



Why South Africa Should Not Do a Zimbabwe: Demerits of the Proposed Land Expropriation Law

By Claudio Buttice



AS 2019

Some time has passed since South African President Cyril Ramaphosa's highly controversial announcement of a new land reform law that would allow for the expropriation of land without compensation. Accused by some of racism, and by others of populism, the president is trying to address the pressing requests of the vast majority of blacks who still feel oppressed after white minority rule ended in 1994. According to a [recently released parliamentary media statement](#), this bold move should fix "the historical wrongs caused by arbitrary dispossession of land, and in so doing ensure equitable access to land and further empower the majority of South Africans to be productive participants in ownership, food security, and agricultural reform programmes."

Apparently, in a country where the white minority account for just over 9 per cent of the population but which owns over 70 per cent of the land, such a law seems to be a fair way to balance the scales of social justice. However, on the other side of the barricade, there are thousands of white Afrikaners descended from Europeans who colonised South Africa who claim that they worked hard to obtain that land. These people are human beings as well, and many of them are only paying the price of a segregation regime imposed by their fathers and grandfathers.

This bitter battle between these two sides is rooted in apartheid, a terrible word that does more than just bring back bad memories. It is an ugly concept that speaks to us of racial segregation, and inhumane treatment. And even if now the faces (and colours) of the protagonists may have swapped, the dehumanising cruelty behind it has probably not.

The controversial amendment to section 25 of the Constitution

To date, the African National Congress (ANC), the country's leading political party since the end of apartheid, has redistributed land following a "willing seller, willing buyer" model. In a nutshell, the government buys white-owned farms and then redistributes them to black farmers. The idea was to return at least 30 per cent of the land that was expropriated from black farmers to their legitimate owners by 2014. However, today less than 10 per cent of commercial farmland has been redistributed. Exponents of the South African Homeless People's Association claim that the "willing seller, willing buyer" model only widened the social divide, [bringing more poverty to the masses](#).

The law proposed by Ramaphosa aims at amending section 25 of the Constitution to make the expropriation of land without compensation an explicitly legitimate option. In other words, the government could take this land away from white hands without paying them anything, as long as the reform doesn't cause any damage to the nation's economy, agricultural production, and food security.

This law was supported by a small radical party led by Julius Malema, the newly-created Economic Freedom Fighters (EFF). However, not all the white owners got their land by means of coercion during the previous century. Many claim they legitimately bought it through the hard work of their ancestors and defined this law as grossly immoral and inhumane. Some threatened to wage war to defend their farms, bringing back the sad memories of the recent land expropriation policies enforced in Zimbabwe. Some other "softer" reforms have been proposed, such as paying "just and equitable" compensation that is well below market price to landowners, or banning foreigners from buying agricultural lands.

Racism: the legacy of a century of apartheid in South Africa

Unlike other countries where racism is a tremendous plague that crawls hidden in the very fabric of society, in South Africa racism and discrimination against blacks were *explicit laws*. During the last century, European colonialists simply institutionalised them as part of the nation's legal infrastructure. Similar to the racial laws that forced Jews to lose their jobs just because of their heritage, during apartheid in South Africa, a series of laws were put in place to enforce white dominance. It was the Parliament itself that decided that black people had to be inferior human beings and had, therefore, limited access to rights.

In 1913, the South African's colonialist administration passed the Natives Land Act, a law which stripped nearly all black people of their right to own land. Although 72 per cent of the population consisted of black people, this law limited land ownership among blacks to a mere 8 per cent of the country. White South Africans literally gave land to themselves, a capital offence that created a terrible precedent as many black people were forcefully evicted from their farms.

The law proposed by Ramaphosa aims at amending section 25 of the Constitution to make the expropriation of land without compensation an explicitly legitimate option. In other words, the government could take this land away from white hands without paying them anything, as long as the reform doesn't cause any damage to the nation's economy, agricultural production, and food security.

Other laws, such as the Reservation of Separate Amenities Act of 1953 and the Group Areas Development Act of 1955, further reinforced these policies of segregation. Blacks were forced into unproductive land and underdeveloped regions, which excluded them from amenities such as parks, schools, and hospitals that only whites could access. Blacks could not obtain formal training for skilled jobs, which denied them the right to study, and barred them from equal employment and development opportunities. Together with many other racial laws, apartheid drove the black community into poverty, prevented them from expressing their opinions freely, and stripped them of their properties.

When the apartheid formally saw its end in 1994, many who suffered from these disparities imposed by this regime rejoiced, hoping for reforms that would bring back some justice in their lives. However, as often happens in politics, many of these promises of equity and equality quickly turned into empty words and vain declarations. The resources that the South African government allocated for land reform were vastly insufficient, never exceeding a mere 1 per cent of the national budget. Even today, land reform doesn't look like a priority, with the amount allocated to it being just 0.4 per cent of the national budget. Racial inequalities persist in many sectors, including in the mining and industrial sectors, which constitute the backbone of the nation's economy. The majority of the most profitable companies remain controlled and managed by whites, and the whole labour market still suffers from substantial polarisation.

Growing inequalities

The snowball effect of nearly 400 years of colonialism left the black community in dire poverty, ripe with nearly-illiterate individuals who had no chances to become competitive in the upcoming century of globalisation. [According to the World Bank](#), 25 years after the end of apartheid, South Africa is still one of the most unequal countries in the world. In 2017, the unemployment rate was still high and growing at 27 per cent, with many people lacking tangible prospects for a better life. Race still has a tremendous impact on an individual's chances of finding a job, as well as on the wages received once employed. A bitter divide between white Afrikaners and black people has kept growing and has become the core of all social or political debate in this tormented country.

Despite the country's huge potential for growth, the economy kept stagnating during the nine years of Jacob Zuma's presidency. Characterised by rampant corruption and continuous scandals, Zuma's administration came under pressure as the masses started asking for policies that would address unemployment, disparities, and poverty.

The resources that the South African government allocated for land reform were vastly insufficient, never exceeding a mere 1 per cent of the national budget. Even today, land reform doesn't look like a priority, with the amount allocated to it being just 0.4 per cent of the national budget.

Eventually, after an extremely unpopular cabinet reshuffle, [Zuma was forced to resign and was replaced by Cyril Ramaphosa](#) in February 2018. The new president cracked down on corruption and kicked out many inept ministers while Zuma was indicted for money laundering and racketeering. However, the damage that Zuma inflicted to the party's credibility was so severe that it had to rely on radical parties such as the EFF to gain some traction.

The ANC lost so many voters in the 2016 local elections that the 2019 ones may be in jeopardy. Some argue that Ramaphosa is simply pushing the Land Expropriation Act as a populist ploy aimed at recovering a significant portion of the voters' trust. The nation's poor, in fact, make up the

majority of the electorate, and addressing their plight will certainly provide him with the political stability his government needs so much.

The human, social, and economic consequences

ANC's and EFF's new land reform tastes like nothing but a bloody policy of revenge inspired by populism and driven by a desperate need to win the elections. But blood always calls for blood, and may easily throw South Africa into a new civil war, no matter how justified this law may seem. The French Revolution, the recent Zimbabwe land expropriation laws, and even the Communist Revolution all teach us a fundamental lesson - that legislation that allows a state to violate property rights only creates new privileged elites rather than equalising the social fabric.

A law to allow the seizure of land has a profoundly negative impact that goes well beyond the violation of fundamental human rights. Its consequences can be catastrophic on the industrial, agricultural, and banking sectors as well, and [neighbouring Zimbabwe is a prime example](#). Just like Venezuela, another country where land was redistributed from the rich to the poor, today Zimbabwe needs to import nearly all the food it needs rather than producing most of it, as it did 20 years ago.

Distributing land "fairly and equally" to all people means creating a large number of smallholder farmers who will have to face tremendous costs to grow and be competitive. An entire nation of small farmers will have a really hard time competing with the larger players of globalised agriculture unless they have access to the latest methods and technologies. Yet, once again, has the government thought and planned a strategy to provide these future landowners with the necessary means to survive in such a harshly competitive environment? Worst case scenario: this may lead to large-scale deforestation by owners who will start selling their wood cheaply to foreign companies - a process that has already devastated Kenya, Uganda, and Ethiopia.

However, we may have a very different scenario - one where land is handed down to a smaller amount of black people who will quickly become rich at the expenses of others. A new handful of privileged individuals who will simply substitute former white owners with other newer sons and daughters of uncontrolled capitalism. Their faces may change, but the inequality will bring the country to its knees in the same exact way. Whether their skin tone is darker won't make them any better than their colonialist predecessors, nor will make the whole act of seizing land be more just or justifiable by any means.

On top of all that, a scenario of harsh social tensions and violent clashes is a bomb that is about to explode. Following some cases of brutal and murderous attacks of white farmer that got the attention of the media, some Afrikaners called out for international aid, [claiming there was a "white genocide" going on](#). And while smart people may easily understand that the numbers are no way as high as to justify the choice of this vastly exaggerated terminology, this alarmist rhetoric is bound to have serious global consequences.

Distributing land "fairly and equally" to all people means creating a large number of smallholder farmers who will have to face tremendous costs to grow and be competitive. An entire nation of small farmers will have a really hard time competing with the larger players of globalised agriculture...

In an era where [the rise of neo-fascism](#), fake news, gross misinformation, and distorted nationalisms represent a serious threat to all societies, this may be a spark that would ignite an uncontrollable chain reaction. Black people around the world are often unjustly identified as enemies by organisations and parties who willfully manipulate information. Knowing there's a country where a

murderous government justifies their violent persecution will only fuel a hate that is certainly more detrimental than beneficial to the black cause.

Conclusion

History cannot be corrected by doing the wrong thing, and the ANC's policy means nothing but repeating the same mistake over and over again. South Africans deserve having the right to cultivate their lands once again, they deserve to live in a fair country, they deserve peace. It is totally understandable that poverty must be fought with all means, and that the current situation is all but just or fair.

But enforcing the rights of black people with violence won't restore the justice and equality this country so desperately needs. It will only open a gaping wound across the nation that will widen the divide even more. It may reach the point of breaking any bridge built so far between all those human beings whose sole difference is the colour of their skin and the heredity of their ancestors.

Published by the good folks at [The Elephant](#).

The Elephant is a platform for engaging citizens to reflect, re-member and re-envision their society by interrogating the past, the present, to fashion a future.

Follow us on [Twitter](#).

