

A New Democratic Space in South Africa? – Mobilizing Towards Land Rights and Social Justice

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Third Year Paper

Citation Style: APA

Abstract:

While the dominant perspective in the state failure debate has described underdeveloped African countries as inherently undemocratic and dysfunctional, South Africa is deemed as an emerging economic power with exemplary democratic practices. At the same time, proponents of the democracy-development theory have made claims about the alleged relationship between a nation's socio-economic progression and its democratic institutions. Focusing mainly on South Africa, this article examines the validity of these claims and argues that given the prevailing race-based social divide and the immense socio-economic disparity, the process of democratization in South Africa has been rather limited. Indeed, democracy in South Africa manifests severe weaknesses equal to other African countries. Notwithstanding these weaknesses, the advent of social movements such as the Landless People's Movement points to the opening of a new democratic space that provides political opportunities for citizens.

Keywords: social justice, land rights, democracy-development nexus, civil society, Landless People's Movement, South Africa

Introduction

The subject of “democratization in Africa” has increasingly captured the interest of many scholars within social and political science circles for decades, which has resulted in a large body of literature being dedicated to exploring this topic¹. Analysts from this literature in the state-failure debate diagnose the majority of African countries with "bad governance" and describe their "underdevelopment" as a result of their undemocratic tendencies (Potter, 2000, p. 381). Yet, South Africa, the most economically advanced country on the continent, is often

¹ (Mamdani (1996) “Citizen and Subject: Contemporary African and the Legacy of Late Colonialism”; Barkan (2002) “The Many Faces of Africa: Democracy Across a Varied Continent”; Widner (2005) “Africa’s Democratization: A Work in Progress” (to mention a few).

esteemed as a success story of a functioning democratic regime and the leading paradigm for other African nations. This proposition is made in consideration to South Africa's turbulent history of apartheid and the following transition to Western liberal democracy (Schlemmer and Moeller, 1997). Nevertheless, forty-five years of institutionalized racial segregation has undoubtedly left ingrained scars on this highly fragmented society. The dismantling of official apartheid and the inauguration of democratic institutions did little to transform the dispersed social fabric of South Africa into a nation-state (Schlemmer and Moeller, 1997). Hence, Rejai and Enloe's (1969, p. 140) concept of the "state-nation" is still very useful in the South African context.

As a semi-industrialized and proclaimed democratic country, South Africa provides a unique case study in investigating the strengths and weaknesses of the democracy-development theory. According to Osabu-Kle (2000), democracy "includes accountability, transparency in decision-making, responsiveness, and legal process that require the consolidation of a complex array of ancillary institutions" (p. 77). In this sense, democracy heavily rests upon interactive state-civil societal relations based on mutual responsibility. Even though it remains a contested concept, this essay will explore the government's responsibility in ensuring the social rights of citizenry in a democratic regime, and illustrate the inseparable intersection between economic forces and democracy. This paper will argue that race-divided societal fabric, in connection with tremendous socio-economic inequality has stalled the process of democratization in South Africa. Notwithstanding these constraints, the emergence of social movements is a clear indicator of the new originating democratic space that provides political opportunities for concerned citizens. The delicate issue of the government's (African National Congress) land reform policy and the citizens' struggle over land distribution (with specific reference to the Landless People's Movement) shall form the case study for an analysis of development and democratization linkage.

The New South Africa: New Democracy and Economic Orientation in an Old Divided Society

Schlemmer and Moeller (1997) elucidate the complexity of South African society that is characterized by racial, ethnic, and socio-economic division. The distinction between the

industrialized and commercial urban centres and subsistent production in the rural areas of the country constitute another challenge to South African society. It is widely accepted that the nature of South Africa's distorted social structure is a product of its history. Economic disempowerment, segregation, and racism towards non-Whites framed the political ideology of South Africa until its first multiracial and democratic election on 27 April 1994 (Schlemmer and Moeller, 1997). In this respect, South Africa can be considered a 'state-nation' rather than a nation-state in the process of nation-building (Rejai and Enloe, 1969, p. 150). Similar to other African 'state-nations', South Africa represents a classic example of a sovereign territory with established political structures; which lacks a sense of national identity and cultural integration. In other words, the states' geographic boarders originated before nationalism was manufactured. This political composition has severe ramifications for South Africa's national culture, the character of the state and most importantly, resource distribution.

Like many African countries, South Africa is affected by the forces of neoliberal globalization. However, as Ballard (2005) points out, the process is informed by antagonist race relations or what can be termed as the 'politicization of race,' meaning race has become the determinant for resource allocation. While the political system under apartheid was constructed to benefit the White minority, the new democracy in post-apartheid era is predominantly advantageous for Black South Africans (Ballard, 2005).

The transition from apartheid to democratic institutions entailed a cogent compromise solution in which the ANC governments was to adhere to neoliberal economic orientation as a trade-off to implement programs that will combat the economic disenfranchisement of Black South Africans. The result of neoliberal globalization has been paradoxical with Blacks both reaping the benefits as well as experiencing further economic and social marginalization (Ballard, 2005). On the one hand, a small proportion of Black elites have witnessed financial gains under the new regime, but on the other hand the vast majority of Blacks remain in poverty, with minimal employment opportunities (Ballard, 2005). This in turn raises questions of structural continuity and the "newness" of South African social configuration. With the first democratic elections in 1994, citizens' expectations were evoked. Many asserted that the introduction of democracy would facilitate development.

Exploring the Democracy-Development Nexus in the South African Context

Scholars have long been polarized in regards to the democracy-development nexus theory. Even though the debate appears to be dominated by those who attribute “underdevelopment” to the lack of democracy, it is worth noting that there is no universal accepted or established position on this subject matter (Potter, 2000, p.374). While Minier (1998) asserts a direct symbiotic relationship between the economic performance of a country and liberal democracy, Durry, Kriekhaus, and Lusztig (2006) on the other hand, provide a more comprehensive understanding on this matter. They note that corrupt practices limit the prospects of economic growth and stifle productivity. At the same time, they also pointed to the ability of democracy to ameliorate the negative effects of corruption on economic development. Drawing on time-series cross-section data from one hundred countries between 1987 and 1997, they concluded that non-democratic regimes experience greater economic damage in the face of corruption compared to democratic nations. This position is in line with many other analysts who claim that the values of liberal democracy including freedom of speech and association, the rule of law, protection of human rights, all create an enabling environment for economic development to occur (Adejumobi, 2000, pp. 4-5).

This argument is viewed with caution by more critical scholars who contest the idea of a necessary causal relationship between economic development and democratization (Colaresi & Thompson, 2003, pp. 381-382). In fact, quantitative research conducted by Svante Ersson and Jan-Erik Lane indicates weak correlations between democracy and economic growth (Adejumobi, 2000, p.5).

Certainly, both propositions provide an insight into the nature of the debate. However, they remain limited due to the following reasons: firstly, they offer limited interpretation of democracy. Most political scientists engaged in the democracy-development conversation fail to make a distinction between democracy as a political concept with underlying principles, and liberal democracy that represents a particular type of democracy. The problem with this approach is that it rests on particular assumptions regarding liberal democracy, especially its alleged universality and suitability to every state irrespective of the specific socio-cultural framework.

Arguably, there is a tendency to equate the concept of democracy with the electoral system, multiple parties, parliamentary rule, and bureaucracy. Yet the term itself refers to any political form which is based on the “rule by the people, as contrasted with rule by a special person or group. It is a system of decision making in which everyone who belongs to the political organism making the decision is actually or potentially involved” (Routledge Encyclopaedia of Philosophy). Liberal democracy then, is a specific Eurocentric construction of the term, entailing its own political and social organizations. In light of this, scholars like Osabu-Kle’s (2000, p. 9) have powerfully argued that only a democracy that is compatible with the African culture can create an environment that allows for development in Africa.

Secondly, there is also the trend to regard development as equivalent to economic growth and elide the social, cultural, and human dimensions of what constitutes development. Thus, it is vital that any serious discussion on the interplay between democracy and development commence with a thorough examination of the two concepts at hand.

Thirdly, democracy and development are often seen as two separate spheres with a cause-and-effect relationship rather than integrated socio-economic and political processes as Osabu-Kle’s definition of democracy suggests.

When translating the democracy-development discussion into the South African context, it becomes apparent that a more comprehensive analysis is required in regards to the interplay of these socio-economic and political processes. A global comparison situates South Africa in an upper-middle-income society, making it one of the most economic advanced nations in Sub-Saharan Africa (Schlemmer and Moeller, 1997). However, South Africa’s contemporary economic advantage is related to historical events and legislative measures, which enabled the White minority government during apartheid to forcefully dislocate indigenous Africans to reserves and take possession of their farming land (Daniels, 1989). In addition to that, the apartheid system ensured the socio-economic head start of the white population as they occupied position in the high-income generating sector of the economy (administrative jobs, public sector jobs, business owners, large-scale farmers, etc) while Africans served as general labourers (Daniels, 1989). Hence, the present uneven land distribution, racial tension and socio-economic

inequality have their roots in colonial South Africa. Certainly, the engineering of South Africa's economic development was not accompanied by democratic principles but rather by discriminatory racialized policies. This secured the political power of the White minority population, which allowed them to appropriate land and resources, and subsequently disenfranchised the Black majority of their social, political and economic rights as citizens.

In this respect, the South African case unveils the inadequacies of the democracy-development relationship and thus demands for a new theoretical framework, which takes into consideration various social, economic and political factors. The subject of land distribution is an area that demonstrates the complex interaction between social, economic and political forces, as well as the challenges and opportunities it poses to democracy and development in South Africa.

Land Distribution: A Matter of Economic & Social Justice?

Land reform in South Africa poses an extremely complicated affair as it entails the racial politics of land distribution; questions surrounding communal land ownership; human rights versus land as a private property with an emphasis on profit-making; and citizens' rights to economic security and social justice.

Despite the attempts of the ANC government to implement a land reform policy, many South African citizens, especially landless peasants, have enunciated their dissatisfaction with the slow pace of the process (James, 2007). Of particular concern is the government's market-oriented approach to land distribution that essentially expedites the interests of African commodified landowners and thus disregards the majority of landless people. As von Lieres (2007) delineates, the government's land policy comprises three different programs: the land distribution program, the land restitution program, and the tenure reform program. The land distribution program intends to provide greater access to land for the Black majority. At the heart of the land restitution program is the restoration of land or other forms of redress to people who lost their land due to the racially discriminatory laws and practices since 1913. The third program seeks to protect the rights of farm dwellers living under insecure arrangements on private and state (communal) farm land.

However, under the official government program, landowners must be willing to sell the land and it can only be purchased at the market value. There is thus a strong focus on the commodification of land (Greenberg, 2004). As a result, the language of “rights” and “property” has come to circulate the political debate on the possession or the lack of land. While the rights discourse is rooted in the notion of land as a natural right with an egalitarian connotation, the concept of property on the contrary, leans on the idea of private ownership and the commercialization of land (James, 2007). Furthermore, this debate is part of a broader debate on citizenship and rights.

In his most influential work *Citizenship and Social Class*, Marshall conceptualizes citizenship and outlines three elements of citizenship: civil, political, and social (Marshall, 2000, p. 30). For the purpose of this paper, the focus will be on his idea of citizens’ social rights. Marshall defines the social element of citizenship as the “right to a modicum of economic welfare [...] according to the standard prevailing in society”. Thus, Marshall’s understanding of citizenship is not limited to the membership of a national community but includes socio-economic entitlements

Landless People's Movement and Democratization in South Africa

Many South Africans who see the need to ameliorate the socio-economic inequalities that exist in the land sector, conceive citizenship similarly to Marshall’s concept of citizenship. Demands for land equity are interpreted as socio-economic entitlements because fair access to land provides a tool to restore citizenship and to concede a majority of South Africans their social rights (James, 2007).

In making their land claims, the Landless People’s Movement stand in line with the citizenship and rights discourse. The movement was founded in June 2001 as a response to the government’s shortcomings in dealing with land distribution. James (2007) informs us that the first time they received media attention occurred after a report on their meeting in Johannesburg in which they boldly verbalized their intention to forcefully seize and distribute land if the ANC government continued their failed land reform program. Their demands include tenure security

and the redistribution of a minimum of 30% of farm land to landless people (Greenberg, 2004). The movement also advocates for the ending of evictions on agricultural lands or other informal settlements.

Economic security is certainly one of the main factors why land redistribution is of utmost significance, but at the same time Greenberg states that within the South African population, land redistribution is widely supported for reasons of social justice.

Although the movement has been instrumental in echoing the concerns of the public and forcing up agrarian issues on the political agenda, the government has not shown any sign of collaboration but rather continue to condemn the activities of the movement (James, 2007).

Clearly, the case of the Landless People's Movement illustrates a tense state- civil society relation. Ballard (2005) noted that several social movements arose in South Africa due to the lack of opportunities for meaningful political participation that allow for the inclusion of citizens in the decision-making process. Ironically, some government officials even perceive social movements to be counterproductive to the democratization process in South Africa. Yet according to von Lieres (2007), social movements should be seen as a new space for state-civil societal engagement which in fact strengthens democracy. In equal measure, Adejumbobi (2000) suggests that it is not adequate to have a democracy solely based on elections, abstract political rights and voting, but rather the people must have "real decision making powers" (pp.13).

In this respect, social movements generate great opportunities: they allow for participation from below and thus create a new democratic capacity for marginalized communities. Yet, von Lieres also mentions that the new democratic arena remains situated in old attitudes and practices. The historical experience of an authoritative state during apartheid, which denied citizens access to formal political institutions, has created an adversarial and confrontational state-civil society relation. This is certainly true with the Landless People's Movement (LPM). As previously noted, the conflicting interpretations of entitlement in the land sector limit the prospects for a consensual agreement between citizens and state officials (von Lieres, 2007). However, the conflictual relationship with the government only represents one of the many challenges facing the Landless People Movement. A microscopic view of the

movement shows some considerable internal frailties which is impeding their capacity to affect change.

Internal Dynamics of the Landless People's Movement

For James (2007) there is no doubt that the Landless People's Movement has failed in establishing a close relation with the rural poor in South Africa. According to him, many of the movement's potential members have not joined and likely will not join, due to the clientelistic approach of the leadership. James considers their attempt to form global alliances as a means to offset the outage in mobilizing their landless people nationally. Borras, Edelman & Kay (2008) draw our attention to the representation claims of numerous transnational agrarian movements which are problematic. In reality, representation is "dynamically (re)negotiated within and between leadership and membership sections over time" (Borras, Edelman & Kay, 2008, p. 182). A movement's representation claim may not always reflect the truth but since it forms an essential part of their justification for action, such claims are perpetuated. Borras, Edelman & Kay speak of "partial representation" both globally and nationally, and that transnational agrarian movements like the Landless People Movement cannot fully represent the vast and diverse people and interest of potential members.

The process of constructing a "landless identity" for the movement is accompanied with practical obstacles. The vast majority of South Africans both residing in the urban and rural areas can be classified as landless. In other words, most South Africans including those working in the formal economy live on land that legally belongs to the state or private owners (Greenberg, 2004). The question then becomes which of the landless people does the movement actually represent? The composition of the membership has been harshly disputed by many opponents of the movements including former president Thabo Mbeki (James, 2007). The leaders of these movements have had to defend its authenticity, as it has been called into question on the grounds of its membership.

Even though land seizure has proven to be ineffective, the movement continues to embark on this disputable method to express their frustration and strong desire for rapid redistribution of land (Greenberg, 2004). The government response has been to arrest members of the movement and insist that their resistance to the land occupation strategy will remain

unchanged (James, 2007). Ironically, members of the Landless People's Movement interpret the government's behaviour as a call to more land occupation initiatives. In highlighting their demands, the movement does not abstain from controversial tactics, as they have even demonstrated their support for Zimbabwean president Robert Mugabe's land expropriation programme (Greenberg, 2004).

Another dubious aspect of the movement is the radical and racist rhetoric some members have utilized in making their demands. White farmers have been the target of such "hate speech" which has led to an overemphasis of race relations. In 2004, the South African Human Rights Commission accused Mangaliso Kubheka from the KwaZulu-Natal LPM of including the slogan "kill the farmer, kill the boer" in a speech (Adams, 2004). Even though this incidence evoked the racial dimension of the land struggle, it is important to note that race is not the only factor (James, 2007). Hence, the media-exaggerated race and conflict-ridden depiction of the interaction between Black landless people and Whites must be viewed with caution (James, 2007).

Broad generalizations of farm dwellers' experiences have undermined local variations (James, 2007). The movement has rather aggregated the diverse experiences and interests into a simplistic demand for land with a strong tenacious tone. Their failure to incorporate these differences in experience has stifled the potential of the movement.

Notwithstanding these challenges, the movement has been extremely successful in raising awareness on the issue of landless citizens and vocalizing their demands. Giving the media attention and size of the membership (about 100,000 people), it is difficult for the state to simply ignore the voice of the people (von Lieres, 2007). According to von Lieres, the case of the LMP demonstrates the government's unwillingness to cultivate a political culture of civic engagement in new policies, rules, and regulations.

Indeed progress in the struggle for land has resulted in little to no gains. Yet it is only natural that such a politically-charged issue, with the capacity to bring many issues to the fore (ranging from historical injustices, racial relations, to claims of indigenous land entitlements and the commodification of land), would generate serious conflicts. Therefore, democracy is

understand as Osabu-Kle defines it, as “a means by which the people as a whole can determine their own fates, determine the direction of their societies through representation, responsiveness and accountability”, then we can assert that the practice of democracy will always involve contestation. The democracy in post-apartheid South Africa reveals various flaws. Nevertheless, social movements like the Landless People's Movement (in spite of their internal deficiencies) possess the capacity to facilitate a dialogue between citizens and the state, and subsequently cultivate healthy state-civil society relations rooted in democratic principles.

Conclusion

There is no doubt that the hyper-racial identities and the absence of national unification make it difficult to sustain democratic practices in South Africa. It has become clear that the consolidation of a healthy democratic environment is not restricted to multiparty systems and elections, but more so tied to the socio-economic realities of the people. Therefore, the significance of equitable distributional system of resources cannot be undermined. This paper has also depicted the limits to the democracy-development thesis both on a theoretical level and within the South African context. Indeed, South Africa is praised as a relevant example of an efficient democracy with increasing economic prospect. However, what most scholars miss is that South Africa's Western democratic institutions and practices are still alien to the majority of the population. More importantly, this type of democracy fails to accommodate issues surrounding race relations and unequal distribution of resources such as land. Yet while South Africa might fall behind when it comes to certain democratic principles, it is also important to acknowledge the new democratic space that has allowed citizens to mobilize and raise their concerns to the ruling party. Social movements such as the Landless People's Movement have been instrumental in transforming citizen relations with the state. These movements present a channel for historically marginalized citizens to campaign for their rights and access their citizenship's entitlements. The increase in citizen participation gives some hope for a future democracy in South Africa that is built upon the voice of its citizens.

Acknowledgement:

I would like to thank Franklin Taylor and Samita Sarkar for providing me with constructive feedback. Your assistance is much appreciated.

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