



PAC

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Office of the Secretary General

Date: January 2020

Ref: Publication 001/01/2020

PAC Publication

ON THE PARLIMENTARY PROSESS ON THE RESOLUTION OF THE LAND QUESTION.

In one of our documents on the Land Questions we had this to say with respects to the Public Policy Paradigm understanding the subject matter; a concept of or consciousness of being a nation is a product of complex subjective identification by a people or a community of people, derived from their historical and cultural backgrounds.

Such national identity has its territorial/physical/space component/aspect at a macro-level taking a form of territory (geographic) level, followed by land at a meso-level and various land-use varieties at a micro-level. Accordingly, before, a nation can have its governance structures and its state (nation-state), but the identification of the nation is incomplete without the territorial (concept of territorial integrity) and land components or structures; (there can be no two nations on one land/territory, this being part of the South African identity and political problem).

Land obviously has different use possibilities as it covers various sub-components: minerals, water, forests, oceans, velds, mountains, rivers, lakes, vegetation, herbs, various physical heritage, etc. Territory and land also



express national culture (inclusive of heritage aspects) and identify. From a critical consciousness level of understanding political economy issues, nation (nationhood), nation-statehood, territory and land are coterminous concepts and realities. The primordial of land ownership politics are decided at this level and “grand terrain”.

In dealing with the land question and its equivalence the national question the occasions, structures and consequences of colonisation, “imperialisation”, decolonisation and post-colonisation (read neo-colonisation in one case) must be understood. Different forces: such as classes occupy various positions for and against efficacious resolution of the Land Question.

In the South African case (as it was in other countries) the pro-status quo social classes/forces include the following: the state and its various arms and bureaucrats and political executives, including those in Parliament, the political elite in general, the traditional authority structures, proletarian-semi-proletarian, peasants-semi-peasants, farm tenants, landed property owners and capitalists in general, global imperialist forces, including agro-business global forces, international finance and corporation, etc.

From a decolonisation process/agenda point of views included here are :the general indigenous African underdogs, the women (mostly African), orphaned children etc.

The most trust-able protagonists of the just settlement of the Land Question in this country are the following social forces: the poor landless underdogs within the indigenous Africans communities, the left within the Africanist group, including intellectuals. The poor landless African group include farm labourers and tenants, landless proletarian-semi- proletarian, the landless peasants and semi-peasants. Women in general and orphaned children are included here. The other social forces identified above are other totally opposed to the resolution of the land question as a whole as it is or they are opposed to certain aspects of it: significant and non-significant.

Parliamentary Process: Changes in the Constitution (Section 25)

First and foremost it must be recognised that the Parliamentary Process is dominated by reactionary forces with respect to the true Resolution of the



Land Question. Through the Parliamentary Process the Resolution of the Land Question is aborted ab initio. Senior leaders of the ruling ANC and of the opposition parties are serious land owners today. Furthermore these leaders are penetrated by the interests of domestic and international capital operating in various ways and forms.

The “civility” of this capital can never allow for a true resolution of the Land Question. In fact capital is there to “civilize” the state, civil society, political communities, traditional authorities, black lobby groups (eg. Black business forum/unity, etc.). The state bureaucrat and those in the legal fraternity are equally and sufficiently “civilized” by capital to act in its interest. The state, while already civilized by capital, preposterously mediate between the interest of labour capital and civil society organized groups. Infact the state in its own interest civilize civil society, imparting on it requisite civility. What comes out of these interactions if but a joke: We are all capable of laughing at it, aren’t we?

THE POSITION OF THE P.A.C

1. The Parliamentary Legal Process is a false one and will not deliver the desired goods with respect to Land Restoration/ Repossession by African people. It is a fake deliberate and filibustering (tiring and buying as many activists to abandon the correct approach) one. ANC has entered a deal with domestic and global capital to this effect. The EFF is going to shout, mobilize and finally get bought so long it will rely on the parliamentary process. Other political forces are already bought over. The PAC has not articulated its position widely and effectively. The members of the traditional authorities are beneficiaries of the status quo and others equate trusteeship over the land with its ownership. **BUT THE PAC MUST PARTICIPATE IN THIS PROCESS WHILE PUTTING ITS CASE INSIDE AND OUTSIDE THE PARLIAMENTARY PROCESS IN NO UNCERTAIN TERMS.**
2. Social, political, economic inequalities and total dislocation of land ownership patterns will not be achieved through the proposed process by government. The amendment of Section 25 of the Constitution does not meet or satisfy the PAC demands: a) land is apriori a property of the indigenous people and must in total return to them without any



conditionalities and an individualization process. In accordance to Sobukwe's advocacy, people of foreign stock (historically) who identify themselves in all human, economic, cultural, social, etc. respects as Africans will also be beneficiaries of the new dispensation. This is decolonisation. In this respect land is conceived in its totality and in its various uses and not just for housing and agriculture and economic activities. It is an identification substance to the people, to their culture, nationality, etc. b) decolonised land means that land becomes the common property of the common people as a whole in this country (in this country we have nationals, citizens and foreigners).

In this way land becomes De-comoditized :cannot be bought and sold. Access to land for use becomes a right to all Africans. Land under these conditions cannot also be collateralised as capital whatsoever. c) a Supra Chapter 10 Body to manage the common property on behalf of the people in this country including the State.

This means that the State will be subordinated to this Body and will also have to ask for its land needs from this Body like the citizens/nationals will do. In this regard the State and its incumbents are not trusted to act as owners of the common property. This Body will be supported by regional bodies in executing its work. NB The Parliamentary Process is not meant to deliver the above.

WHAT SHOULD BE THE POSITION OF THE PAC?

The premise.

The resolution of the land question (restoration, repossession of land by those from whom it was alienated through the colonial process) is primarily a Political Question as well as a Social Question. Territory, geographical space and land are primarily and principally national issues and identities. It is not an economic issue. Land (territory, geographical space) is the property of the nation (in this case, the African nation).

The right to land by nationals is determined by nationality (culturally and historically) and not by the purpose of use (economic use) and/or ability to buy it. The impact on economic use, can therefore never be used as a precondition for making land available to nationals. Similarly, legality per-se (in terms of



legal process) can also not be used as a precondition. This is a political and a social process whose outcome requires legal sanctification and protection.

First and foremost the resolution of the Land Question is a wholesome and is of fundamental significance. It cannot be a subject of adhoc decisions: which land must be expropriated from whom and be distributed to whom and for what use? What needs to be asked and answered is as follows: what is the concept of land in its totality in this country and how does it relate to the nation and the people of the country. This is looking at a macro level and not at a micro level (distribution for use).

The Amendment Bill does not address the above issues and therefore is a fraud. The dominant political forces in control of the whole process operate at a micro level and not at a macro level which deals with a decolonisation process.

The whole programme for the decolonisation of Land Ownership distribution and utilization has two phases:

- I. The Restoration and Repossession phase culminating in Declaring Land as property of African people and its De-commoditisation.
- II. The second phase being the consideration for compensation if any. Here issues are: should there be compensation or not? If compensation is presumed or considered justified, then the issues are: which aspect of the Land is compensatable, at what level, within what period of repossession and using what means(cash, government bonds,etc.).

Under these circumstances what should the PAC do?

- A. The PAC must respond to the call for comments on the Amendment Bill stating the Party's position enunciated above and in other documents. This must also be communicated to the public especially to members of social movements dealing with land issues outside the control of the state and parastatal organs including traditional authorities.
- B. The PAC should participate in this Legislative Process using it as a platform to advance the party's position. The solution to this problem will be found outside the Legislative Process and it will be where PAC will be playing a leadership role. In short the PAC must organize and lead a



social movement forces in this regard which will act as a parallel force to the legislative forces and will take over after the failure of the legislative process which is dominated by capital and political enlisted political elites.

- C. As already stated above PAC must mobilize an extra- parliamentary process under its leadership working within the social movement structures and processes that aim at resolving the land question as enunciated above.
- D. PAC must immediately open up discussions with various groups dealing with various aspects of the Land Reform Agenda. This is of utmost urgency.
- E. PAC must be heard on this matter and must be prepared to receive fierce support and opposition.

Note well.

Let the PAC CASE on Resolution of the Land Question be fully and clearly expressed. So much energy has been expended on this matter: right from 1959 and much so from 1991 to 1992 and there after to 2019. Emphasis must be made as follows:

- Land must cease to be a commodity to be sold and bought.
- Land is a common property of the African people as a group or totality and not as individuals
- The Constitution of the country must declare that land is a common property of the African people (as a nation, historically and culturally, and per open nationalism acknowledging the presence of Africans who are not culturally and historically Africans)
- There is a provision for private property: houses, clothing, investments, income, livestock, usual personal belongings, intellectual property, etc. The Constitution must also pronounce on this.
- The Right of Use (usufruct) shall be constitutionally and legally protected (therefore registered) and inheritable.



- Population size and land use requirements will determine the size of land to be allocated to individuals or families for various utilization purposes. For household/family needs eg. Subsistence land will be allocated freely. For commercial purposes a land tax will be charged to meet various revenue needs of the State.
- There is no room to depend on donated land from the white landed gentry. In fact the ANC is insulting the landless Africans to ask for such donations.
- ANC cannot deliver on the resolution of the Land Question because:
 - a) A lot of its senior leaders are alleged to be big landlords.
 - b) ANC is alleged to have entered into firm agreements with white land owners as to how to fool the African masses about the settlement of the Land Question. A lot of tricks, deceit and so on will be used by ANC to delay and confuse this process and prolong ANC position as a ruling party supported by big domestic and international capital.

- A nation is principally a political concept, an expression of common historical experience and a belief to be one people. Territory and land are physical expression of the identity of the nation and the geographical space it occupies among the comity of other nations.

Land in consequence also provides sources for economic well-being of the nation. The land ownership and distribution issue must be located within these considerations.

Furthermore, the pride of being a nation is the foundation for social mobilization to effect national developments affecting various elements of the nation: economic, social-cultural, institutions, political structures and processes and so on. It is a bulwark against imperialism and colonialism and is a precondition for any internationalism members of the nation may aspire to become.

PAC as a party of the Africanists upholds the principle and realism of the existence of an African nation: with the people of the is country being a substructure of the African nation that is culturally, historically and continentally defined and located. Africans in the



diaspora are included in the conceptualization and recognition of the African nation.

But as Aficanists with the PAC auspices we come from the left promoting social equality(economically, culturally, socially, politically and so on). The PAC thus stands opposed to inequalities in the country brought about by the structures and processes of capital(capitalism); that is by the “civility” of capital-capitalism.

A socialized social structure must be the pillar and substance of the African nation of this country. The Resolution of the Land Question must be pursued within these values, beliefs and overall habitus. The culture and ideology of the Aficanists is thus opposed to the hierarchical social stratification of the African nation in this country and the Resolution of the Land Question must contribute and be part of this goal.

All forms of capital: economic, social, cultural, symbolic, etc. must be socialized for the realization of the comprehensive and total justice in the country.

In Conclusion.

And lastly it should be remembered that in this country supposedly decolonizing events (1992-1994) culminated in on occasion through which state power was passed from settler-colonial socio-economic-political elite not to an African petit bourgeoisie group but to a partnership of the two under an egregious state structure called “government-of-National Unity”, a “rainbow nation”: a compromise joint venture made up of the non-Africanist African petit-bourgeoisie and the ex-settler-colonial bourgeoisie.

This joint-venture was to play the role of statecraft and governance in accordance to the civility specified by domestic and global capital. There was no structure of equivalent strength, purpose and capacity developed at the societal side (civil society). Labour remained bifurcated in relating to the new post-colonial structure and processes and remained attached deferentially in accordance to the previous settler-colonial dispensation.



The capacity (and will) of the “new post-colonial state” to deliver various expectations must be understood within these realities; not from myths and hallucinations. Any social-economical and political mobilisation by Aficanists for societal transformative change in this country must take into account the above realities: that is the distribution of political-economy force.

End

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