

# FEATURE

## Land and Housing Crises in South Africa: Possible Strategies for Change

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### Introduction

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*This article examines the strategies women use to address land and housing crises in South Africa. It explores some of the achievements and challenges that community-based organisation and grassroots movements face in their struggle for land and housing in urban areas.*

The article makes several arguments. The first is that the land question should not be thought of as simply a rural or agrarian issue – it is as much an urban issue as it is a rural one. The demand for housing should be seen in terms of the unresolved land question in urban areas and the many forms of inequality it engenders.

Secondly, although the policy of native reserves prohibited indigenous people from buying or renting land in urban areas, they have always resisted their exclusion from the polity and territory of South Africa. Owing to the state's repressive response, squatting or land occupation became the most effective strategy for challenging racialised land inequality both in rural and urban areas. This practice has continued in the post-apartheid era, despite government reforms.

Finally, women, who historically have been the most excluded in urban areas, have been central if not at the forefront in the struggle against spatial segrega-

tion. From the anti-pass and anti-eviction campaigns of the late 1800s and early 1900s to the beer hall boycotts, the various squatter movements of the 1940s, the 1950s women's movements, and the events of the 1970s, women have been central in the struggle for South Africa's cities. Such movements, in most cases, have been characterised by legal, financial, and organisational challenges when confronted with the power of the state.

### From rural to urban landlessness: Historicising the urban land question

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It has become commonplace in South Africa to reduce the land question to a rural one, such that land reform is usually thought of as restricted to rural and farm areas. In urban areas, it is assumed that people will



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buy houses and that those who cannot afford them will benefit from government housing subsidies. This absolves the state of the responsibility to redistribute land in urban areas. The government's task is then reduced to housing delivery (measured in terms of the number of houses built), and popular protests are reduced to questions of service delivery.

This technocratic framing of the urban land question is dangerous not only because it diverts attention from the land question in urban areas, but also because it ignores the multiplicity of land needs in urban areas, which is where most people live. Thus, it demonstrates a lack of critical understanding of how unique the processes of proletarianisation and urbanisation are in Southern Africa (where there was settler colonialism) relative to the rest of the continent (excepting Algeria and Ethiopia, where there was no settler colonialism), and how these processes shape land questions in South Africa.

A critical reading of Southern Africa's settler colonial history shows that both the processes of proletarianisation (separating peasants from the means of production and turning them into wage workers) and urbanisation were intermediated by extra-economic coercion by the colonial regime (Mafeje 2004). In other words, the system of racial domination was a key factor in the development of these two processes.

This was accomplished with the policy of native reserves. The aim thereof was to restrict indigenous people's access to land and turn them into a 'reserve' of cheap labour, a process known in Marxist literature as 'primitive accumulation'. In South Africa, this was given effect by the infamous Natives Land Act of 1913 (which restricted people raced as black to only 7 per cent of the total land area), despite earlier attempts through the Glen Grey Act of 1894. This was also aided by subsequent laws enacted in the segregation era and by the apartheid regime, such as the 1936 Native Trust and

Land Act, the Group Areas Act of 1950, and the Bantu Authorities Act of 1951.

The native reserves policy had the effect of alienating most of the land to white settlers and destroying black farmers' self-sufficiency. The latter were then forced into wage labour in urban areas and white commercial farms to supplement their livelihoods. Mafeje (2004) argues that the policy of native reserves formed the material base for the institutionalisation of the migrant labour system in Southern Africa. It is in this context of racialised capitalism that we must read the processes of proletarianisation and urbanisation in South Africa. As Hendricks et al. (2015: 108) argue, '[S]egregation and then apartheid sought to drive a wedge between the processes of proletarianisation and urbanisation.' That is, while the indigenous populations were allowed to migrate and become workers in urban areas and white farms, they were not allowed to be permanent residents in urban areas. This was heavily enforced through the system of influx control and pass laws. Thus, consistent with the dual economies' thesis, the native reserves – later called Bantustans – were seen as 'reserves of unlimited labour' and as providing subsistence funds to migrant workers (Mafeje 2004). As a result, black farmers in the 'reserves' were deprived of investment in favour of white commercial farmers, a process which ensured a steady supply of cheap labour in urban areas and white farms.

Two things are to be noted so far. First, the migrant labour system is what constitutes the essential link between the rural and the urban; and, secondly, insofar as this is true, circular migration is as old as the institutionalisation of the migrant labour system itself through the policy of native reserves. The significance of this (as will become clear later) is that the post-apartheid state inherited a dual process of circular migration and rapidly increasing urbanisation without having resolved the land question.

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## Urban struggles for land: The rise of civic movements

Despite colonial spatial segregation, black South Africans have always asserted their presence in urban areas, and women were central to this process. A well-known example is the 1956 women's march against the pass laws (despite black women's history being under-represented in urban studies). But this history of black South Africans contesting their existence in urban areas does not start there. For example, Bundy (2000) recalls the first resistance against forced removals in East London led by Mrs Rubusana in 1890 – by the turn of the century, mass mobilisation by women against pass laws had taken shape, in what is now the Free State, under the leadership of Charlotte Maxeke, who became the first president of the Women's League of the African National Congress (ANC).

As early as 1834, the first shack settlement in Cape Town had already emerged after the abolition of slavery, and by 1901 the first townships, then called 'locations', were being built by the state. An example is the establishment of Ndabeni township in Cape Town and Klipspruit in Johannesburg. After the introduction of the 1913 Native Land Act and the 1923 Native Urban Areas Act, town councils and municipal authorities started to play an active role in establishing townships.

The establishment of townships did not, however, mean an acceptance of black South Africans in urban areas or specifically in cities; rather, it was a strategy to segregate them and control their existence in urban areas, consistent with the policy of native reserves. As a result, almost all 'locations or townships were built on the outskirts of the city in urban peripheries, usually near dumping sites. They were established to serve two functions: to exclude black South Africans from urban land (territorial segregation) and to ensure labour supply in urban areas. To this end, influx control and pass laws were heavily applied.

Nevertheless, the period from the 1930s to the late 1940s saw a rapid increase in African migration to urban areas, partly due to the demand for cheap labour in industries during and after the war years. For exam-

ple, in Johannesburg the population grew from 229,000 in 1936 to 371,000 by 1946 (CoGTA 2009). Cape Town already had about 150,000 squatters by 1948 (Hendricks et al. 2015). The rapidly growing proportion of women and children in the townships put a strain on existing resources, and owing to little investment by the government, living conditions were extremely poor.

This rapid urbanisation resulted in townships becoming overcrowded. Soon people started occupying adjacent plots of land, with shack settlements – so-called 'squatter camps' – beginning to mushroom around urban centres. By the 1930s, occupation of land by black South Africans had been a well-known political action or strategy. For instance, as far back as the late 1800s, there had been squatter movements in East London, while in the early 1900s a series of occupations took place in Cape Town and Johannesburg (Bundy 2000; Hendricks et al. 2015); by the 1940s, a wave of squatter occupations of land around urban centres had occurred.



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In the late 1930s, there was also a wave of protests by women nationwide against police raids and municipal brewing monopolies (when the state implemented the 1908 Native Beer Act which prevented African women from brewing beer). These sometimes turned into violent collective action, such as the case of Langa in Cape Town, where in 1939 women attacked township police in defence of their right to brew (Bundy 2000).

By the late 1930s, as Bundy (2000) notes, Africans in urban areas managed to organise themselves politically and formed civic bodies to represent their grievances to the state. The earliest such civic organisations were the 'location' committees (later turned into advisory boards) and the vigilance associations or *Iliso lomzi*. These formed the organisational base for radicalised

civic politics in urban areas and after World War II became entangled in nationalist politics. Their main strategies were petitions and deputations, but, through their involvement with the ANC and the Industrial and Commercial Workers Union, they later adopted mass meetings.

The 1940s saw a radicalisation of township politics, mainly through industrial action and squatter movements. This was partly due to poor living conditions in the townships. This period was characterised by a series of squatter movements 'which saw land occupied and people housed and organized in impromptu but highly effective forms of collective action' (Bundy 2000: 46). Although limited by the repressive state apparatus, squatter movements became an effective strategy to direct the state's attention to township issues.

## From urban to peri-urban: Governmental response to the housing crisis

Governmental responses to land occupations have ranged from 'relocation' in the segregation era and forced removal under apartheid to post-apartheid efforts to ensure 'orderly urbanisation'. Essentially, the official response has not changed the racialised practice of spatial segregation.

In 1948 when the National Party came to power, it began to implement its policy of apartheid. In 1950 it passed the Group Areas Act, which designated separate residential and business spaces for different racialised groups. In 1951, it passed the Bantu Authorities Act which established Tribal Authorities as pseudo-governments for blacks in the 'reserves'. In the same year, the Prohibition of Illegal Squatting Act was passed. This Act gave powers to the state to demolish people's shacks without a court order.

Consequently, the next two decades witnessed more forced removals than the country had ever seen before. In the mid-1950s, more than 60,000 people were forcefully removed from Sophiatown, and in the 1960s about the same number were removed from District Six to the Cape Flats. This trend was replicated in all areas designated as white under the Group Areas Act. A total of 3.5 million people were forcefully removed from white rural areas by the state between 1960 and 1983 (Platzky & Walker 1985).

In this period, local political organisations, or civic movements, had declined, largely due to the increasing brutality of the state in repressing such movements. Another reason is that most of the civic organisations had been adopted into national struggles (most were part of the Congress Alliance, which was, at the time, the centre of gravity of nationalist politics). Nevertheless, material conditions dictated local resistance and the type of strategy or tactic used. An example is the Alexandra bus boycotts of 1957, which lasted for months due to high transport costs. The land struggle in this period had also taken on a largely rural character, as the case of the Mpondo revolts suggests (Kepe & Ntsebeza 2011).

However, in the 1970s there was again a rise in massive land occupations in urban areas. In Cape Town, matters became highly politicised, as Hendricks et al. (2015) point out, in the cases of the Modderdam shack settlement near the University of the Western Cape and the establishment of Crossroads.

The Modderdam shack settlement grew from 400 people in 1973 to 10,000 in 1976. Here, the squatters formed connections with students, the clergy, and lawyers, and with their assistance managed to win a few battles in court. Initially the state used divide-and-rule tactics, such as differentiating between 'legals' and 'illegals', before eventually demolishing the settlement in 1977 (Hendricks et al. 2015: 112–113). The case of Crossroads was even more politicised and drew international at-



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tention. The squatters were again highly organised, reflecting the strong tradition of civic movements since the 1800s. There was, for instance, an elected Women's Committee, led by Regina Ntongana. Initially, in 1975, the government tried to evict squatters, but from 1978 sought to contain the situation through reform.

According to Hendricks et al. (2015), this was a sign of state acceptance of black people in urban areas. Indeed, in the late 1980s, the government ended influx controls and the pass laws. This was followed by a new wave of urbanisation. The trend was compounded by a decline in farm employment and an increase in farm evictions since the 1980s. While some of those evicted moved from farm to farm in search of better livelihoods, most moved from farms to urban areas (Wegerif et al. 2005). This also contributed to rapid urbanisation and the mushrooming of shack settlements in urban and peri-urban areas.

In the early 90s when the ANC was unbanned, it encouraged land occupations, but after it came to power started to criminalise land occupiers and portray them as driven by political opposition rather than regard them as an expression of people's agency and frustration at the lack of change in regard to racialised land inequality and spatial segregation.

## Struggles for land and housing in the post-apartheid era

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As argued in the first section, when the ANC government came to power it inherited a dual process of circular migration and rapid urbanisation without having resolved the land question. After negotiations were held to end apartheid and institute a government of national unity, the new constitution adopted by the ANC in 1996 served to protect private property rights by enshrining them under section 25. It has been argued by others that this has prevented meaningful redistribution of land in South Africa (Ntsebeza 2007).

The government initiated a market-led land reform programme which aimed to redistribute 30 per cent of

agricultural land by 2014. This has not happened – in fact, according to 2017 estimates, only about 9 per cent has been redistributed (Hornby et al. 2017). Land reform has focused on rural or agricultural land, thus neglecting the urban land question. In urban areas, the government has focused on building subsidised housing through its Breaking New Ground policy. This reduction of the urban land question to a problem of housing is common in liberal scholarship and advocacy work. It masks the politics of racialised land inequality in urban areas and the questions of who belongs and who does not. Although the government has indeed built many houses since 1994 (more than 2 million), this has not kept up with the housing backlog, which keeps on growing.

The post-apartheid era has also seen a wave of land occupations in urban areas, showing the extent of land demand and the importance of resolving the land question in these areas. An example is the 2001 land occupation in Bredell near Johannesburg, led by the Pan Africanist Congress (PAC), where more than 1,200 shacks were built. In Cape Town, there were occupations too in Grassy Park, Joe Slovo, Delft, and many other areas.

The state response has not changed much since the apartheid era. It ranges from 'temporary relocations' (forced removals) to brutal evictions involving violent action by the police. In 2008, the City of Cape Town established an Anti-Land Invasion Unit. The unit's task was to demolish any shacks erected without the city's approval. The unit conducts its work violently, as seen in the many videos and photographs that have circulated in the media.

Since then, anti-land invasion units have been established in many parts of the country; for instance, there is now one in Johannesburg. The unit skilfully uses spoliation as a legal tool when taken to court for the unconstitutionality of its actions. Nonetheless, occupation still happens at a large scale, as is evident in the sprawling shack settlements seen in cities and their outskirts. Occupations in urban areas target not only land but dilapidated and abandoned buildings. Many such cases have been documented in Johannesburg, Cape Town, and other areas.

## Conclusion

It seems, as this reading has demonstrated, that occupations have been the most effective strategy of all in getting the attention of the state. Yet from this reading and from observations made in the author's involvement with squatter and land movements – such as Reclaim the City, *Singabalapha Intlungu yase Matyotyombeni*, and many others – these movements face serious challenges.

One of the biggest is state violence. Moreover, where the state does not choose to act violently, the battle is lost in the courts, as legal processes are expensive. Another challenge for occupiers is the lack of knowledge of legal processes and constitutional rights. Finally, there are internal organisational challenges whilst waiting for the government's response or court proceedings.

Advocacy work in this regard needs to aid these movements by giving them legal and financial support. There is also a need for education in organisational discipline to avoid internal squabbling. Such assistance would indeed help strengthen these movements in fighting for their constitutional rights to land, housing, and dignified living conditions.

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