

Complex land restitution needs fresh approach

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SINCE 1995, the land restitution programme has travelled an erratic path, alternatively lauded for its contribution to redistributive justice, condemned for the limitations of its reach and berated or praised for its record of delivery.

Major disjunctures lie at the heart of the programme – between its symbolic significance and its developmental reach as well as between the need to invest time and resources in developing robust, case-specific settlements and the political imperative to show delivery on a sufficiently large scale.

The symbolic significance of land restitution in the national political debate, as a marker of the dispossession in the past and redistribution in the present, has not been matched by its consistently low ranking in terms of the ANC's developmental priorities.

Restitution in practice, as opposed to restitution as an ideal, has found itself competing for budgets, attention, and even legitimacy on occasion, in relation to other public goals.

What is clear is that, compared to the ambitions vested in restitution in the early 1990s, its achievements have thus far been modest indeed.

Historical reach, developmental impact, contribution to land reform – in all these areas the programme has fallen far short of what was hoped.

The goals of social justice, redress and rebuilding communities have turned out to be more elusive than previously imagined.

I am also arguing, however, that more work is needed to deepen our understanding of what restitution has achieved, and that 2005 is an opportune time to reassess the criteria by which the programme is being judged.

Part of the challenge lies in the extraordinarily dense tangle of issues that restitution encompasses, dealing as it does, not only with rural and urban histories of dispossession and reconstruction, but also with the intersection of the symbolic and the material, of rights and development, of the local as well as the national.

To analyse restitution as a complex whole, one has to appreciate that it operates differently at different levels.

The measures of success that circulate in the national political debate are not always congruent with those operating at the regional or sectoral level, where more hard-nosed questions about land-use impacts are likely to be asked by non-claimants, and not only those opposed in principle to restitution.

At the level of individual claims, the assessment of success or failure, the meanings of redress and of reconstruction, are even more diverse and context-specific.

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There is no single "community" or claimant response, no single moment of restitution either – hence no single, unilinear assessment of success or failure can be made.

All the evidence points to multiple responses, depending on the location of the respondents in terms of age, gender, geographic location, class, social history, economic options and levels of social integration.

In the last, heavy days of apartheid, Colin Murray proposed that apartheid-era population relocation policies constituted a form of "displaced urbanisation" – a term used to describe "the concentration of black South Africans ... in huge rural slums which are politically in the Bantustans and economically on the peripheries of the established metropolitan labour markets".

What I want to propose in conclusion is that, in large part in reaction to this grim history, the restitution programme has suffered from a kind of "misplaced agrarianisation" in its original conceptualisation, and now in its evaluation.

There are a number of areas where this operates – the underestimation of the urban dimensions of restitution, the emphasis on measuring the success of restitution principally in terms of land-based development, and also what might be described as a sort of developmental moralism, which insists that claimants ought to choose land restoration and that anything else is a betrayal of restitution principles.

The disintegration of the Khomani San settlement is an extreme illustration of the inadequacy of land restoration as a panacea for the far larger problems of historical marginalisation and social and economic dispossession, and the restitution programme cannot be expected to address these on its own.

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It is the third in the HSRC's series of annual volumes of essays on aspects of contemporary politics, economics, society and international relations in South Africa.