



The Trapped ‘Promised Land’: An Interrogation of the Ga Mawela Community Land Claim, Polokwane, Limpopo



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ABSTRACT

There is a vast body of mainstream literature on the land question in South Africa. However, there is limited scholarly literature on the pending community land claims. This gap legitimates the study, which seeks to exhume the history of the Ga Mawela community’s land dispossession and its effects. Land dispossession, coupled with the delayed settlement of the community’s land claim, has condemned the community to landlessness and poverty. This study, therefore, utilised qualitative research, i.e. data from secondary sources and interviews (from Ga Mawela community leaders and members), to interrogate the pending Ga Mawela community land claim. The study revealed that the delayed restoration of the ancestral land has resulted in them becoming landless and in poverty. The study concludes that the restoration of their land and post-settlement support can lead to access to the mainstream agricultural economy and poverty alleviation. This study adds to existing literature on land ownership in South Africa.

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Publication History

Received:

13th April, 2025

Accepted:

9th July, 2025

Published:

22nd August, 2025

To Cite this Article:

Mtombeni, Butholezwe, and Muzi Shoba. “The Trapped ‘Promised Land’: An Interrogation of the Ga Mawela Community Land Claim, Polokwane, Limpopo,” *E-Journal of Humanities, Arts and Social Sciences* 6, no. 9 (2025): 1932 - 1943, <https://doi.org/10.38159/ehass.20256913>.

Keywords: Land Dispossession, Land Alienation, Land Reform, ANC Government, Ga Mawela Community

INTRODUCTION

The South African liberation struggle was deeply rooted in land conflict, which was sparked by land dispossession and alienation. From 1652 onwards, the Khoisan and Bantu communities lost their land and, consequently, their independence through colonial subjugation and land usurpation. Such land alienation led to loss of ancestral homes, family and community dissolution, cultural destruction, loss of essential livelihood resources and impoverishment of the indigenous communities. Furthermore, the introduction of private land ownership by the colonists reduced the victims to labour tenants and pariahs in their ancestral land. Since 1994, the ANC government has embarked on multifaceted land reform programmes to redress the colonial injustices of land usurpation and alienation. The programmes rested on three pillars: restitution, redistribution, and tenure reform. Most communities that lost their land after the 1913 Native Land Act lodged their claims before 31 December 1998.

The Ga Mawela community is one of the communities which were brutally dispossessed of their ancestral land by the White settlers. The Ga Mawela Community, which arrived in Sedikane/Ga Mawela, an area that stretches from De Kafferskraal to the Dwarsriver, in the 1500s, from the present-day Mpumalanga, enjoyed the richness of their land and lived in harmony with their natural

environment.¹ The advent of European settlers in Sedikane/Ga Mawela led to the beginning of a new era of coexistence between Whites and Blacks. On arrival, the Whites allocated themselves some land from the pasture and hunting grounds of the Ga Mawela people. Though there were sometimes fierce fights between the two, they lived together for almost a century, with the Ga Mawela people returning part of their land and autonomy. This was unlegislated land dispossession and alienation. Land Acts were later introduced to legalise land dispossession and land alienation, which rendered some Black families landless. The enactment of the Natives Land Act of 1913 and the Native Trust and Land Act of 1936 entrenched the geographical separation of South Africa into Black and White legal spheres. Consequently, land became the main grievance in the politics of the South African struggle for independence. Thus, expectations over land reform in South Africa are profoundly justified and legitimately located in the colonial history of subjugation, dispossession, and deprivation.²

It is worth noting that the colonial archives are silent on the history of the Ga Mawela community's land ownership. The colonists could not catalogue and store documents that incriminated them of land theft. Therefore, the colonial archivists consciously omitted the information on the history of the indigenous communities' land ownership. Moreover, the colonial deeds register does not document from which Black community the White settlers got the land. Landownership in the deeds register begins with White ownership as though they were the first owners of the land. Perhaps they believed in their self-championed empty land myth or that the indigenous people were non-human and did not deserve to own vast mineralogically rich tracks of land. These omissions, both in the archives and the deeds, complicate the work of reconstructing the history of aborigines' remote land ownership. This is a grave wound in the history of land ownership in South Africa and Africa in general. Thus, the article will use oral evidence coupled with disappointingly lean secondary sources to reconstruct the land ownership history of the Ga Mawela community.

This article explores the history of the Ga Mawela community from their arrival in Sedikane/Ga Mawela in the 1500s to the present day. Using the available secondary sources coupled with oral evidence, the article attempts to reconstruct the remote history of the community, arguing that the Ga Mawela people were a community and not labour tenants. The notion that they were labour tenants feeds into the Eurocentric narrative of the empty land narrative that was used to justify land dispossession. The community occupied their ancestral land, which stretched from the Kafferskraal to the Dwarsriver. It was a cumbersome community with proper traditional leadership structures. From the 19th century, they coexisted with the white settlers, but they still retained portions of their land and political freedom. Therefore, the promulgation of the 1913 Natives Land Act and the Native Trust and Land Act of 1936 completed the land dispossession of the community. The 1913 Natives Land Act denied Indigenous communities access to land (a vital resource for human development), which they had either owned or leased from white farmers, confining them to reserves that were agriculturally unfit. Moreover, the commencement of the 1913 Land Act legislated the settlers' encroachment on indigenous people's land, leading to family and community dissolution, loss of hunting grounds, pastures, and agricultural land and eventually, loss of independence. Furthermore, the article focuses on the history of the Ga Mawela community, dispossession, the impact of dispossession, and the reconstruction of the community's history. Finally, it culminates in a summary of the findings, recommendations, and a conclusion based on the research findings. The next section presents the methodology used to compile this article.

METHODOLOGY

This article is based on the first author's doctoral research completed at the University of South Africa (UNISA). Ethical clearance for the study was obtained from UNISA [REC-240816-052]. The study is qualitative in nature. It utilised publicly available secondary sources coupled with oral evidence to reconstruct the history of remote land ownership in the Ga Mawela community. The first author conducted interviews with eleven purposively sampled community members scattered across Polokwane (from Lebowagkomo to Ledenburg). The data collected through interviews were

¹ Interview with Sedikane France Makabane Mawela, Lebowagkomo, Polokwane, 2 November 2021.

² R. Jankielsohn and A. Duvenhage, "Expectations and the Issue of Land in South Africa- the Historical Origins and Current Debate," 2018, <http://repository.nwu.ac.za/bitstream/handle/10394/31473/No-80-%282018%29-2-Jankielsohn-R.pdf?sequence=1>.

transcribed and analysed using thematic content analysis. The interviewees were treated fairly and equitably throughout all the stages of the interview process, which was in line with all relevant ethical requirements.

PRESENTATION OF FINDINGS AND DISCUSSION

The Dispossession of the Community

Land dispossession in South Africa and Africa, in general, was a brutal process that left most indigenous communities landless, with no means of livelihood. The dispossession of the Ga Mawela community, which began in the 19th century, not only resulted in the loss of ancestral homes and land that impoverished millions but also meant the loss of essential livelihood resources, cultural destruction, dissolution of family and community, mass unemployment and psychological trauma for a greater part of the community. There is a lack of scholarly historical literature on the subjugation and dispossession of the Ga Mawela community. This lack of scholarly historical literature suggests that the community accepted subjugation and dispossession without fighting back and was thus politically passive. However, the collected oral evidence dispels this notion, confirming that, like all indigenous communities in South Africa, the community fought back to protect their land. The article contends that this unquenchable spirit of nationalism enabled various Ga Mawela groups to set aside ethnic differences as they organised and mobilised under powerful ethnic leadership to fight the injustices of colonialism and restore the land to its erstwhile owners.

Kgoshi Sedikane Mawela ruled from the present day De Kafferskraal 53 JT to Dwarsriver 372 KT. The new arrivals in his land were assimilated, though they maintained their semi-autonomy, with their clan leaders paying tribute to *Kgoshi*. In the 1850s, the first Whites arrived at Ga Sedikane, also known as Ga Mawela and attempted to dispossess the community of their land and livestock.³ However, the White settlers were defeated, and they retreated. In the late 1860s, the settlers regrouped and attacked Kgosi Sedikane Mawela and his people.⁴ Kgoshi Sedikane, his brothers and the heirs to the throne were killed in the bloody war of dispossession. A peace settlement was reached, and it was agreed that the settlers and the Sedikane community would live together peacefully. Delius concurs that in the 1870s, there were conflicts and wars, which culminated in the defeat of the Pedi polity and the subjection of the Pedi people to colonial rule.⁵ However, even after the death of Kgoshi Sedikane, his people remained independent and continued to own their land. Land in this era was allocated to clans or community members by *Kgoshi* of the Pedi polity, who was the custodian of the land as per the indigenous or customary laws of the time.

Whilst the Ga Mawela community lived peacefully with their White intruders, the promulgation of the Natives Land Act 27 of 1913 changed coexistence. The Whites started to forcefully evict the Black people from their land, including those who held their land close to their farms. From 1925 onwards, the Ga Mawela people were evicted from their land, and some were consigned by dispossession into cheap or free labourers. The 1913 Land Act was the fulcrum of the institution of apartheid, and its shock waves are still felt by most Black communities in post-independence South Africa. Most of the apartheid policies were anchored on this discriminatory 1913 Land Act.⁶ The Act was morally repugnant; it was an injustice that robbed the Black Africans of their land and future. It pushed them to the peripheries of the mainstream agricultural economy, where they were required to labour for their masters for a living. Furthermore, the South African nation was fractured into White landowners and Black landless labourers.

The Act legalised the colonisation of South Africa and declared the indigenous people landless. Through the 1913 Land Act, the European settlers became 'legal owners' of the land acquired through force of arms, blood and death of the erstwhile owners. The consequences of the 1913 Land Act were a microcosm of the effects of future acts. However, it marked the beginning of substantive interference of

³ Interview with Sedikane France Mokabane Mawela, Pity Mothupi and Job Mankge, Polokwane, 2 November 2021.

⁴ Interview with Sedikane France Mokabane Mawela.

⁵ P. Delius, *The Land Belongs to Us. The Pedi Polity, the Boers and the British in the Nineteenth Century Transvaal* (Braamfontein: Ravan Press, 1983).

⁶ V. Z. Nyawo, "The Original Sin, 100@ 19: The South African 1913 Native Land Act's History and Impact," *Repositioning the Humanities: Journal of Contemporary Research*, 2014, 33–42.

the white legislature in the economic life of the Black people. It birthed a ruthless system of legalised land dispossession that stripped the Blacks of their dignity, being and sense of belonging. The Report of the Southern African Anglican Theological Commission on the 1913 Land Act noted that:

*The result (of the Act) was that thousands of poorer African peasants were forced off the land. One other thing this Act did was to undermine the chieftain system of traditional African society, as these tribal authorities acted as an independent political pole which resisted these changes. This Act was set out to facilitate the formal establishment of African reserves. Seven per cent of South Africa's land area was set aside for this purpose, and it was from these reserves that the mines and the urban employers were to draw migrant labour.*⁷

The compulsory unsettlement caused by the Land Act led to the breakdown of family structures, loss of means of livelihood, livestock, and sense of belonging. Displaced Black African families were strewn in the veld, wandering with their livestock in search of land where they could legally and peacefully settle. There are various traumatic incidents cited by Sol Plaatje that reveal the inhumane and savage effects of the Native Land Act 27 of 1913 on Black displaced families. There is, however, the story of Kgobadi and that of the oldest man in Free State that Plaatje cited and captured the attention of this study.⁸ Kgobadi was evicted without notice from a farm in the Free State on 30 June 1913 when he refused the servitude terms of remaining on the farm.⁹ Before sunset, he trekked to the unknown land with his family and livestock. Kgobadi's wife was carrying their sick baby, who later died because of privation and exposure to the wind on the road. The baby was buried in a stolen grave on the farm next to the road. To add salt to the open wound, the livestock started dying as they wandered along the road. Kgobadi's story reveals the cruelties of the Natives Land Act, which reduced Black African families to landless wanderers who had no rights whatsoever in their ancestral land. They were stripped of their means of livelihood, sense of belonging and humanity. After 1913, most Indigenous communities were shocked by their lives when White settlers claimed their ancestral land as theirs.¹⁰ Thus, after 1913, it became increasingly difficult for Ga Mawela households to retain their livestock, not only because of pressures on household labour, but also because of the confiscation of livestock by white landowners. The community was also not able to maintain its fields for the same reason. In fact, the White landowners used the cattle belonging to the community to plough their fields, with unpaid labour from the community. In response to this abuse of their property and lives, the community hid their cattle in the mountains. The White landowner then forced them to plough the fields with their own bodies, pulling the plough under the lashes of a whip (sjambok). This became unbearable for some members of the community, who left the farm, and others were arrested. This placed the leadership of the community in a very difficult position as they faced expulsion from their ancestral land and, eventually, some cattle were brought back to the farm for the use of the farmer.

It is worth noting that Chapter IV of the Native Trust and Land Act 18 of 1936 was proclaimed in the Lydenburg district, Mpumalanga in 1937.¹¹ According to the South African History Online (SAHO), Chapter IV of the Natives Trust and Land Act repealed the *plakkerwet* but, disappointingly, enacted new eviction procedures.¹² Section 38 of the Act gave all evicted Black families a claim on land in the so-called Native Trust area, for example, in the farms acquired by the former South African Development Trust. These farms were either stony, sandy, or tsetse fly-infested and not fit for sound agricultural productivity. As provided by the Act, the labour tenants were expected to be registered at a Native Commissioner's office and had to provide at least four months of free labour to the farmer(s)

⁷ African Anglican Theological Commission, "The Land and Its Use in Southern Africa: Report of African Anglican Theological Commission," in *Bulletin of Contextual Theology*, ed. J.A. Draper (Durban: University of Natal, 1995), 6–16.

⁸ S. Plaatje, *Native Life in South Africa* (Cape Town: Pan MacMillan, 2007).

⁹ Plaatje, *Native Life in South Africa*, 72.

¹⁰ "The Native Land Act 27 of 1913," accessed March 19, 2023, <https://www.gov.za/news/events/commemorative-events/1913-natives-land-act-centenary>.

¹¹ The South African History Online (SAHO), "History of Ga Mawela Community," accessed March 20, 2024, [https://www.sahistory.org.za/sites/default/files/History of the Gamawela Community.pdf](https://www.sahistory.org.za/sites/default/files/History%20of%20the%20Gamawela%20Community.pdf).

¹² The South African History Online (SAHO), "History of Ga Mawela Community."

hosting them.¹³ Each farm was restricted to five labour tenants working for six months a year.¹⁴ The Labour Tenant Control Boards had the prerogative to order farmers to evict surplus labour tenants. Thus, this was used as an effective instrument for controlling surplus labour tenants in white farms. Where did the surplus labour tenants go? They were left to wander from one farm to the other, searching for a farm that could absorb them. Some emigrated to the early mining towns such as Johannesburg and Mafikeng in search of employment. Unfortunately, the Natives Laws Amendment Act 46 of 1937 prohibited the purchasing of land by Blacks from whites and excess Indigenous labour was forcefully evicted from the urban areas.¹⁵ Those who unlawfully resided in any piece of land were forcefully ejected from the land by the police. The Prevention of Illegal Squatting Act 52 of 1951 enforced the eviction of squatters from private land or local government land.¹⁶ As noted by the SAHO, the pressure from white farmers in the Lydenburg District in 1938 compelled the Native Affairs Department to increase the required period of free labour from four months to 6 months.¹⁷ It can be argued that the labour tenants became profitable tools of production in the white farms.

The Native Trust and Land Amendment Act 19 of 1954 amended the Native Trust and Land Act 18 of 1936, particularly, to give the Labour Tenant Control Boards sharper teeth.¹⁸ This amendment legally encouraged farmers to employ indigenous people as full-time labourers. Furthermore, the amendment required the farmers to register their labour tenants annually, and the registration fee was progressively increased.¹⁹ However, the restriction on the number of labour tenant families remained five. The Native Affairs Department was obliged to find alternative land for Blacks evicted from any piece of land because of the law.²⁰ As a panacea to the rising number of landless families and squatters, the state purchased new farms within the “released areas” to resettle Indigenous people removed from the white farms and the neighbouring white areas.

In the 1960s, the Ga Mawela community members on the farms were degraded to labour tenants. According to Piet Letageng, they lost their land and independence.²¹ They could no longer cultivate their fields or herd their cattle in their ancestral land. Hunting expeditions ended because they could be arrested for trespassing. Some community members decided to leave the farm altogether because they were not comfortable with labour tenancy. Mashikana asserts that his family was evicted in 1961 from the farm because they were viewed as surplus labour tenants.²² According to Matlabang Obeden Mawela, his family was evicted from the farm in the 1930s, after it refused to comply with the restrictive laws.²³ Most of the Ga Mawela families were forced out of the farms in the 1960s and, as a result, lost their cattle, land, and water bodies. In grief, Maelane narrates how they were evicted from the farm in the 1960s by the Robertson family. Maelane and other Ga Mawela community members left for Ga Mamphahlane and then Ga Molepane. It dawned on them that they had lost their rich ancestral land and had become pariahs and wanderers in their ancestral land.

The evictions of the Ga Mawela people were probably done in terms of the Prevention of Illegal Squatting Act 52 of 1951, The Native Trust and Land Amendment Act 19 of 1954, The Natives Resettlement Act 19 of 1954, or the Trespass Act 6 of 1959. The Bantu Laws Amendment Act 42 of 1964,²⁴ amended Chapter IV of the Native Trust and Land Act 18 of 1936, and further repealed the Native Service Contract Act, 1932. This effectively set the scene for the final abolition of labour tenancy

¹³ The South African History Online (SAHO), “History of Ga Mawela Community.”

¹⁴ The South African History Online (SAHO), “History of Ga Mawela Community.”

¹⁵ The South African History Online (SAHO), “List of Laws on Land Dispossession and Segregation,” 2013, <https://www.sahistory.org.za/article/list-laws-land-dispossession-and-segregation#:~:text=The Natives Resettlement Act%2C passed,areas were designated or not.>

¹⁶ The South African History Online (SAHO), “List of Laws on Land Dispossession and Segregation.”

¹⁷ The South African History Online (SAHO): *History of Ga Mawela Community*.

¹⁸ “The Native Trust and Land Act 18 of 1936. National Archives and Record Services of South Africa: ZA KAB 4/3/77_B/1/13_1_#.” accessed June 2, 2024, <https://www.nationalarchives.gov.za/node/9398302>.

¹⁹ “The Native Trust and Land Act 18 of 1936. National Archives and Record Services of South Africa: ZA KAB 4/3/77_B/1/13_1_#.”

²⁰ “The Native Trust and Land Amendment Act 19 of 1954. National Archives and Record Services of South Africa: ZA SAB GG_463_7/6485_1.” accessed March 20, 2024, <https://www.nationalarchives.gov.za/node/8821029>.

²¹ Interview with Piet Letageng in Lydenburg, Mashishing, 2 November 2021.

²² Interview with William Mashikana Mankge at Ga Mawela, Polokwane, 2 November 2021.

²³ An Interview with Matlabang Obeden Mawela (on the phone), 2 November 2021.

²⁴ “The Native Trust and Land Act 18 of 1936. National Archives and Record Services of South Africa: ZA KAB 4/3/77_B/1/13_1_#.”; “The Trespass Act 6 of 1959,” accessed April 20, 2024, <https://www.gov.za/documents/trespass-act-20-mar-1963-0000>.

in most parts of the country by the mid-1970s, and eventually the eviction of labour tenants. Although the community was evicted from their ancestral land, there are various physical remains which confirm that the land is their ancestral home. The Ga Mawela graves, cattle kraals, grinding rocks, and initiation sites scattered throughout the farms are evidence of their land claim.

The Land Claim Lodgement

Whilst the 1913 Natives Land Act led to the balkanisation of the Ga Mawela community, the members of the community kept in touch to offer each other the much-needed psychological support to cope with a life of landlessness, poverty, and suffering. In the post-independence era, the Ga Mawela community held numerous meetings in various locations to obtain a mandate to process the land claim and foster the unification of the community.²⁵ This process resulted in the recording of oral history, which was pivotal in the reconstruction of their remote history and in initiating the healing of the deep wound of humiliation caused by land alienation and dispossession. Furthermore, it led to the restoration of various traditions pivotal for restoring their cultural pride. On 22 December 1998, the late Mr, Sedikane Jan Lerutla, lodged a restitution land claim on behalf of the Ga Mawela Community with the Office of the Commission on Restitution of Land Rights in terms of Section 2(1)(d) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) as amended.²⁶ The community has gone through the most gruelling times in the process of lodging their claim. They have met up with a plethora of challenges that explain why, 23 years after the lodgement, they are still landless and languishing under the stigma of poverty. The processing of the land claim has led to the harnessing of specialised skills among the community's different generations, particularly youth who have overcome their socio-economic conditions inherited from colonialism and the apartheid system and attained qualifications from institutions of higher learning across the country. To evoke their nostalgic feelings, the community embarked on a journey to visit their ancestral land.

The lodgement of claims, coupled with endemic radical waves of land invasions, is an attempt to dismantle the current neoliberal narratives that are shaped by the minority landowners and agribusiness. The poor and landless, whose voices have been ignored by land policymakers, are challenging the status quo. According to Mkodzongi and Brandt, a Eurocentric classical agrarian question approach has prioritised food security and economic stability at the expense of the poor and landless.²⁷ While in a capitalist world, economic stability is of paramount importance in policymaking, it has failed to empower the poor and landless economically through just and equitable land redistribution. Consequently, land remains an economic asset beyond the reach of the poor and marginalised communities. This has prolonged and intensified land hunger, which is responsible for the current nationwide waves of land invasions.

The Ga Mawela people are still pursuing their land claim; however, they have changed the front from the Land Claim Commission to the Land Claim Court front. The reasons for this change must be searched from the inconsistencies, corruption, and favouritism within the ranks of the Land Claim Commission personnel. The derailed land claim has consigned the community to the peripheries of the mainstream agricultural economy and margins of poverty. It must be noted that, despite some progress made by the broader Ga Mawela community, their current material conditions are consistent with the demographics of the Greater Sekhukhune District Municipality. Poor access to quality education, unemployment, and poverty are the three evils tormenting the community.

The Impact of Dispossession and the delayed Settlement of the Claim

Dispossession of the Ga Mawela community had far-reaching impacts that include, amongst others, loss of independence, loss of means of livelihood, cultural dispossession and reducing the community into a pool of forced or cheap labour. The legacy of socio-economic injustice, which was inherited from the Natives Land Act 27 of 1913, continues to haunt the Ga Mawela Community. The Natives Land Act 27

²⁵ Interview with Sedikane France Mokabane Mawela, Polokwane, 2 November 2021.

²⁶ Interview with Sedikane France Mokabane Mawela, Pity Mothupi and Job Mankge, Polokwane, 2 November 2021.

²⁷ G. Mkodzongi and F. Brandt, "Revisiting South Africa's Land and Agrarian Questions," in *Land Reform Revisited: Democracy, State Making and Agrarian Transformation in Post-Apartheid South Africa*, ed. G. Mkodzongi and F. Brandt (Boston: BRILL, 2018), 3-14.

of 1913 deprived the Ga Mawela community of the right to productively own land for their economic well-being and sustainability. It is on this basis that Leepo Modise and Ndikho Mtshiselwa contend that poverty, as experienced in post-apartheid South Africa, can be attributed to the legacy of the colonial and apartheid past, with reference to the Land Act 27 of 1913 and land dispossession.²⁸ Modise and Mtshiselwa maintained that land dispossession of the indigenous communities of South Africa, sanctioned by the 1913 Natives Land Act, caused poverty, which is still prevalent in our country today.²⁹ According to Modise and Mtshiselwa, there is empirical evidence that the Basotho/Pedi people efficiently participated in commercial farming during the nineteenth century.³⁰ Their active participation in commercial farming economically sustained and empowered the communities. Furthermore, the above portrayal of effective and efficient utilisation of land by the Black African people provides clear evidence that Indigenous Sotho/Pedi communities used their land effectively and productively.³¹ Subsequently, they maintained food security locally and globally. Maylam notes that the Basotho/Pedi people engaged in a bather trade with the British.³² The British colonists, in search of grain, cattle, wool and hides, traded with clothing, hardware, firearms, horses and liquor.³³ This confirms that before the 1913 Natives Land Act, the Ga Mawela community was independent and was only reduced to labour tenants after the promulgation of the Act. They practiced their agricultural and other economic activities without the interference of the White settlers. However, the loss of land stripped them of their independence and economic activities that sustained the community.

Modise and Mtshiselwa cited that prior to dispossession, poverty was minimal, whilst economic prosperity was high in most Black African communities.³⁴ Furthermore, they maintain that during the colonial and apartheid eras, they could not access productive land nor own a big herd of livestock. They lost their source of income and food security, making them cheap labourers whose blood and sweat nourished the capitalist economy. Thus, the loss of land by the Ga Mawela community led to the loss of hunting grounds, pasturage, agricultural land and independence, coupled with psychological trauma for a large portion of the community. Furthermore, the victims were reduced to labour tenants and pariahs in their ancestral land.

Despite some progress made by the broader Ga-Mawela community, their current material conditions are consistent with the demographics of the Greater Sekhukhune District Municipality. The community members who were interviewed described their material conditions as extremely poor, with a lack of resources. Poor access to quality education, unemployment and poverty are the three evils tormenting the community. These evils were inherited from the Natives Land Act 27 of 1913 and were exacerbated by the delayed settlement. Restoration of their ancestral land could rescue them from their current poor material conditions. Mrs Mankge narrated the ordeal of the community in tears, stating that:

Since we were evicted from our land after the introduction of the 1Natives Land Act 27 of 1913, our lives have never been the same. We are sinking into poverty as a community, yet we are not benefiting from our ancestral land, which is endowed with mineralogical resources. Big mining companies are exploiting our minerals, and they are not willing to employ our youth. Our children have finished school and are idling around the township because of unemployment, which is ripping apart our community. The delay of the government to settle our claim is further

²⁸ Leepo Modise and Ndikho Mtshiselwa, "The Natives Land Act of 1913 Engineered the Poverty of Black South Africans: A Historico-Ecclesiastical Perspective," *Studia Historiae Ecclesiasticae* 39, no. 2 (2013): 359–78.

²⁹ Modise and Mtshiselwa, "The Natives Land Act of 1913 Engineered the Poverty of Black South Africans: A Historico-Ecclesiastical Perspective."363.

³⁰ Modise and Mtshiselwa, "The Natives Land Act of 1913 Engineered the Poverty of Black South Africans: A Historico-Ecclesiastical Perspective." 363.

³¹ Modise and Mtshiselwa, "The Natives Land Act of 1913 Engineered the Poverty of Black South Africans: A Historico-Ecclesiastical Perspective."363.

³² P. Maylam, *A History of the African People of South Africa: From the Early Iron Age to the 1970s* (Cape Town: David Philip, 1986).118.

³³ Maylam, *A History of the African People of South Africa: From the Early Iron Age to the 1970s*. 118.

³⁴ Modise and Mtshiselwa, "The Natives Land Act of 1913 Engineered the Poverty of Black South Africans: A Historico-Ecclesiastical Perspective."364.

deepening our community into poverty. Restoration of our ancestral land will rescue us from this poverty brought to us by land dispossession.³⁵

In anger, she even suggested that the community must close down the mines if they cannot employ Ga Mawela youth. Salom Mankge, young sister to Joel Misheck Mankge, concurred with Mrs Mankge's narration and expressed disappointment with the government for failing to settle their land claim, 23 years after the lodgement.³⁶ Salom added that:

I am unemployed and I cannot afford to send my children to school. I survive by God's grace, and sometimes I get help from my brother and other community members. Our land is rich, yet we cannot, at least, get employment opportunities in the mines that are exploiting our minerals. There are other parts of our community who lodged their claims separately, and their claims have been settled. One wonders why the government is taking this long to settle our claim.³⁷

It is on this basis that former President of the ANC, A.B. Xuma, in his address at the ANC national conference in 1941, pronounced that "...without land rights, any race will be doomed to poverty, destitution, ill health and lack of life essentials."³⁸ This frustration over the delayed settlement of the Ga Mawela community land claim is shared by most of the community members, including the youth. Whilst in the process of interviewing the community members, Sedikane France Mokabane Mawela, the chairperson of the Ga Mawela community land claim committee, received a call informing him that the Two Rivers Mine (situated in their ancestral land) refused to hire more than 30 youths who went there looking for employment. The change in Mawela's facial expression after receiving the bad news confirmed the everyday pain that the community is subjected to because of the historical land dispossession. Pitty Mothupi, the secretary of Ga Mawela community land's claim liaison officer, blames the snail-pace of the government in settling their land claim.³⁹ He maintained that if the settlement of their claim was not derailed by incompetence within the ranks of the Land Commission officers, the community would be economically sustainable.⁴⁰ It can, therefore, be concluded that lack of political will, coupled with incompetence within the ranks of the Land Commission employees, has condemned the communities, whose claims are still pending, to landlessness and poverty.

The members of the Ga Mawela community who still live on the farms are living in abject poverty. Their living conditions are characterised by severe deprivation of basic human needs such as safe drinking water, sanitation facilities, health facilities, safe shelter(s) and reliable electricity supply. Whilst the farms and mines have safe drinking water and electricity, the Black families living therein are deprived of these basic human needs. Johannes Mosotho, in Skaapskraal 42 JT and Lethi Kubjwane Matjomane Mogashoa, in Richmond 370 KT, are some of the Ga Mawela community members who are refugees in their ancestral land. Kubjwane Matjomane Mogashoa lives in Richmond 370 KT, a stone's throw away from the mine, yet her children are languishing under the stigma of unemployment.⁴¹ Moreover, the family house has multiple visible cracks caused by the mining activities in the area. Thus, the slow pace of processing land claims has trapped the Ga Mawela community's promised land and left them stranded, vulnerable and economically disempowered.

Land dispossession left most rural communities in South Africa and Africa in general landless, disempowered, and impoverished. According to Hall, in South Africa, the land reform was meant to redress the colonial injustices by redistributing land back to its erstwhile owners- the Black South Africans.⁴² Disappointingly, the land reform has fallen short of both the public expectations and set official targets.⁴³ According to Twala, little attempt has been made to return land to the communities

³⁵ Interview with Mrs Mankge at Ga Mawela, Polokwane, 2 November 2021.

³⁶ Interview with Salom Mankge at Ga Mawela, Polokwane, 2 November 2021.

³⁷ Interview with Salom Mankge at Ga Mawela, Polokwane.

³⁸ "Presidential Address, by Dr. A.B. Xuma at the ANC Conference," December 14, 2041, <https://www.sahistory.org.za/archive/presidential-address-dr-ab-xuma-14-december-1941>.

³⁹ Interview with Pitty Mothupi at Ga Mawela, Lebowakgomo, Polokwane, 2/3/4 November 2021.

⁴⁰ Interview with Pitty Mothupi at Ga Mawela, Lebowakgomo, Polokwane.

⁴¹ Interview with Lethi Kubjwane Matjomane Mogashoa at Richmond Farm 370 KT, 2 November 2021.

⁴² R. Hall, "Transforming Rural South Africa? Taking Stock of Land Reform," in *The Land Question in South Africa: The Challenge of Redistribution and Transformation*, ed. L. Ntsebeza and R. Hall (Cape Town: HSRC Press, 2011), 95..

⁴³ Hall, "Transforming Rural South Africa? Taking Stock of Land Reform." 95.

that were victims of land dispossession.⁴⁴ Consequently, the rural communities whose land claims are still pending remain trapped in landlessness and poverty. The landless Black rural communities continue to labour on the peripheries of the mainstream agricultural economy. Whilst in a capitalist world, economic stability is of paramount importance in policymaking, it has failed to economically empower the poor and landless through just and equitable land redistribution. Consequently, land remains an economic asset beyond the reach of the poor and marginalised communities. This has prolonged and intensified land hunger, which is responsible for the current nationwide waves of land invasions. It is on this basis that this article argues that the delayed settlement of the Ga Mawela land claim has trapped their promised land and condemned the community to landlessness and poverty.

According to former President Jacob Zuma, since independence, “nearly 5000 farms comprising 4.2 million hectares have been transferred to Black people, benefiting more than 200 000 families.”⁴⁵ He further posits that 800,000 land claims totalling 3.4 million hectares have been settled, benefitting 1.8 million people.⁴⁶ Only 8 million hectares of arable land, which is 9.8% of arable land in South Africa, has been transferred to Black people.⁴⁷ These redistribution figures and a few success stories do not exonerate the ANC government from its land reform failures. The blame for the slow progress in land reform must be put where it belongs- at the doorsteps of the ANC government. It is on this basis that there is growing discontent with the slow pace of land reform among the poor in rural and urban areas.⁴⁸ Thus, the voices of ordinary citizens on equitable land reform must be recognised in the current agrarian land debates. The views of the claimants reveal a lack of political will within the ANC government to efficiently use land reform as a vehicle for the economic emancipation of the rural communities.

The chief executive of Vumelana Advisory Fund (a non-profit organisation that supports beneficiaries of land reform to make their land productive and profitable), Peter Setou, argues that, despite countless indabas, lekgotlas (public meetings), seminars and talk shops, the land question remains a sharp thorn in the flesh of the Rainbow Nation.⁴⁹ Furthermore, he contends that the ANC government has hatched several plans and programmes to amicably resolve the emotive land question and reconcile the three intersecting currents: correcting the wrongs of the past, confronting the present inequalities and securing the future.⁵⁰ However, these plans and programmes have failed to produce a panacea for the South African land problem.

Ngcukaitobi maintains that corruption, inefficiency and bureaucracy are responsible for the failure of the reform.⁵¹ The main impediment to equitable land reform is the poor capacity of organs of state to deliver on mandates.⁵² Kepe and Hall argue that the current land reform programme represents a betrayal of the idea of using land reform as a decolonisation project and, therefore, a radical land policy shift, aligned with the decolonisation project, is needed.⁵³ The government must process the pending land claims, offer support to the beneficiaries and give them title deeds so that they can use their land as collateral to secure funds from the banks. Ngcukaitobi notes that the ANC government’s rigid fixation on market-based land solutions has failed to produce positive results.⁵⁴ Moreover, the emotion-charged recent debates on the expropriation of land without compensation reveal deep heterogeneity within South African society. Therefore, the emotive South African land question, if not handled cautiously, can be a time bomb. According to *The African Report*, the slow pace of the land redistribution

⁴⁴ Chitja Twala, “The African National Congress (ANC) and the Impact of the Land Restoration Process in Democratic South Africa since 1994: Socio-Ecological Challenges to Poverty Alleviation?,” 2013.45.

⁴⁵ K. Heller, *The Words of a President: Jacob Zuma Speaks* (Johannesburg: Porcupine Press, 2021).241-242.

⁴⁶ Heller, *The Words of a President: Jacob Zuma Speaks*. 242.

⁴⁷ Heller, *The Words of a President: Jacob Zuma Speaks*. 249.

⁴⁸ Mkodzongi and Brandt, “Revisiting South Africa’s Land and Agrarian Questions.” 8.

⁴⁹ P. Setou, “Land Reform in South Africa Is Both a Human Rights Issue and a Constitutional Imperative,” *Agribusiness Opinion South Africa*, March 23, 2020, <https://www.bizcommunity.com/PDF/PDF.aspx?l=196&c=741&ct=1&ci=201842>.

⁵⁰ Setou, “Land Reform in South Africa Is Both a Human Rights Issue and a Constitutional Imperative.”

⁵¹ T. Ngcukaitobi, *Land Matters: South Africa’s Failed Land Reforms and the Road Ahead* (Cape Town: Penguin Books, 2021).

⁵² The South African History Online (SAHO), “Land Policy Discussion Document,” 2012, 20.

https://www.sahistory.org.za/sites/default/files/landpolicyproposals_june2012v_1.pdf.

⁵³ Thembele Kepe and Ruth Hall, “Land Redistribution in South Africa: Towards Decolonisation or Recolonisation?,” in *Decolonisation after Democracy* (Routledge, 2020), 128.

⁵⁴ Ngcukaitobi, *Land Matters: South Africa’s Failed Land Reforms and the Road Ahead*.

programme has spurred growing disillusionment, resentment, and anger from the landless people, and that provides ingredients for upheaval.⁵⁵

The involvement of the potential beneficiaries of land reform in policymaking and political will from the ANC government can precipitate a successful land reform programme that will benefit the poor and the landless. According to Twala, if land is returned to its erstwhile owners, they can use it for multiple livelihoods.⁵⁶ They can use it for agriculture and other income-generating projects. The Ga Mawela community can use their land for agricultural activities coupled with other income-generating projects to alleviate poverty, eventually leading to their economic emancipation. However, it is worth noting that the experiences of land restitution beneficiaries to date negate the view that once people have access to land, poverty will be alleviated, while development is facilitated.

The conditions of many beneficiaries have not improved significantly, even though they have access to land. Thus, inadequacy of the post-settlement support for the land reform beneficiaries, lack of access to funding, and lack of starting capital also contributed to the failure of the land reform programme. This lack of support has compelled the resource-poor beneficiaries of land restitution to enter into joint ventures with commercial partners or lease out the land to the former owners.⁵⁷ Twala also lamented the lack of post-settlement support that led to the failure to use land restitution as a vehicle of poverty alleviation and facilitation of development.⁵⁸ Therefore, the government must efficiently support the beneficiaries of land restitution, redistribution and tenure reform to increase the number of Black commercial farmers, agricultural productivity and food security. Such support is imperative for the agricultural success of the historically marginalised groups. Furthermore, the ANC government must capacitate the land reform organs with knowledge and human capital that is committed to putting to fruition the radical land restitution programme, and adequately fund its land reform programme. Thus, the restoration of the Ga Mawela community's land, coupled with post-settlement support, can lead to access to the mainstream agricultural economy and poverty alleviation.

Discussion Summary

The community communally owned vast tracks of land, which were used for farming, cattle herding, hunting and religious purposes. Whilst the settlers tried to remove the remains of the Ga Mawela community in the farms, they failed to completely erase their history, as remains such as graves, cattle kraals, ruins, initiation school sites, and grinding rocks are a reminder that the farms are the community's ancestral land. The delay by the Land Commission to settle the Ga Mawela community restitution land claim that was lodged by the late Mr. Sedikane Jan Lerutla in 1998 is a travesty of justice. It is a gross miscarriage of justice that has condemned the community to landlessness and poverty. Dispossession robbed the community of its means of livelihood and consigned them to pariahs in the land of their ancestors. The members of the Ga Mawela community who still live in the farms are living in abject poverty. Their living conditions are characterised by severe deprivation of basic human needs, including safe drinking water, sanitation facilities, health facilities, shelter and electricity. Whilst the farms and mines have safe drinking water and electricity, the Black families living therein are deprived of these basic human needs. Since land is the most essential resource for life and human development, independence without the restoration of land to its erstwhile owners is pseudo-independence. Therefore, the settlement of the Ga Mawela land claim will rejuvenate their economic fortunes, consequently leading to their economic emancipation.

RECOMMENDATIONS

Informed by the research findings, the article recommends that, since most of the members of the community are drowning in poverty that was caused by land dispossession and perpetuated by the delay

⁵⁵ The African Report, "Andile Mxgxitama of South Africa's Landless People's Movement," November 23, 2009, <https://www.theafricareport.com/9303/andile-mxgxitama-of-south-africas-landless-peoples-movement/>.

⁵⁶ Twala, "The African National Congress (ANC) and the Impact of the Land Restoration Process in Democratic South Africa since 1994: Socio-Ecological Challenges to Poverty Alleviation?"

⁵⁷ Hall, "Transforming Rural South Africa? Taking Stock of Land Reform."94.

⁵⁸ Twala, "The African National Congress (ANC) and the Impact of the Land Restoration Process in Democratic South Africa since 1994: Socio-Ecological Challenges to Poverty Alleviation?"

in settling their claim, the government must fast-track the land claim to rejuvenate their economic fortunes. Furthermore, since land is the most essential resource for life and human development, the restoration of land to its erstwhile owners will lead to economic emancipation and the attainment of true independence. Whilst waiting for the settlement of the claim, the government and the business community within the claimed land can assist the community with self-help economic projects. Finally, after the settlement of the claim, the government must efficiently support the beneficiaries of the land claim to increase agricultural productivity and food security. Such support is imperative for the agricultural success of the historically marginalised groups.

CONCLUSION

In summation, this article interrogated the Ga Mawela community's land dispossession, lodgement of the claim in 1998 and the impact of dispossession and delayed settlement of the claim. The views of the claimants reveal a lack of political will within the ANC government to efficiently use land reform as a vehicle for economic emancipation. Thus, the protection of the minority property rights, inadequacy of the Commission on Restitution of Land Rights, underperformance in the land reform programme and lack of transparency account for the trapped promised land. The delayed restoration of the Ga Mawela community's ancestral land has condemned them to landlessness and poverty. Their exclusion from the agricultural economy stripped them of economic power and left them economically disenfranchised. Therefore, the restoration of their land, coupled with post-settlement support, can lead to access to the mainstream agricultural economy and poverty alleviation. The article concludes that since land is a vital resource for human development, continued delay of the restoration of the community's ancestral land would sentence them to a permanent life of landlessness and unadulterated poverty.

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INTERVIEWS

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- Interview with Job Mankge (on the phone), 2 November 2021.
- Interview with Joel Mishack Mankge Maserumole Park, Polokwane, 2 November 2021.
- Interview with Lethi Kubjwane Matjomane Mogashoa at Richmond Farm 370 KT, Limpopo, 2 November 2021.
- Interview with Matlabang Obeden Mawela (on the phone), 2 November 2021.
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- Interview with Pitty Mothupi, Lebowakgomo, Polokwane, 2/3/4 November 2021.
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- Interview with Simon Mothupi (on the phone), 2 November 2021.
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