally. The extent and impact of the LPM's involvement would have been significantly less without the donor resources and the facilitation of the NLC.

The very success of the mobilisation, where resources were captured for a radical expression of land demand, brought to a head simmering tensions between different political trajectories in the NGOs and inside the LPM itself. The fundamental lines of division related to the question of the attitude the movement should adopt towards government. Some NGOs and a portion of the movement sought a continuation of a relationship of critical engagement. This was understood to mean that the movement would continue pursuing claims for restitution and redistribution of land within the government's official land reform framework. Adopting this strategy would mean pressurising goverment to remove perceived obstacles to the smooth roll-out of the land reform programme. The assumption underlying this approach was and is that government would like to see large-scale land redistribution, but bureaucratic inertia and various incapacities stand in the way. At the WSSD, this section of the movement declined to

participate in the SMI march from Alexandra to Sandton, where the official conference was being held. They climbed on their busses and went home, sometimes with the support of membership and sometimes against the wishes of members who had to choose to get on the busses or be stranded in Gauteng after the march.

On the other hand, a sizeable portion of the movement was convinced that a more antagonistic relationship to government was necessary. In their view, government has the capacity to carry out the substantial and rapid transfer of land to the landless, but has opted for a different political and economic path. Pressure therefore needs to be applied to shift the government from its political and economic trajectories through mass collective action. Failing that – or parallel to it – redistribution from below through mass occupations would be necessary to ensure the transfer of land. This section of the movement aligned itself with the SMI in its march on the government and the WSSD in August 2002.

This was the first major internal division in the movement. It led to a fragmentation as different parts of the movement opted for different directions and chose to recognise the formal leadership or not, depending on this trajectory. At the national level, the formal leadership structures remained under the control of those who favoured a more overt challenge to government, but this was contested. This retention of control was partly the result of the close relationship between the LPM's national council and the NLC's national office that at the time supported the more radical approach to mobilising and organising. At the provincial level, where individual NGOs had more influence on the movement, some parts of the movement opted to support the national structure while others distanced themselves. In no case did a section of the movement cease calling itself the LPM. Those who stood in opposition to the national structure after the WSSD, considered it unrepresentative and operated as the LPM in their own province. Sometimes in the same province, other parts of the movement continued supporting the national structure. This is the way the situation stood at the time of writing.

In the immediate aftermath of the WSSD, the NGOs, most of whom favoured the route of critical engagement with government and of operating inside the government's legal and policy framework, went on the offensive against radical staff inside the network. The NLC's Board (constituted by the directors of the network's affiliates) clamped down on the network director for permitting the radicalisation of support to the LPM beyond the mandate of the NLC and its affiliates. The political fallout included a split in the NLC when a group of narrowly developmental affiliates withdrew from the network, as well as the systematic sidelining and removal of activists pushing a radicalising line inside the network. The weakness of the strategy of activists operating through the NGOs became apparent as NGO managers asserted the relationship of employer to employee. In this way, the NLC re-stabilised itself as a smaller 'moderate' centre focused on a continuing critical engagement with the government's land reform programme. The affiliates that split to the right adopted an uncritical engagement with the state's programme, while the expelled activists sought to continue the elaboration of a mass-based alternative to the government's programme (in some, but not all instances also extending to a greater critique of government and the state more generally).

The political conflict in the network did not fail to have a direct and immediate effect on the trajectory of the LPM. At a national level the LPM cobbled together a compromise national leadership structure to try to hold the different factions together and avoid a split in the LPM itself. This was partially successful at the level of the national council, but not without its own political costs. The withdrawal of resources for a radical project facilitated a slump in nationally co-ordinated actions. This exacerbated a widening gap between national leadership on the one hand, and provincial and grassroots leadership on the other, a tendency institutionalised in the composition of the compromise national structure.

On the ground, the LPM was pulled in different directions, depending on the dominant approach adopted by the affiliate on which a specific section of the LPM relied for resources and support. Highly dependent on the NLC's provincial affiliates, in almost every case to the exclusion of any other organisation, most of the LPM's grassroots formations were under pressure to align with the position of 'their' NGO, or face isolation and a choking of the resource supply. In most cases, affiliates had always only interacted with the LPM on their own terms, especially through typical NGO workshop and capacity-building processes disconnected from concrete grassroots mass actions. This meant a reduction in the capacity of the LPM to function truly independently or to formulate its own independent line. Where the LPM tried to formulate radical programmes that the NGO did not approve of, this section of the movement was strangled and NGO favour was redirected to 'tamer' grassroots formations, whether these saw themselves as part of the LPM or not. This was especially the case after the WSSD.

On the basis of these splitting and controlling tactics, the NLC and its affiliates attempted, with quite some success, to smother the radical potential of the grassroots landless movement, and reassert their control over the political direction and programme of grassroots mobilisations (or lack thereof) around landlessness. This is not to suggest a simplistic dichotomy of reformist NGOs and radical movement. Reformist and radical elements appeared in each. But in the NGOs reformists were of greater number and occupied positions of power that enabled them to smother the radical elements inside the NGOs. Without this support, radicals in the movement were cut off from support and resources that made it difficult for them to strengthen the radical potential in the movement. Despite this, elements of the movement remained steadfast in trying to elaborate an independent vision and programme of action that could present an alternative to the government's land reform programme and ensure the actual redistribution of land on a mass scale. However, these attempts occurred in the context of an almost absolute lack of resources or institutional support.

Although the movement at a national level took a decision to formalise membership through the issuing of membership cards, this process only occurred unevenly and was essentially halted as the political tensions exploded after the WSSD. Formalisation was designed to raise some resources from members, and simultaneously give members greater control over leadership and use of resources than if these were handed out by an NGO or donor. It also aimed to offer more precise information about the number of active supporters of the movement, and allow for an identification of the strongest and most active sections and branches. Ideally this information would permit the targeting of

recruitment drives, and the design and implementation of campaigns. As the situation stands, formal membership does not represent the active membership of the movement. The base of potential support for the movement and its aims will always extend well beyond the active membership. For example, in 2000, the UK's *Sunday Times* reported on a poll showing that 54% of respondents in South Africa's townships supported 'farm seizures' (cited in ICG 2004:152).

The NLC is a prime example of the contradictions inherent in institutions constituted on the terrain of civil society. On the one hand, the NGO network was instrumental in the formation of the LPM. But once the LPM began to transcend the NLC, beginning to move outside its control to pose a potentially greater challenge to the state (even if this was merely nascent), the NGO reasserted its control over the movement, and thereby functioned precisely to defend the integrity of the state. The, perhaps temporary, reassertion of control over the movement of the landless by the NGO also revels the strength of post-apartheid hegemony on the terrain of civil society.

4.3   Structure vs. spontaneity in the movement

The LPM has a constitution that, amongst other items, details a formal structure. On paper, the movement has a national council, provincial councils and branch structures. The national council has a representative from each province, additional members and an executive committee drawn from these. Most members of the council do not have secure access to land, although there are some with land but who need or want more. Labour tenants, farm workers, residents of informal settlements and rural towns, restitution claimants and small-scale commercial farmers are represented on the national structure. Constitutionally, a landless people's assembly that is supposed to take place every two years elects the national council members and the executive committee. Attempts to carry out these formal requirements at the landless people's assembly held during the WSSD in 2002 proved highly contentious. At that time, formal branch structures with paid up membership did not exist anywhere in the country. Without these basic organisational building blocks, mandate and accountability are impossible. There was no way of deciding who should nominate or vote for candidates to a national council. Women are under-represented at the national council, with four women and seven men on the council at the time of writing.

In broad strokes, the LPM is structured at the top and mainly unstructured at the bottom. In the case of the NGO-related grassroots formations (i.e. not the groups that initially connected with the LPM through their own spontaneous struggles), there is some structure on the ground. There are some provincial structures, though mainly in those provinces where there is some formal structure on the ground capable of establishing a provincial structure. There are also provinces where interim provincial structures have 'self-selected' (or been selected by the NLC and/or its affiliates) to try to build the movement on the ground. The movement is therefore a hybrid between a party-like, hierarchical organisational structure and an agglomeration of grassroots struggles, the latter sometimes spontaneous and sometimes facilitated by the formal structures of the movement. The creation of a structure aimed to facilitate the networking of these different parts of the

movement, although the result has often been a network at a formal level but not at the level of practical assistance and solidarity.

It may be that attempts to provide a tightly defined structure for the movement all the way up to the national level were premature, primarily emerging as a result of the historical experiences and ideological frameworks of activists and development workers working with the movement. There are differences of opinion inside the movement and amongst activists working with the movement about the extent to which the movement should be structured. On the one hand are those who believe that structure is a requirement for a programmatic approach. That is, it is not possible to plan and systematically carry out those plans without formal, accountable structure. On the other hand, there are those who believe that the imposition of structure creates artificial hierarchies that become sites of struggle for control over the movement separated from support to actual grassroots struggles. Too much structure can lead to tactical and strategic inflexibility and a growing gap between formal leadership and membership. But too little structure can cause disintegration of the movement and an inability to break out of localised struggles in a sustained way. It seems that the discussion on structure cannot be separated from mobilisation and active grassroots struggle. NGO-constructed precursors to the LPM, such as the RDI, attempted to draw passive constituencies into a structured form, and were an outright failure (except from the point of view of lessons on what not to do). In a political climate where grassroots activity is intermittent and muted, an overemphasis on structure can lead to bureaucratisation of struggle.

Jean-Paul Sartre describes the process through which a group of atomised individuals form a collective with common purpose, but how this usually disintegrates or becomes ossified once the immediate purpose has been achieved. First, atomised 'serialised' individuals operate in conditions of separation, social impotence, numerical equivalence, pseudo-reciprocity, unity in exteriority and passive activity - the abdication of praxis in favour of inertial 'occurrences' (Flynn 1984:95-6). Serial relations are mediated by the 'practico-inert' i.e. the dead products of past human activity (physical artefacts and traditions) that bind human beings in passivity and make the future appear as destiny.

The formation of a group that acts with common purpose negates the practico-inert. The LPM emerged in Gauteng when previously atomised individuals responded to the perceived immediate threat of forced removals by forming a conscious association to defend one another. More broadly speaking, the coalescence of a group of people around the identity of landlessness reveals the immediate threat to survival experienced as a result of lack of secure access to land. Individual need is felt as common need, and each individual projects herself or himself, 'in the internal unification of a common integration, towards objectives which it produces in common' (Sartre 1976:115). This is the phase of acting with others in the immediate present. The inter-relationship between theory and action – praxis – that characterises the group in these conditions mediates the relations between the human beings in the group. The reciprocity and collective praxis that emerge from the fused group show the individuals involved in the group their freedom manifested in reality, the 'sudden resurrection of freedom' (Sartre 1976:401). Until the fused group,

freedom only reveals itself as alienated in the passive activity of impotence (Sartre 1976:397).

When the immediate danger that shook serial individuals into relations of 'true reciprocity' through the group recedes, the praxis that mediated the group dissolves in the 'reintroduction of serial otherness into interpersonal relations' (Flynn 1984:119). 'Freedom…becomes afraid of itself' (Sartre 1976:586). If the group does not entirely break up, the dissolution of praxis may be accompanied by an institutionalisation of the relations between individuals who remain in the group. The organised group tends to harden into hierarchical strata; self-preservation of the organisation becomes the overriding concern; the group (the 'mediating Third') crystallises into an insuperable Other; and some inside the group emerge as 'more equal than others' (Flynn 1984:119). Instead of co-sovereignty in the group, individuals construe themselves through the Other 'as an inorganic tool by means of which action is realised' (Sartre 1976:599). Human beings are no longer agents, but objects again. And so it is with the participants in the LPM's initial defence against forced removals. Many have lapsed back into individualised serial relations, while some remain structured into institutional forms that also serialise relations through hierarchies, based on organisational forms that emerged in a different context. This process is part of the ebb and flow of struggle.

Despite a national umbrella, it cannot be said that the LPM has ever acted as a group based on true reciprocity. Grassroots struggles around the country were captured under the umbrella of the LPM in a process that signified some form of recognition of commonality and solidarity, but with little if any solidaristic action between geographically dispersed sections of the movement. A large part of this may be lack of resources, but this material constraint clearly has political consequences by preventing the experience of practical solidarity that underpins relations of true reciprocity.

The stress placed on organisational structure in the LPM by influential activists, and the favouring of particular types of organisation, has led the LPM along a path that diverges somewhat from some of the other new community movements. The decline in popular participation after the initial fusion has brought to the fore politics based on 'the historical emphasis on the role of leadership and cadres as those endowed of translating the unruly politics of the crowd into a sense of strategic and political purpose', in words used in a slightly different context by Franco Barchiesi (2004:5). The externalised or formalised practice characterising the hierarchical institution results from 'the mechanical application to new processes of forms derived from a previous process' (Vazquez 1977:211). The disintegration of group praxis has left behind an institutional shell that may or may not be capable of renewing social relations based on reciprocity and mediated by praxis.

The example of the experience of the LPM in the informal settlements around Gauteng vividly reveals the formation of groups based on reciprocity and mediated by praxis, and their collapse into 'the non-reciprocity of command-obedience and institutional "sovereignty"' (Flynn 1984:147). The question appears to be: 'Under what conditions can praxis sustain itself?' Do the structural limitations imposed on the 'field of theoretical and practical instruments', including the understanding of organisational forms inherited from

the past, prevent sustained praxis? There is no definitive answer, and even within the new community movements - and the LPM for that matter – responses may vary from structure as a principle (Leninism) to opposition to structure as a principle (autonomism). A wide ground in between gravitates towards structure on the basis of past (some might say outdated) significations. Structure may facilitate certain types of knowledge and certain types of action. But whether this can become a sustained praxis remains a matter of agency.

It would be a mistake to reduce praxis to spontaneous outbreaks of struggle, because committed organisation building to carry out a radical collective agenda could also be an expression of praxis. For Gramsci (1991:335-6), organisation is essential as a crucible 'where the unification of theory and practice, understood as a real historical process, takes place', bringing together those 'for whom the conception implicit in human activity has already become to a certain degree a coherent and systematic ever-present awareness and a precise and decisive will'. In present historical circumstances, sustained praxis cannot occur *without* organisation. It requires of the intelligentsia (whether organic or radicalised traditional) the acceptance of responsibility for the power they have. Difficult as these questions may be to answer in theory or practice, the very fact that the existence of the movements poses such questions as practical exigencies, suggests the germination of an alternative collective activity that attempts to surpass the limitations evident in previous struggles for human freedom, whether socialist or national liberation.

5.   Class, race and gender dynamics in the movement

5.1   Class and power

As already described above, NGOs played a central role in the formation of the LPM. This has significantly coloured the form and content of the movement. The professionalisation of the NGO stratum, especially from the early 1990s in parallel with the shifting political terrain from 'resistance to reconstruction', led to the dissipation of activist relationships with the grassroots and the rise of a technocratic developmental approach in the NGOs. The emphasis was placed on measurable outputs, financial management and procedure. Technical expertise and management skills rose in prominence and shaped the way NGO workers interacted with the grassroots. In many cases the grassroots were totally left behind, as NGOs took on the task of designing and lobbying for policy positions.

The LPM has received funds from donors in the UK and Belgium that were managed by the NLC on behalf of the movement. Written into the multi-year plans on which the funds were provided was a capacity building process that was meant to transfer financial management to the relevant accountable structures inside the movement over a period of two years. Funds were also provided for a number of campaigns, including the Take Back the Land campaign and the No Land, No Vote campaign. The construction and consolidation of formal structures and a political education programme were part of the plans. There are not donors lining up to provide support for a radical project, and even the most daring funders require proposals couched in developmental terms. Therefore the

movement does not receive resources to carry out land occupations, but may receive resources to engage in lobbying and protest action around the lack of land redistribution.

A number of crises with regard to funding engulfed the movement in 2004. Poor management of contracts by the NLC led to the suspension of funding to the LPM at a critical conjuncture in the period immediately preceding the 2004 national government elections. Limited financial management capacity had been built in the movement and this prevented activists from identifying the problem and calling for remedial action. Like the process of political re-absorption into the NGO's developmental paradigm as described above, the movement found itself still dependent on external financial management when funders took over management of contracts. The heavy reliance on external resources is most apparent in the collapse of the LPM's No Land, No Vote campaign in the lead-up to the 2004 elections, when resources were not forthcoming to carry out campaign activities. The construction of a movement on the basis of external resources prefigures the destruction or manipulation of the same movement on the basis of external resources. The movement has not yet been able to identify resourceful strategies that can overcome the limitations of almost absolute lack of resources amongst its members.

Given the resource-poor character of the movement and its members, global and regional linkages are thin and mediated by individuals with resources and access to institutional networks. While there is a class basis to this, of greater importance is the role of an institutional base that facilitates the creation of a global presence, and the mobilisation of resources to nurture global links. Individuals have used increasingly global NGO networks to connect the movement with radical organisations around the world. These global links have provided both ideological inspiration and practical examples of the possibilities of a radical struggle for land in South Africa. Links have been established with the MST in particular, and the Brazilian movement has been keen to spread information about its experiences and methods of struggle to a global audience. The MST both encourages a vision of self-activity around land redistribution, and facilitates a deeper understanding of the relationship between secure land access and the broader political economy focused on the immediate needs of the poor. Of great importance to activists in South Africa working with the landless movement, is the relationship, spelled out by the MST in its thought and practice, between land redistribution and the struggle for an alternative political and social system that transcends access to land in isolation.

In light of control over access to resources and networks, there is a danger of patronage relationships developing between well-networked individuals working with the movement and individuals inside the movement. Usually middle class individuals working with the movement may use resources at their command to promote their own image, or the image of selected individuals in the movement, to an international audience. Since this audience builds the image of the movement to a wider layer of people globally and regionally, those who have access to global and regional contacts have immense power in shaping the image of the movement, and thereby of channelling the direction of resources. This is particularly dangerous when the grassroots movement, like the LPM, relies almost solely on external funding for its survival (in its present form), and is highly dependent on a small group of people in facilitating global links.

Class dynamics are not only pertinent to the relationship between middle class activists providing support from outside the movement and members of the movement. The class basis of the programmes and activities carried out by the movement has not been clarified. This is largely because of the multi-class character of the demands for land access and redistribution. It is also because the class conflicts that are likely to emerge once the movement has succeeded in accessing land remain in the future.

In the rural areas, struggles by labour tenants to retain and extend access to land remain largely undifferentiated. The diverging trajectories of struggles by relatively wealthy labour tenants to become commercial farmers in their own right, compared to struggles by the poorest labour tenants without any land access or any livestock under their command to secure tenure, have not yet emerged as practical challenges for the movement. However, wealthier tenants are more vocal, and men dominate this stratum. This could have implications for the types of redistribution that the movement supports. An emerging class tension in the rural parts of the movement is that between commercial farmers, and landless farm workers and farm dwellers. One commercial farmer, with 900 ha of agricultural land transferred to his name through the government's Land Redistribution for Agricultural Development (LRAD) programme, was convinced that the LPM should be assisting members in the area to access land through the government's programme (Interview, 6 March 2004). A particular class agenda is tied to such a strategy, with regard to private land ownership, production of commodities for the market, competition as the driver of productive decisions, the employment of cheap wage labour, and so on. The resources at the disposal of these members of the movement, their skills and networks, all contribute to generating a direction for the movement. Landless workers with less power to realise their own demands in practice may get drawn in the wake of this agenda-shaping process.

In the informal settlements of the peri-urban areas, similar quasi-class conflicts lurk just beneath the surface. In one settlement in southern Gauteng, the local state has attempted to drive a wedge between residents by offering the 'formal' residents (who nevertheless still live in informal housing) the opportunity for tenure security, a formal house and services at a nearby site, in exchange for an agreement that backyard dwellers be removed 'from shack to shack' to a distant and inconvenient site (Interview, LPM member, 3 Sept 2003). Depending on how the LPM formulates common demands to overcome this division or, failing that, which group the movement aligns itself with, can have fundamental implications for the class character of the movement in the future. The chosen trajectory is heavily dependent on local leadership, the character of the movement's base in the settlement, and the links between the settlement and other sections of the movement.

5.2   Land and race consciousness

Forced land dispossession took place on the basis of race. It is not surprising, therefore, that the movement is overwhelmingly black in composition and there is a strong race consciousness in the movement. Occasionally this goes to the extreme of attempting to remove any white participation in the movement. On the other extreme, residues of

apartheid hegemony based on racial inferiority/superiority remain in the consciousness of some members. This translates into deference to whites, whether they are openly opposing the movement or working to build the movement. There is a close relationship between white privilege and access to resources that form the basis for dependency relationships, reinforcing the apartheid legacy. But these are extremes. In general, members of the movement appear to have a pragmatic approach to working with whites, and a non-racial outlook in the sense that 'whites' are a differentiated category understood within the context of the structural character of white privilege. In principle the movement has adopted a position of anti-racism in its constitution. However, this does not reflect the diversity of opinion and feeling in the movement with regard to race and racial identity.

Racial identity is not at all uniform in the movement, and there are many different strands of thought that make different types of links between racial identity and the struggle for land. There is a strong element of Africanism that is internally differentiated. On the one end, there is sympathy for Thabo Mbeki's vision of a globally integrated Africa via Nepad. On the other end of the spectrum, is a strong desire for African unity but 'delinked' from the dominant global political and economic systems that Mbeki is encouraging integration into. The Congress tradition of non-racialism is also evident as a strand in the movement, not least because many of the movement's members come from this tradition. There is also an element of black consciousness, expressed in the desire for the movement to be exclusively black in leadership and membership alike. Such a position flourishes in conditions where the issue of land dispossession has a racial character and where few whites are practically involved in building the movement.

There are different approaches within the movement around the way that the movement should raise and debate issues of race and racial identity. Systematic discussion has been limited to sporadic political education workshops in parts of the country, and has occasionally been placed on the agenda at national and some provincial council meetings. While it appears that there is value to creating fora where issues of race (amongst other topics) can be discussed at a theoretical level, there is a tendency for such discussions to become abstracted from practical activities. The relationship between racial oppression and land dispossession, and the consequent ways that the ongoing struggle against racial oppression and its legacy are carried out in the particular struggle for access to and redistribution of land, is dynamic and can only be determined through praxis. That is, theoretical clarification cannot be completed before action is proposed because ongoing clarification is dependent on action. On the other hand, practical action has to be guided by theory otherwise it dissolves into a reactive response to circumstances, often based on an assumption of theoretical agreement. To date, the highest-profile debates on race in the movement have focused on the interactions between black and white activists in the movement, rather than on elaborating the way in which the struggle against racism can be integrated practically into the movement's actions and demands.

5.3   The embryonic women's struggle in the movement

In the process of struggling for secure access to land, women are forced to confront a patriarchal power structure. The official land reform programme aims to redress past

inequalities resulting from systematic racial discrimination. This means that the historically disadvantaged are defined primarily in racial terms. Neither the state's processes nor products counter the domination of men in community level organisations on which the formal land reform programmes rely (Cross & Hornby 2002:113). Land demand is most often mobilised by community representatives, the majority of whom are male leaders with some status and often economic power in communities (*ibid*.:115). Even when land is successfully accessed through official programmes, participation does not necessarily give women greater autonomy than prior to the reform, since men tended to retain control of land use and access. Implementation of a gender equal approach requires a change in the social structures, beliefs and divisions of labour as they manifest in lived reality. The over-emphasis on establishing legal equality does not achieve this (Hargreaves & Meer 2000:267).

Women participate in a movement that becomes antagonistic to government and its programmes because channels and solutions are not available to them in their struggle for survival. But the movement is a product of the society it emerges from, and women often remain oppressed by the norms, relations and expectations of the past. At all levels of the movement, there has been very little or no discussion of gender in relation to the work and struggles of the movement (see, for example, Cross & Hornby 2002:124-127 on the KwaZulu-Natal Tenure Security Coordinating Committee, a key affiliate of the LPM). Patriarchy and outright sexism, the lack of space for women to articulate their own specific demands around land, the tendency for political discussions to be held at times and places where it is more difficult for women to participate, all contribute to skewing the movement's ideas and activities in favour of the interests of men in the movement.

Women inside the movement, especially longstanding political activists, are prepared to take up this struggle. There is a strand inside the movement that takes gender equality seriously and seeks to build this into the work and structures of the movement. The failure of the majority of the staff of the NLC and its affiliates to work directly with the movement on a day-to-day level has meant that interventions on gender equality in the movement have been limited to rote workshops that do not engage with the real practices of the movement – an institutional serial relationship based on passivity. There is a push from some quarters inside the movement to establish a women's caucus. These have been stalled through lack of resources, but there is enough impetus to make this a likely possibility in future.

6.   Strategic and tactical orientation

6.1   Land demand and post-apartheid hegemony

Ultimately, the understanding of collective responses should be sought less in the direct unity of a consensus, and more in their representation as perspectives of flight from objective constraints (Sartre 1968:78). We will search in vain for a single ideological framework that binds the movement together, since the collective activity of the movement is based on universal conditions of scarcity. Nevertheless, ideological inputs shape the struggle around landlessness, giving it a certain identity, direction and models to

follow. The lack of a single ideological line in the LPM means that strategies and tactics are sometimes contradictory, are unstable and fluctuate, and are highly sensitive to state responses.

The LPM operates both inside and outside the hegemonic framework. This is partly conscious and partly by default. Inside the hegemonic framework, the LPM's demands are constructed around the development agenda, on the terrain defined by dominant power. Again it must be emphasised that the development agenda is not purely an ideological blind, but that it has as a base the actual production of material goods. Key demands emanating from the movement are around the pace and scope of land redistribution, but with a critique of government programmes mainly limited to method and not principle. For example, criticism of the 'willing seller, willing buyer' model is premised more on its inability to redistribute land as promised, than on a critique of the land market and private ownership that underpin the model. At the same time, as frustration with limited redistribution gathers pace, it intensifies contradictions and opens the space for a more radical critique of the programme as a whole within the post-apartheid political economy.

As described earlier, meaningful participation in official decision-making processes is also important to members of the movement. We heard from members how, while they accept that the formal structures of participation are acceptable in theory, in practice citizens who are not members of the ruling party are not able to enter these structures of participate through formal channels. Yet the movement as a whole persists in its demand for formal consultations, indicating that it has not abandoned formal participation. This occurs at local or provincial level – such as the demand for Gauteng premier Mbhazima Shilowa to sit down and negotiate with the provincial LPM structure, or the Wakkerstroom labour tenants' demands for Land Affairs to sit with it to map out a plan for transfer of farms in the area. It also occurs at national level, for example through the unrelenting call for a national Land Summit to discuss the failures of the land reform programme and to design a way forward.

Demands are thus both for democratisation – in particular, effective participation - and a redistributive agenda. Both of these can be considered within the hegemonic discourse of development, i.e. they do not necessarily question or threaten the capitalist underpinnings of the developmental project. However, hegemonic power seeks to control the expression of these demands and capture them within a framework that serves or balances the various interests of the hegemonic bloc. Therefore, although the demands may be legitimate even from the point of view of the hegemonic project, the methods used to make them or their practical realisation may push them into opposition to the dominant powers.

As with the other new community movements, mass mobilisation is the basis of the LPM's legitimacy. But even this does not automatically put the movement outside the hegemonic discourse. Indeed, mass mobilisation fits snugly within the hegemonic framework – so long as it is within the confines of the law or strategies approved by the Congress Alliance. That's why it's possible for the SACP recently, or Cosatu more generally, to call for and engage in mass mobilisations. Given the location of these formations in the hegemonic bloc, mass mobilisation has as its political goal the

management or reduction of contradictions in the bloc. A defining feature of the LPM and other new community movements is that mass mobilisation serves to intensify contradictions in the hegemonic bloc and its ideological framework. This is partly through strategic choice, but also partly through the various responses of the dominant bloc, and especially the state, to these mobilisations.

On the basis of a common antagonism to the ill effects of the government's macro-economic strategies on the poor and marginalised, as well as the focus on mass activity as the primary method for challenging these strategies, the LPM has entered into a loose alliance with other movements sharing this broad approach. Grouped under the Social Movements Indaba (SMI), but also on the basis of bilateral solidarity and interactions, the LPM stands allied with the Anti-Privatisation Forum (APF), the Concerned Citizens Forum (CCF) in KwaZulu-Natal and the Western Cape Anti Evictions Campaign (AEC). Although interaction is somewhat sporadic at times, due to resource constraints but also political disagreements, these movements have all worked with one another practically, as well as through theoretical and political engagement.

The LPM has adopted a number of controversial tactics and campaigns to highlight its demands for a radical redistribution of land and secure tenure. Most notable of these is the movement's support for Zimbabwean president Robert Mugabe's land expropriation programme and its own land occupations campaign. Prior to the World Summit on Sustainable Development (WSSD) in 2002, the LPM requested Mugabe to come and speak to its members in South Africa. Says Maureen Mnisi from Gauteng: 'What I can say on the issue of Zimbabwe, I recommend what Mugabe was doing to take back the land as the President. There was always this pressure from people that they need the land and the farmers are occupying a lot of land compared to the Africans. And the President believed, he knows that the land belongs to the people, and he took back the land and gave it to the owners, meaning the people who are supposed to get the land. I recommend Mugabe as a president to do that' (interview 21 Nov 2003). Mugabe's disregard for the conventions and niceties of liberal democracy are viewed by many in the movement as resistance to neo-colonialism rather than a political manoeuvre to deflect attention from rising opposition to his government.

It may be that LPM support to Zanu-PF's land expropriation programme has tactical value. The Zimbabwean land expropriation programme has a strong element of dissidence to neo-liberalism and its market-driven economic reforms. There is also an implicit recognition in the LPM of the propaganda role afforded by aligning with Mugabe to give added weight to its own threats to occupy land, should the South African government not carry out land redistribution. But a burning sense of injustice and a desire for a decisive remedy from those in political power probably are at least as important as these tactical considerations.

Land occupations have been identified as part of the repertoire of actions the movement is willing to carry out. Mass occupations are not uncommon in the history of the land struggle in South Africa. In urban areas, the intense demand for housing has resulted in regular mass land occupations. Many, if not most, of the informal settlements around the

major urban areas are the direct result of illegal occupations in the past. In rural areas, there are a number of recorded occupations by groups onto land they have claimed through the restitution process, but have not received after a long period of time. Mass occupations of vacant or abandoned rural land are also fairly widespread. Labour tenant occupations on functioning commercial farms are far less common, because of the much grater potential for violent opposition from landowners (see Steyn 2002:3-4 & Appendix A for a list of known or threatened rural occupations).

The LPM's threat is driven by a deep frustration at the failure of patient engagement with the state's land reform programme to deliver. In some cases, community groups have waited for seven years or more without tangible progress in resolving land claims or in transferring land. The MST has provided a powerful example of the possibilities for organised occupations, and has interacted with the LPM to share its experiences and elaborate on its understanding of the central importance of occupations to a grassroots movement of the landless. At the same time, visiting activists from the MST make it clear that forms of struggle cannot be picked out of their context and placed unchanged in another country or situation. The concrete political, economic and social context of a struggle will determine the precise tactics and strategies.

At present, the movement lacks the political or organisational strength to co-ordinate and sustain such actions. But the idea of mass occupations remains a popular expression of frustration and desire for rapid redistribution of land. According to Jabu Dladla, an LPM organiser in Mpumalanga, 'People here are ready to occupy. They have been calling on the leadership to do this, but we have been delaying because we suspect people won't be strong enough to stand against farmers and the police' (Interview, 18 Oct 2003). By targeting un- or underused land and abandoned farms, the movement indicates its willingness, at least in the initial phases, to accommodate landowners and commercial agriculture. A sterner challenge arises from the call for expropriation or occupation of farms owned by abusive farmers. This begins to question the role of 'super-exploited' farm labour in constructing the commercial agricultural sector, and makes demands for reparations that transcend the official land reform and human rights agendas.

6.2   State and hegemonic bloc responses to rising land demand

The emergence of the LPM, in tandem with the unfolding land expropriation process in Zimbabwe, has had a notable impact on thinking around land in South Africa. The state has responded with a mixture of reform and repression, while other elements of the hegemonic bloc have become more vocal about their opinions on land redistribution. This may partly be a result of rising pressure around land access from the grassroots constituencies they are interacting with. But this cannot be divorced from the national level articulation of demand for land engendered by the LPM, which has placed land redistribution on the national agenda once again.

Following the initial and much publicised rise of the LPM, both the SACP and Cosatu have made public statements calling for the speedier and more effective implementation of the official land reform programme. Just prior to the national elections in 2004, SACP

general secretary Blade Nzimande indicated that the Communist Party's Red October campaign would be broadened to include a focus on acceleration of land and agrarian transformation (*Sapa* 2004a:3). Mirroring the LPM's call for a land summit to discuss the land reform programme and to plot a consensual way forward, Cosatu affiliate Food and Allied Workers' Union (Fawu) called on government to convene a land summit to seek ways of promoting subsistence farming and increase the pace of land reform (Petros 2003:4). After calling for a 'drastic review' of land reform procedures, saying the willing seller, willing buyer approach was not working, Cosatu general-secretary Zwelinzima Vavi said: 'In 2014, we will be 20 years into (our) democracy and if we…have not redistributed the land by then, we will find ourselves in a Zimbabwean situation' (Mboyane 2004:1). The motivations for these pronouncements may vary from a political strategy to absorb land demands into the ambit of the Alliance, or they may be a genuine attempt to provide greater support to the struggles of the landless (whether inside or outside the LPM). However, this sudden emphasis on land redistribution cannot be separated from the rise of the LPM, and at the very least indicates the broad appeal of its basic demands.

Business leaders and their associated media and political spokespersons have also felt the need to make a call for the implementation of the government's land reform programme. The largest national farmers' union, Agri-SA has worked closely with government to design a plan for commercial agriculture that incorporates land reform as a component (NDA 2001). No less than the New National Party (NNP) indicated its support for the 30% national target for land reform, with the proviso that it takes place on the willing seller, willing buyer principle and that 'the rule of law must always be upheld', according to party leader Martinus Van Schalkwyk shortly before the national elections (*Sapa* 2004:3). The editor of the influential *Business Day*, after calling for the improvement of the efficiency of the land reform programme, opined that 'meaningful progress demands a…social compact between commercial farmers and the rural poor' and that formalisation of this process 'is the only practical route to long-term sustainability in South African agriculture' (*Business Day* 18 May 2004:10). A survey by research group Markinor in 2004 found that 75% of white farmers canvassed felt land reform was inevitable, while 54% were willing to sell their land to advance the process (*Reuters* 2004:3).

To date, government has tended to be more responsive to the calls of capital and business than to the ANC's own Alliance partners or the LPM. The 'willing seller, willing buyer' model remains non-negotiable, and the 2004 Medium Term Expenditure Framework keeps the entire budget of the Department of Land Affairs at below 0.6% of total national expenditure up to the fiscal year 2006/07 (Dept of Finance 2004:825). The share of the DLA budget going to land redistribution was actually forecast to drop, while the emphasis on finalising the restitution programme would see a rise in the share of the budget going to restitution from 34.4% in 2000/01 to 52.7% of the DLA budget in 2006/07 (Dept of Finance 2004:829). In line with the equity-type black economic empowerment model characterising racial redistribution under Thabo Mbeki's reign, the land and agriculture Ministry also began the process of constructing an empowerment charter that would see greater black ownership in agri-business throughout the value chain (Nair 2004:4). A

number of large-scale black empowerment deals, notably in the sugar and wine sectors[5] were sealed at around this time to give weight to the focus on racial ownership patterns in large-scale enterprises.

These partial shifts on the ideological terrain, which reveal a growing pressure to acknowledge the legitimacy of land demand and a tacit recognition of a 'landless' identity, have been accompanied by state repression. In the lead-up to the WSSD in particular, the movement was required to respond to a heightening of evictions and the use of state force against its membership. In April 2002 farm workers and labour tenants marching in the rural town of Ermelo were arrested by police for an 'illegal gathering'. Charges were later dropped. In the week before the WSSD, residents of informal settlements around Johannesburg marched to the provincial premier's office in the city centre to demand a moratorium on evictions and to be included in development planning in their areas. Police forcibly dispersed them, arresting 72 and detaining them for 3 days in Johannesburg Central police station. Charges were later dropped. In 2003, seven LPM youth members were arrested on false murder charges and were kept in jail for three months before their trial, at which the charges were dropped. These and other cases where charges were withdrawn after the damage was done have led the movement to consider the option of filing for an interdict against the police to prevent them from unfairly harassing its members.

The reliance by the state on coercive responses to the LPM indicates that there is a perceived threat to its power. The case of the LPM's No Land, No Vote campaign in the lead-up to the 2004 national elections is revealing. In numeric terms, the LPM posed little or no threat to the state in its mobilisations in the months leading up to the elections on 14 April 2004. With limited resources, the movement mobilised 1 500 protesters to march to the Union Buildings in Pretoria in November 2003 in support of the campaign. This was followed by a couple of very small and unsuccessful attempts to occupy land or government offices in the Eastern Cape and Gauteng. But the movement must have struck a nerve, because an attempt to hold a small gathering in Thembelihle in Gauteng on election day was met with high levels of police aggression, the jailing of protestors and the intimidation and torture of LPM members in police custody overnight (Hooper-Box 2004:4; Hofstatter 2004:3). This violent response suggests a vulnerability to the criticisms highlighted by the campaign, in particular the abysmal record of land redistribution ten years after democratisation, the rise in forced removals and evictions, and the failure of parliamentary democracy to design an acceptable process for resolving (rather than managing) long-standing social problems. As Barchiesi (2004:24) points out, by 'bringing to the fore the demands of constituencies historically marginalised within nationalist discourse, like the landless', the LPM has directly challenged the ANC's construct of 'the nation', and has opened up new areas for political contestation.

The state's repressive response to mass mobilisations that do not fall under its political control, pushes these mobilisations onto the terrain of potential counter-hegemony. The criminalisation of mass resistance to government policies and practices, using apartheid-

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[5] See N. Jenvey 2004 'Illovo hives off Gledhow mill, land for R335m', *Business Day*, 15 May 2004, p.13; Bloomberg 2004 'KWV advances 55c after Phetogo deal', *Business Day*, 11 June 2004, p.13.

era legislation like the Prevention of Illegal Gatherings Act, or as threatened by the proposed Terrorism Act of the near future, convert the liberal democratic rights to protest, gathering and association into illegal acts. This response suggests that the political leaders of the state consider the possibility of snuffing out the movements worth the risk of pushing masses of people into a directly conflicting relationship with the state and its discursive framework.

Law defines the boundaries of the hegemonic project or, in the words of Poulantzas (1978:83), 'Law is a constitutive element of the politico-social field'. Outside the hegemonic framework, the movement and its constituents are increasingly forced into a situation where they can see no option but to embark on illegal actions. A key example is popular sentiment in favour of mass land occupations. This illegality - or the threat of illegality - drives the movement into opposition to the hegemonic discourse and framework. According to Sartre (1976:617), obedience legitimates the sovereignty of the exploiters in the eyes of the exploited. It is only through acts of disobedience that the illegitimacy of authority based on serial relations is exposed. To not obey the rules that bind one into serial relations with other human beings, is an act of freedom. Thus, on both collective and individual levels, illegality brings people into confrontation with seemingly given social relations, and exposes these relations as nothing more than constructed relations between human beings, maintained by atomised passivity and obedience.

7.   Conclusion

The LPM is a product of a combination of the ravages of a capitalist system on the poorest and most marginalised sections of the population globally and in South Africa, and the resultant resistance that this has thrown up historically. The movement would not have emerged but for the active synthesis of the lessons of history by a mass of people constantly struggling to break free of serial relations, and their desire to forge relations of true reciprocity through collective praxis. Institutions and organisational forms are never free of the past, and this forces an iterative process on the challenge to inequality and injustice, always partially hampered by inadequate or inappropriate forms of organisation and action. The LPM and allied movements are engaging in this historical process against overwhelming odds. A new capitalist hegemony has entrenched itself in post-apartheid South Africa, and the process of overcoming this will involve long, difficult and painstaking work to rebuild popular struggle against capitalist exploitation and the attendant expressions of racial, gender and other forms of oppression and exclusion that are constantly reproduced by it. Despite flaws and divisions, tactical and strategic mistakes and a constant pressure on individuals to fall back into isolated seriality, the movements have infused new life into political and social action that was fast becoming institutionalised and closed.

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