

Land reform and traditional society – the impact on the church: a Moravian case study¹

ABSTRACT

In this study, against the background of the land philosophy of traditional African society, a sketchy overview of the colonial invasions and the partnerships with missionary enterprise will be depicted to introduce the problem statement. This will be followed by a discussion of the ecclesiological position of the church presented by the SA Council of Churches within the context of the democratic government's Land Reform Policy, which will then introduce the case study of the Moravian Church in South Africa as a church in point in relation to the issue of land and traditional societies. This case study will assist us in venturing deductions to the issue of the impact of land reform on the church in relation to the claims of traditional societies.

INTRODUCTION

Traditional societies of South Africa were exposed to missionary activism ever since the inception of colonialism at the Cape.² Missionaries deemed it their duty to “spread the Gospel of Jesus Christ and to Christianise the heathen”. The colonial authorities utilised the missionaries to establish outposts and in the European opinion to “civilize the savages.”³ Although it cannot in all cases be said of the missionaries, the colonial powers (in their expansionistic quest) used them to “soft soak” the leaders of the indigenous people with the “Gospel”. On the other hand the tribal chiefs would also invite missionaries to do mission work amongst their people just to portray them as prestige symbols of power. Within this framework missionary societies acquired property from the colonial power in the boarder areas (after the invasion by the farmers and soldiers), as well as from the chiefs to start mission stations.

THE PRIMORDIAL AFRICAN CLAIM

“(African) people regard earth as some kind of womb. It is where life comes from, so land is synonymous with life. It has broader implications – that each and everyone have land as a

1 This paper was first read at the Kerk-in-Aktie Conference at Houton (the Netherlands) in 2004.

2 Although the first organised missionary activity started only with the Moravian church sending George Schmidt to the Cape in 1737, the mission societies of the LMS (1799), the Methodist (1820) and the Scottish Mission (1821) followed suit (Cf. Hinchliff, 1968).

3 This opinion is affirmed by Hinchliff (1968: 17) in that he considers the government at the time of de Mist (1802-3) as “anxious to control the Church at the Cape because it saw the Church as an invaluable instrument in the work of governing the colony.”

birthright. If you tamper with that, you tamper with where you come from, the womb. (Then someone is tampering with your mother ... Earth remains the source of your life. Of life itself. [Joe Seremane (chief land claims commissioner and himself a victim of forced removals) in Winberg and Weinburg, 1996: 39]

This is a primordial claim about land providing a source of “identity”, which is widely asserted in African traditional society. But such assertions are in themselves political statements, and we should not make simplistic assumptions about the automatic and unproblematic relationship between land and identity without attending to the relationship of power and influence that underpin these (cf. James and Nkadameng in Draper 2003:129-130).

The traditional African view of land is that land is generally sacred, for it belongs to the earth spirit, and to the ancestors as well as to the living community. For Africans, land is the basis of their God-given self-respect and creativity. Thus land has a sacred character attached to it. Land has a particular profound significance for people who live directly on it. Land is a source of life but also part of their culture. The identity of agrarian people is tied to the land and expressed in the songs they sing, the art they create, their celebrations, their rituals and rites of passage. Religion is imbued with elements of life on the land, in the form of planting time and harvest festivals, sacramental rites of water and grain and the fruit of the land. Land has the greatest moral and spiritual significance, and constitutes a centre for the way of life (cf. Mofokeng in Guma and Milton, 1997:42-56).⁴

AFRICAN TRADITIONAL OWNERSHIP AND ADMINISTRATION OF LAND

Land is a source of livelihood – it is aptly called mother earth. No individual owns it. It is owned by all collectively for the benefit of each and every member of the community.

In South Africa most of the communal land is tribal land. These territories are even named after the original traditional leader or principal clan name of the tribe (Holomisa in Gillan, 1998: 88-89).

Tribal land is allocated only to members of the tribe or to those who have been accepted as part of the tribe. Because land is a source of livelihood, persons who qualify for sites are those who are breadwinners and have dependants (Holomisa in Gillan, 1998: 89).

Traditionally the man is the head of the household, on whom all the members of the family depend. When a young man gets married he automatically qualifies for an allotment to set up a homestead, to grow food and to graze his livestock in the communal grazing fields. The land allocated to the man remains the property of the community. He is thus expected to use the land for the benefit of those who in terms of the cultural dictate are his dependants. Where he fails to discharge his responsibilities the dependants have a legal right to approach the traditional authority to force him to oblige.

The system of African land ownership and use in Southern Africa ensures that no member of the tribe is destitute and without land, because each one of them is attached to one or another of the land allocates; hence you rarely ever come across squatter settlements in the tribal areas.

Where does the system leave women? In my opinion, it could never have been that when our

4 Mofokeng remains critical of the African feudal history in which the concept of equality of ancestors was not acknowledged; and therefore the ancestors of the powerful were the ones who were closer to the god of the tribal society. The land that belonged to God also belonged to the senior ancestors and not equally to the ancestors of the commoners.

forefathers evolved certain practices it was with the desire to undermine women – their own mothers, wives, sisters and daughters. The underlying principle could only have been the need to provide security to the most vulnerable members of society, namely women and children. One only has to examine the penalties that are imposed against men who abuse women and children or neglect their responsibilities towards them to understand this principle. In reality the provision of land under African customary law is done to for the benefit of the wife and children. That is why single men are not automatically entitled to land allocation. Where a man has more than one wife each is entitled to her own residential site and arable allotment. In each case the man cannot do as he pleases with such assets.

In cases where it turns out that an unmarried woman who has children is the real and only provider for her children, she is entitled, like the married man, to an allotment of the necessary piece of land. The main criterion is that the applicant for a piece of land is the breadwinner with dependants to take care of.

While widows do not inherit the husband's land administration powers, they remain entitled to enjoy all benefits relating to the homestead and arable allotment. Their heir, be it the woman's eldest son or brother-in-law, steps into the shoes of the deceased husband and inherits both rights and obligations pertaining to the estate, the widow and all other dependents. The widow is entitled to enforce her rights as a wife against the heir in the same manner and to the same extent as she would against the husband when he was alive.

The reason women do not inherit land administration rights under African traditional law relates to the fact that there is always the possibility that she may leave her home to be married to somebody else, and if she were to inherit either her husband's or her father's land administration rights she might take them away with her, leaving the rest of the extended family members destitute. Whilst the future of a woman is considered to be at her marital home, that of the man is regarded as being with his clan members, hence his tribal land.

The role of the head of the tribe, the traditional leader, *vis-à-vis* tribal land is similar to one of the head of the family or household. All the assets of the family estate belong to the members of the family but the father or husband is the administrator. He is required at all times to act in the interest of the family and after consultation with the adult family members particular the wife.

African custom dictated that there would be a tribal head that would be responsible for the administration of the land. The land does not belong to him but to the people as a whole. He holds it in trust for them and allocates it in accordance with the wishes of the people and their interests. When he performs his function in relation to land he does so in-council, that is on the advice and with the assistance of his counsellors. These are men who are recognised by the community for their leadership skills and knowledge-ability about the history and customs of the people.

The fact that the traditional leader of whatever level must at all times act in-council ensures that he cannot easily abuse power. The community has a forum where it can review the decisions of the traditional leader to the extent of overturning some of them in appropriate cases. It is to this forum that the traditional leader reports back and from which he obtains fresh mandates.

Against this traditional understanding of land, we now turn to a discussion of the intervention of colonial powers and missionaries with traditional societies and the role that also the chiefs played in the Christianisation of the indigenous people.

THE PROCESS OF PLUNDERING AND LAND DISPOSSESSION UNDER COLONIALISM AND IMPERIAL EXPANSIONISM

The Bible and the land: the missionaries, the colonial office, the chiefs and the “objects of mission”.

During the 19th century the colonial invaders at the Cape were joined in the interior of the country by fellow Europeans who presented themselves as men of God on a mission to spread the Good News and thereby introduced civilisation. The missionaries in most cases denigrated the indigenous way of life, religion and culture, labelling them pagan and barbaric. With very few exceptions, these messengers of peace and love for one's neighbour took the side of the colonial forces in wars of dispossession, because, in terms of the doctrine, *authorities on earth are doing the will of the Almighty*.

The missionaries needed land in order to put up mission stations and churches. Where they could not persuade the traditional leaders to allocate sites and arable allotments, they enlisted the help of colonial forces who were only too ready to oblige by giving them some of the land alienated from the now unwilling hosts.⁵ It has to be quickly conceded, however, that the few exceptions did cultivate a genuine friendship with the natives, with some good intentions (cf. Holomisa in Gillan, 1998: 88; cf. August, 2005: 117).

Any land granted to the missionaries by the traditional authorities was given on the basis that while the allocatee needed it for cultivation of crops, grazing of livestock and provision of accommodation he could continue to retain possession of it. When the allocatee no longer needed the land it reverted to the community. The colonial forces had declared themselves to be government. Without the knowledge of the traditional authorities the missionaries in turn acquired title deeds from the colonial authorities, proclaiming the missionaries to be legal owners of their allotments. The same acts of subterfuge and fraud were committed by the white traders. This is how the towns came into being and trading- posts and mission stations became white islands in a sea of black inhabitants, owing loyalty not to the owners of the land but to their white brethren in the colonial office (cf. Holomisa in Gillan, 1998: 88).

In varying degrees, therefore, both the missionaries and the colonial forces are responsible for the dispossession of the natives of their land, to the extent that by 1912 Africans were in the possession of 13% of their original land. It has to be bear in mind that this 13% constituted the territory that our forebears, under the command of their traditional leaders, successfully defended against the marauding and pillaging bands of European invaders and conniving missionaries.

A socio-political analytical overview

In reviewing the past 350 years of inter group conflict, violence, warfare and plunder in South Africa's history, one can distinguish certain patterns of which the victory over the indigenous population groups by the colonial masters was the most prominent. A second pattern – closely linked to the first – is that in the post-colonial period local whites (at least up to 1974) were again mostly the conquerors, and therefore in a position to enrich themselves, mostly at the cost of indigenous people (Terreblanche, 2002: 6).

The colonial powers and white colonists did so in mainly three ways: *firstly, by creating political and economic power structures that put them in a privileged and entrenched position vis-à-vis the indigenous population groups; secondly, by depriving indigenous people of land, surface water, and cattle; and, thirdly, by reducing slaves and indigenous people to different forms of unfree and exploitable labour* (Terreblanche, 2002:6).

In the relentless struggle for hegemony over land and labour, the colonial authorities and white landowners found it easier to deprive indigenous people of their land than to acquire the necessary

5 In the case of the Moravian mission Mamre and Enon were such cases in point (cf. August, 2005: 86-87; 92)

labour and to control it effectively. Given that land was abundant, and relatively easily conquered, there was a strong inclination – or an economic rationale – for white landowning class to subjugate blacks into an unfree labour class. The choice to use unfree black labour was not a single, discrete, decision but a continuous one, as more and more land was captured. In many cases it was only possible for the white landowning class to acquire the unfree black labour by depriving indigenous people of more of their land. The Land Act of 1913 is perhaps the best example of several examples of the property class depriving indigenous people of their land in a deliberate attempt to promote their proletarianisation and impoverishment, thereby increasing the supply of unfree black labour (cf. Terreblanche, 2002: 6-7).

It is also the opinion of Agriculture and Land Affairs Minister, Thoko Didiza, that the 1913 Native Land Act, 27 of 1913 laid the foundation for discriminatory legislation in South Africa, but that the Land Act, together with its “tentacles” made for a vicious and an inhuman lifestyle for Blacks in South Africa.⁶ It has to be acknowledged that without its “tentacles” like the 1936 Land Trust Act, the apartheid system and discriminatory legislation (1948-190) its harshness would have been limited.

Colonialism during the Dutch and British periods (1652-1910) severely disrupted and impoverished indigenous population groups, but the range and penetration of exploitation during the periods of segregation (1900-48) and apartheid (1948-1994) were undoubtedly more severe from a social and cultural point of view, and caused more alienation and poverty (cf. Terreblanche, 2002: 384-386).

Having discussed the main aspects of colonialism and apartheid regarding the land dispossession issues, we now turn to the democratic dispensation since 1994 and the Land Reform program of the government.

2004 AND THE REDRESS OF THE BRUTALITY OF THE LAND ACT AND ITS “TENTACLES”

It has to be remembered that by 1994 with the advent of democracy in South Africa the Land Act had been in existence for more than 80 years, during which time it did a lot of damage.

The new government in its effort to restructure land ownership in the country, with the Department of Land Affairs (DLA) as the driving force, adopted three programmes, which are restitution, redistribution and tenure reform. There are handful pieces of legislation that were passed after 1994 to facilitate land reform in South Africa.

The question, however is, how good are all these legislative pieces for the country’s citizenry? Have these legislative pieces made a difference in the lives of those previously deprived of land rights?

According to the budget speech of Thoko Didiza in June 2004, out of 65,000 claims submitted to the Commission on Restitution of Land Rights by the 31 December 1998, 48 852 had been settled. The nature of rural claims that have been delivered comprises agricultural land where you have agricultural enterprises that are viable, conservation areas and mining. With the redistribution programme, many a formerly landless person is now termed a landlord.

The policies of the democratic government in the areas of land and agriculture have resulted in a situation where the land ownership patterns have been changed and have given hope to the majority of those who were historically disenfranchised. In the processes of land reform a new

6 <http://land.pwv.gov.za/publications/fromal/land'ninfo/ThreeLand.html>

class of producers have been created that have started to reflect the demographics of our country and thereby moving closer towards *deracialising* our agricultural sector, and our country's economy. It is also true that in the process of introducing new participants the DLA has also dealt with other subtle discrimination such as gender stereotype in our society where women have never been regarded as farmers let alone successful ones.

The other programmes of land reform such as redistribution and tenure have also moved abreast. The government has contributed to land reform not only through financial resources received out of the budget, but has also contributed with assets from the land that is held by the state. To date 772,626 hectares of land have been delivered under the State Land Disposal Programme.

An area of concern is that the budget increase on land delivery has not been matched adequately by the agricultural budget posing a threat to sustainability of agricultural programmes in the case of land restitution and Land Redistribution for Agricultural Development (LRAD).⁷

The strategic plan for Land Affairs⁸ gives a clearer picture on what are the priorities for the coming year. This plan also accommodates the time lines for the completion of restitution. It also takes into consideration the need for focusing on the resolution of the labour tenants' claims, which sadly affect the majority of our rural poor communities in commercial farms.

In March 2004 the government passed the Communal Land Rights Bill. In line with the bill an implementation plan is being developed together with the Department of Provincial and Local Government. The first phase will include the land inquiry process supported by surveying these pieces of land, setting up of administrative structures and putting in place for a training programme for such structures and communities. This will help the communities to understand how the legislation will be implemented.

The challenge facing the government and in particular the Department of Agriculture and Land Affairs, is to ensure that there is enough support to our land reform beneficiaries in a manner that enables communities and individuals to use their assets in a manner that creates work opportunities and incomes for those who have received the land.

Between June 2003 and March 2004 1655 black farmers have been settled through LRAD and the cumulative figure of beneficiaries of LRAD since the programme was launched in 2001 is 19 736. The experience of implementing LRAD and the Restitution Programme over the past ten years make it clear that it is not sufficient to provide prospective framers with access to land without also providing government support for production inputs and technical advisory service⁹ in the contemporary technocratic agricultural environment. For this purpose the government has implemented the Comprehensive Agricultural Support Programme (CASP), which, in the words

7 Budget Speech of Thoko Didiza, 9 June 2004 in <http://land.pwv.gov.za/publications/form/land'ninfo/ThreeLand.html>

8 <http://land.pwv.gov.za/publications/formal/land'ninfo/ThreeLand.html>

9 Two recent studies have pointed to a gap between land distribution and agrarian development as the country attempts to address the land ownership imbalances of apartheid. The first, funded by the British Department of International Development (DFID) found that "beneficiaries identified a critical need for agricultural training, finance and funding for production, farming equipment and greater access to project-related information". A second study, a report compiled by PLAAS, noted that "agrarian restructuring is not sustainable if post-settlement support to land reform beneficiaries is lacking. At the policy level there has been virtually no progress, beyond acknowledging the need for such support". For this purpose the government has committed R210 million as a new allocation for the current year within Program 2, in the 2004/05 financial year for the initial roll out of the implementation of the Comprehensive Agricultural Support Programme

of MP Thoko Didiza, “shall over the next Medium Term Expenditure period become the main – all encompassing programme of focus for the Department of Agriculture.” The overall aim of the CASP is to provide post settlement support to beneficiaries of the Land Reform process – namely restitution, land redistribution – including LRAD and the coming period, land tenure reform (Didiza, Budget Speech, June 2004).

As the process of land reform requires a more integrated approach to implementation and improved service delivery, the DLA, the Department of Provincial and Local Government and the Commission on Restitution of Land Rights work together with the Department of Agriculture.

THE 13 VS 87% LAND OWNERSHIP

The 13 vs 87% land ownership dichotomy in South Africa and the foreign ownership are questions that always crop up. With respect to the founding principles of the African National Congress in 1912 and the spirit of the Freedom Charter from Kliptown in 1955, the government committed itself to the balancing of the scales on land ownership in our country. To honour that commitment the government has vouched to turn the tide and have 30% of land in South Africa being owned by those formerly disadvantaged in our country by 2015.¹⁰

CRITIQUE OF THE GOVERNMENT’S LAND REFORM PROCESS¹¹

The following list is a balanced reflection of skilled people from organised agriculture, the academia, and NGOs on the process of land-reform by the government since its inception five years ago.

- A false start and very little delivery before August 2001.
- Growing discontent among the poor and landless.
- Shortage of working capital and post transfer support as well as the possibility that the group ownership mechanism is not working could have contributed to farmland prices having stagnated.
- Neglect of taking cognisance of the key role post-transfer support services can play in building know-how among the beneficiaries and making farming both pleasurable and profitable.
- The fact that the beneficiaries are not provided with this essential input, whilst the majority of them have never been in the farming industry.
- Review of the beneficiary selection criteria to embrace only persons strongly committed to farming and in possession of the experience and means to guarantee the evolution of a commercial farming class.
- Mentorship programmes for emerging farmers are needed.

10 Minister Thoko Didiza, June 2004, Budget Speech to the National Council of Provinces in Cape Town. In this respect, Mr Ajuruchukwu Obi from the university of the Free State, in dealing with market assisted land reform, criticised the South African land reform program as “five years of a false start and very little delivery” but that the program was “re-designed and a market-assisted approach” introduced in the form of the LRAD in August 2001. In his opinion “with more generous cash grants and less restriction on coverage, this approach promises faster delivery of 30% of white-owned farmland to historically disadvantaged persons over the longer timeframe of 15 years (Trade Conference International, Johannesburg).

11 Critique base mainly on the paper by Obi at the Trade Conference International and SLAG case study in the Limpopo Province.

- Access to production credit must improve.
- Establishment of out-grower schemes.
- Enhance market access for the emerging farmer is urgent.
- Bring more unused land under the Settlement and Land Acquisition Grant (SLAG) for productive use.
- Increase the participation of youth in agriculturally related projects so as to reduce the high unemployment rate.
- The land registration system is flawed in one very material respect, viz. it does not require that the race or nationality of either party in a land transaction be recorded. As a consequence, it might happen that in future more than half of the country may be owned by foreigners.¹²
- The fundamental challenge for democratic SA is to restore broad-based access to productive resources, including land, thereby enhancing people's social and economic security and self-reliance. Equitable distribution of land and security of tenure are essential to justice, reconciliation and transformation.

The success or failure of the land reform programme in South Africa may well determine whether South Africa succeeds or fails as a country. Success in this sense does not only refer to the number of hectares of land transferred to black owners, but also to effecting land reform in a way which is economically viable and environmentally sustainable (cf. Lourie Bosman, Deputy-president of AgrSA, April 2004).

Because the land issue is so crucial for the future success of the country as a whole, we pertinently need to pose the question about the church's role in the process of land reform both from the perspective of the church as landowner as well as from the position of the members of the church as landowners and as landless masses.

THE CHURCH AND THE LAND REFORM PROCESS

The church in SA has been criticised for owning land that actually belongs to the local communities. It has been put to the churches that as good stewards they should hand over the land that they have kept in trust for the people. The argument being that when the church became indigenous it did not hand over the property to the communities to whom the land originally belonged before the colonial powers dispossessed them in favour of the then mission societies. What is the position of the church with regards to these claims in post-apartheid democratic South Africa?

The perspective of the church in SA as represented by the South African Council of Churches (SACC)¹³ is shaped by its understanding of key biblical principles that are generally applicable, and which includes,

- Land is a gift of God, to be equitably shared for the benefit of all humanity.

12 In response to a question posed in view of this possibility the regional Land Claims Commissioner for Mpumalanga, Nceba Nqana, assured the Conference that a Task Team was established by the DLA Director-General, Gilingwe Mayendde to investigate the issue (Trade Conference International, Johannesburg).

13 Gillan, 1998:175-180 (The SACC is the facilitating body for a fellowship of 26 Christian Churches and associated para-church organisations). Founded in 1968, it includes among its members Protestant, Catholic, African Independent, Pentecostal and Orthodox churches with a combined constituency of roughly 15 million members and adherents. The SACC members are committed to expressing jointly, through proclamation and programmes, the united witness of the church in South Africa, especially in matters of national debate.

- Land is the “locus of life”; it gives life and identity and fulfils a critical social function as the place where life is lived and celebrated.
- Ownership of land is never absolute because this social function of land is paramount. We are called to resist the propensity for commodification, accumulation and profit, which tends to exclude the poor and deny their rights in land.
- The Jubilee tradition affirms the redistributive nature of God’s commitment to the poor, seeking to ensure just and equitable access to land and resources.
- Human work on the land should express the dignity of human labour and the joy of participation and cooperation because it is a privilege to be co-creators with God in the unfolding story of creation.
- People are stewards of the land, called to protect the integrity of God’s creation for the benefit of future generations and to ensure that we do not strip the land of its fertility.
- In keeping with these principles, the SACC believes that primary objectives of state land reform policy should be to create a more just society by:
 - Redistributing land equitably and increasing people’s access to land in order to address historical legacies of dispossession and overcrowding;
 - Ensuring security of tenure for those people who have historically had the least secure land tenure, particularly for women and other marginalised groups;
 - Enabling those with access to land to use it productively, beneficially and in a sustainable manner, with respect both to supporting themselves and their dependants and to enhancing national food security;
 - Allowing communities to participate meaningfully in decisions about land allocation, tenure and use.

As this consultation¹⁴ deals with traditional societies and land-reform, I consider it of strategic importance for information sharing from an ecclesiological perspective to impart the experience of the Moravian church – a church which is a major landowner in South Africa, mainly in the rural areas. This is a church which on the macro political level has entered publicly into an accord with the democratically elected government of the day. Therefore this experience of partnering with national government on the issue of land reform could be of major importance for this debate.

THE TRADITIONAL SOCIETIES AND LAND REFORM – THE MORAVIAN CASE STUDY: THE CHURCH LAND ISSUE

The Moravian church, next to the Lutheran church in SA (31%), owns 30% (55,103 Hectares) of the land owned by churches in SA.

The people of the Moravian settlements however prefer a trust-model whereby the land remains Moravian property with exclusive communal rights for Moravian traditional communities.

Mission Stations and development

The Moravian Church, through its mission enclaves has been a custodian of land¹⁵ for the indigenous people since the first half of the 18th Century after the founding of the first Mission

14 See footnote 1.

15 Next to the Lutheran Church it is the Church with the most church land in SA (cf. Die Algemene Sinode Agenda 2002). The fact that most churches do not have a complete database or central record of ownership makes it difficult to ascertain the exact area of land in their possession. A survey from the Deeds Office reveals that by 1998 a total of 2053 properties had been registered in the names of various churches, with a total area of 182 953 ha. Church-owned land ranged from camp grounds to commercial farms.

Station in Baviaanskloof in 1738. Some land was held as “grant stations” and the Church purchased other land¹⁶. The issue of the Grant Stations was solved when the Government, after many years of struggle, passed the Mission Station Act that passed the land into the hold of Superintendents and a Local Management Board (1908). However, under apartheid and the accompanying economic system these areas gradually deteriorated economically into what is today regarded as Historically Disadvantaged Areas. The Government did very little during the apartheid era to build the infrastructure of these villages. The Church over the years, at great cost and with great difficulty, supplied the communities with a water system, built clinics and schools, installed electricity and sanitation. Even with a basic service like postal services the Church had great difficulties over the years to maintain such services, especially in the smaller and isolated mission stations. At times, especially in the beginning, the post office would be run out of the minister’s office. Public transport was supplied on the initiative of the local residents themselves. The railway lines built by the inhabitants of the mission stations never ran past a mission station, but always connected the white towns. The Health and Welfare services were locally co-ordinated by community committees on which the minister also served with the aim of securing the services from the State in the form of a weekly visit by the district surgeon, a health inspector and in order to secure the local permanent services or otherwise weekly visits of a community health practitioner. The maintenance and equipment of the clinic, as well as the partial salary of a

<i>DENOMINATION</i>	NUMBER OF PROPERTIES	AS % OF TOTAL	AREA OF PROPERTIES (ha)	AS % OF TOTAL
Lutheran Church	122	6%	57 146	31%
Moravian Church	10	1%	55 103	30%
Roman Catholic Church	316	15%	40 738	22%
Dutch Reformed Church	600	30%	14 298	8%
Anglican Church	379	18%	7 131	4%
Presbyterian Church	450	22%	2 027	1%
Uniting Reformed Church	79	4%	2 579	1%
Salvation Army	29	1%	1 898	1%
7Other	8		2	
TOTAL	2 053	100%	182 958	100%

* DATA GIVEN IS INCOMPLETE BECAUSE FEW CHURCHES HAVE A CENTRAL DATABASE. LAND IS USUALLY REGISTERED IN THE NAME OF THE CONGREGATION, AND IN SOME CASES IN THE NAME OF MORE THAN ONE NATIONAL OR EVEN FOREIGN CONTROL BOARD/AUTHORITY.

This survey reveals the churches in South Africa not to be major landowners, when compared with the state and some state departments. The Lutheran Church (31%), the Moravian Church (30%) and the Roman Catholic Church (22%) are the largest landowners according to this data, which includes mission stations and a number of commercial farms. The DR Church does indeed own the largest number of registered properties (mainly congregational church premises), but this constitutes a mere 8% of the total area of church-owned land in the country (compare Table).

CHURCH OWNED LAND IN SOUTH AFRICA [1998]*

- 16 For more information about the Moravian settlements or –mission stations kindly read August 2005: 55-144 and Krüger 1966

permanent nurse, was the responsibility of the local community. The community had the responsibility to raise funds with the support of the Church for the administrative budget. In this way the Welfare Associations saw to the needs of the local inhabitants and made applications on their behalf. In the 1980s, the Church, realising the immense suffering of people due to unemployment and poverty, approached through the Provincial Board its partner, the Badische Landeskirche, for financial support¹⁷ for a project to uplift these rural areas. With the financial injection the Masizakhe (Xhosa for “Let us build together”) Project with a revolving fund was started. A Masizakhe Steering Committee was formed to manage the fund and the projects. People were asked to form small enterprise groups. Projects were identified and the parties were assisted in planning and managing their projects. The interest was great and the projects ranged from clothing manufacturing, agricultural projects, timber projects, building and brick-making projects and bakeries to poultry farming. What is remarkable was that the Church did not exclude the Grant Stations communities although these communities do not consist of Moravian members only and was directly the responsibility of the state. Even Moravian groups in the cities could apply for soft loans to start projects. This is how a hiring supply project was launched in Cape Town. However, the Masizakhe project just does not seem fully functional. Reports of problems with accountability, mismanagement by project co-ordinators, favouritism, red-tape that resulted in monies not paid out in time and some projects not being financially viable, resulted in the project being put on hold for a while to give the Church board a chance to investigate the project.¹⁸

The Electrical Project of the Church is financially well administered and renders satisfactory services in eight mission stations. As with the electrical scheme, the water and sanitation systems were also installed and are being maintained by the Church for the communities so that the poorest of the poor can also benefit from these services. Not everybody is satisfied with this centralised system of service provision. People would rather see the decentralisation of service management so that the local communities can benefit from the revenue raised, but it is the policy of the Church that it had laid out money for a revolving fund that has to benefit the whole church.¹⁹ The roads and storm water regulation on the Moravian owned mission stations were the responsibility of the local community council and in most cases, the local community rendered voluntary services. For the policing service, the Church provided police stations with charge offices, living areas and even a prison. Up until the 60s, the shops, butcheries and cafés²⁰ supplied all the needs of the local communities at reasonable, competitive prices. Sports and recreation facilities are also provided for in the form of very basic sports fields and a community hall. Thus, the Church strives to provide holistic infrastructure and services for its mission stations.²¹

The Genadendal Accord

When the Government of National Unity came into power, it embarked on several programmes to unite the once divided country and to uplift the historically disadvantaged. One such programme that finds a direct link to the efforts of the Church above is the Reconstruction and Development Programme (RDP). Its aim is to work for peace and security, the reconstruction and development of the nation and the entrenchment of democracy. Was it a coincidence that the RDP chose as motto Masakhana (a Zulu word), which also means, “Let us build together”? The aim was to

17 The Badische Landeskirche donated 900 000 DM in 1988.

18 Cf. Masizakhe Report, 1992 to 2001.

19 Cf. Reports of the Provincial Board to Synods 1988 – 2001.

20 Some of these business enterprises were in the hands of local entrepreneurs.

21 Cf. Reports of the Provincial Board to the synods 1988 – 2001.

provide equitable health services, school-feeding schemes, and long-term goods-programmes like housing, electrification, streets, training and education and to find inclusive ways to return the uprooted and landless people to their land.

The mission stations of the Moravian Church have come to represent a particular icon for transformation in the new South Africa, especially as State President Mandela, in the case of Genadendal, deliberately chose the old mission station name as the name for his official presidential residence. Could it then be true that the Church, after all its attempts to preserve the mission stations for the future generations of its members against white settlers' greed, is regarded as an exploiter that denies its inhabitants or members a basic human right to land and property? Has the Church through its property policy prevented the inhabitants of mission stations to become full citizens of the country? Has the Church not used the Church-owned land to uplift the whole church and not only the mission station inhabitants by mortgaging the property to raise money for mission expansion in building schools, crèches and multipurpose church buildings in the rural areas and cities and for development work on the mission stations?²²

In the mid-1990s, the Provincial Board of the Moravian Church called the Moravian Task Group for Land and Development (TLD) into being with the task of spearheading the democratisation process of the management of the mission stations and to develop the MCSA 2007 Development Plan. As a result of findings, the TLD reported the following to the Board: "The biggest and most crucial is to free all our people for many still live in bondage of the apartheid era. This is our responsibility and therefore land reform and development of the rural areas should be seen as an instrument to be used for the emancipation of the person while improving the quality of life for all."²³ As directives for the land and development, the TLD advised that: the cultural, historical and social heritage of the Church should be preserved; a sustainable guarantee for mission station land be brought for the inhabitants in view of the Genadendal Accord²⁴; and employment opportunities and equitable economic empowerment be created with the aim of eradicating the poverty on the mission stations.²⁵

According to the Genadendal Accord, between the state and the Moravian Church, the lease agreement in relation to land reform on the settlements (Moravian Church owned mission villages) of Wupperthal, Elim, Goedverwacht, Wittewater, Pella, Clarkson and Kousa would be reformed. In the press statement after the accord was signed, the minister of Agriculture declared as follows: "With the dawning of a new and democratic South Africa, this accord will give impetus to the process started a decade ago. Rural communities, and particularly mission stations communities, were in many ways isolated and poorly serviced by the previous regime, leaving communities with little or no infrastructure." The aim of this agreement is to reintegrate these remote and isolated rural communities in the South African public. Subsequently, the "historical traditions, the character and cultural educational and religious way of life of the communities" would be respected.²⁶ The Government acknowledged in principle the validity of the mission station rules and regulations. However, the inhabitants are also allowed a kind of land-property right without

22 Cf. the statement in Schiewe, 1998: 41 reflects the ignorance of the people "in certain circles" with the history of the MCSA and their preoccupation with ideological principles.

23 Land and Development Task Group, Report to the Provincial Board, June 1996.

24 The Genadendal Accord was signed between Derek Hanekom, the minister of Agriculture and Land Reform, and the Provincial Board at Genadendal in 1996 in connection with the government aided-development of the mission stations.

25 Land and Task Group, Report to the Provincial Board, June 1996.

26 Media Release, Ministry for Agricultural and Land Affairs, October 1996.

having the right to dispose of the property. In this way, the partially latent potential of economic and cultural development will be stimulated, as well as the tourism industry.

The Accord further acknowledged “the historical role that the Moravian Church has played as protector and custodian of land for the benefit of poor, oppressed and largely vote-less inhabitants of our country.” With regard to the developmental role and its meagre resources, it is stated, “The significant contribution that has been made by the Moravian Church to establish schools, infrastructure and housing for inhabitants at rural Mission Stations despite the neglect of the apartheid state to provide assistance.”²⁷ In the naked presence of peri-urban squalor and human misery, the tide of depopulation of the rural areas has to be stemmed, and projects should be designed to provide the infrastructure and employment opportunities, especially around agriculture, land and eco-tourism. With this aim in mind, the Mazisakhe Project was launched and it was intended to create sustainable, self-supportive projects in the process, but unfortunately, not many durable employment opportunities could be created.²⁸ The Moravian Church through its mission stations within the Reconstruction and Development Plan (RDP) can become Islands of Hope for rural development in SA.²⁹

Land claim and land restitution

The Moravian Church, in a Report to the Truth and Reconciliation Commission in 1996, submitted to the Commission a grievance letter of the suffering and humiliation that the Church had to endure under the apartheid regime.³⁰ In the submission the Church mentions the injustices that the Church has suffered, amongst others with regard to property, viz. the Moravian Hill complex in District Six (Cape Town), Moravian Hope and Fairview in Port Elizabeth, in the Tsitsikamma: Wittekleibosch and Doreskraal complexes that were disowned. These complexes consisted of 7 Church buildings, five parsonages, five schools, a crèche and a dwelling-place.³¹ The total property value would be worth approximately R250 million today.

When, in November 1994, the new Parliament passed the Land Claims Act, the Church also submitted a claim for restitution with regard to all the above-mentioned property, which served before the Land Claims Court. As far as the Moravian Hill Complex is concerned, through the relentless pressure of the District Six Restitution and Development Trust (The Trust),³² the Cape

27 Agreement of Co-operation and Declaration of Intend, October 1996.

28 Ficher, Report on a visit to the Partner Church, Moravian Church in SA, January 1996: 4.

29 In this regard it can be mentioned that the Elim Mission Station has already been honoured with R1 000 000 prize-money for the best rural community development project in 2001.

30 Moravian Church in SA, Report to the Truth and Reconciliation Committee, 1996.

31 Moravian Church in SA, Report to the TRC, 1996: 24ff.

32 This Trust, of which K Th August is a member, was constituted in a public meeting in 1999 under the chairpersonship of Judge Bam of the Land Claims Court and Advocate Mgogi, the Commissioner of the Lands Claim and Restitution Commission. As the last minister of Moravian Hill in 1980, August ever since then as a Moravian kept up the fight for the restitution of Moravian Hill. Later towards the 90s he was supported by MM October and DA Meyer who were nominated by the Church Board to support him in a now defunct District Six Committee of the City Council. But this Committee had no mandate from the people and argued that the community did not exist any more. Its aim was to have those individuals that would submit claims compensated with money. But there was no intention to redevelop District Six for the original community or for future generations. However, when this became clear a group of erstwhile residents and occupiers resigned from it with August amongst them and formed the District Six Restitution and Development Committee. This Committee laboriously managed within two years to assemble 2 000 signatories and claimants, which had to be validated and processed. These validated claimants at the mentioned public meeting elected the Trust to act on their behalf. President Thabo

Technikon, which is the legal title deed holder, had publicly agreed (in 2001) to sign the remaining church complex over to the Moravian Church at a nominal fee and to subsidise the renovation of the buildings for an amount still to be agreed upon. With regard to District Six, the Church has decided to agree to integrated development because the land for development in District Six is very limited because the Technikon takes up most of the original land.³³ This means that the Church would either be financially compensated or that the Church could opt for alternative property for new developments. The outcome of the Land Claims Court is still being awaited.

A second outstanding event that speaks for the public role of the Church in land restitution is the aid that the Church, together with the community of Clarkson Mission Station gave in resettling the Keiskammahoek people in the Tsitsikamma.³⁴ These Mfengu people, who were entrusted to Clarkson congregation in 1838³⁵ after they were settled by the British colonial powers in the Tsitsikamma in 1837,³⁶ were forcefully removed by the apartheid regime in 1977. At the time they were uprooted, most of them belonged to the Moravian Church at Wittekleibosch and Doriskraal where the Church had a church building and a school; but others belonged to other denominations such as the Church of the Province.³⁷ Even to Keiskammahoek, the Church followed the congregation and faithfully served them. It was to the Moravian Church that the Tsitsikamma Exile Association (TEA)³⁸ turned in May 1991 to assist them in their homecoming. In 1992, the Government decided to heed the demand of the Mfengu and transferred 50 pieces of land near Clarkson on which the returning families could settle.³⁹ This restitution of land claims was the first of its kind in SA. Only after careful planning with the local community regarding the infrastructure of the mission station, which had to service 50 resident plots, families could have the time to settle again on their ancestral properties.⁴⁰ Yet, this resettling was not without problems. The Clarkson community expected a group of people that would play a central role in the civil life of the mission station and that would be integrated in the Church life. The Church even called a senior Xhosa-speaking minister to serve the new congregation.

Mbeki himself, at a public meeting, symbolically signed the development of District Six over to the Trust in 2001 on a plot next to the Moravian Church. At a “turning of the sod ceremony” in February 2002 the Trust made its intentions clear to start building the first units to ensure the return of the people to District Six. At the moment the Trust is a little anxious that the Moravian Church is still prevented from legally reoccupying the Church building and the Manse. The only delay now is the legal ramifications that have to be worked out by the lawyers of the Technikon and the Church. A small remnant of the erstwhile 2000 strong original Moravian congregation, under the leadership of the 90-year-old mother and ex-church council member, Maria Moolman, are already worshipping at the moment in the manse on the premises.

33 Cf. Minutes of the Third Provincial Synod, June 2001.

34 The word is an old Khoi-Khoisan word meaning “rushing waters”.

35 Cf. Theal II in Krüger, 1966: 198.

36 Theal II in Krüger, 1966: 198. The Mfengu called their section of the Tsitsikamma blood-ground even today because it was granted as compensation for the blood they have shed on the Colonial side during the Frontier War (Cf. Krüger, 1966: 199).

37 Bishop Tutu is also a member of the Mfengu.

38 In April 1991 at a mass meeting in Keiskammahoek with the assistants of Lawyers to fight for the return to their land. The Secretary of the TEA is a Moravian Brother Makamba.

39 Minutes of the Provincial Board, July 1992.

40 After long legal action and various court cases another huge piece of adjacent land for 800 people in the vicinity of Clarkson was signed over to the TEA in 1996. This richly arable land is known as the “New Zealand of SA” because these farms are highly productive Dairy Farms. Most of the Farms are leased to the white ex-owners, which ensures great revenue for the TEA. Possibly the TEA could subsidise the much-needed town-planning development of Clarkson from this income.

The integration however, even on school level, proved more problematic than was expected during the original emotional excitement. For, not only Moravians came to settle at Clarkson but also people of other affiliations that did not want to be integrated into the Clarkson structures.⁴¹ This state of affairs has regrettably already changed the character of the mission station.⁴² Therefore, the changing character and constant traffic of people to Clarkson calls for a new administration and infrastructure that cannot anymore be managed by the old structure of minister and Overseers Council. Attempts are under way to have these civic issues addressed by the newly founded Clarkson Civic Trust.⁴³ It makes sense that the opening of the mission stations will lead to all sorts of changes. This experience at Clarkson is a huge concern for the future of the mission stations. Ways and means have to be designed that would make it possible to “respect and preserve the historical traditions, the character and cultural, educational and religious ways of the communities” as had been agreed in the Genadendal Accord. Even so, the Clarkson event was a noble and humanitarian act, which serves as an example for the broader South African society.

SUMMATIVE REMARKS

Given this ecclesiological reality study (which is a hermeneutical study not of a bibliological nature) what can be gleaned from it to stimulate debate regarding Christian realism within the reality of the South African land reform situation?

The following conclusions are deduced from the Moravian experience with regard to Traditional Societies and Land Reform.

1. The church was indeed allocated land by the colonial regimes; land which belonged or was in the vicinity of Khoi-khoi (-n) or Xhosa tribes, the so-called “Grant stations.”
2. Therefore traditional communities were expropriated from their grazing land.
3. Some traditional communities willingly brought their land under the protection of the missionaries to prevent the Dutch settlers (the farmers) from forcefully expropriating it (cf. Goedverwacht mission station, originally called Burgersdorp).
4. In some cases of the so-called “Grant stations” the inhabitants also rebelled against the authoritarian manner in which the missionaries managed the settlements.
5. The missionaries under pressure of the indigenous inhabitants petitioned the colonial authorities to give the Grant stations property rights so that the people could have more security and even manage the civil affairs of the settlements themselves. But this was a long protracted struggle with all the colonial authorities.
6. The mission societies also appropriated land by purchasing large tracts of land but it was usually in the vicinity of the indigenous people’s places of abode or on invitation of the Khoi-khoi (-n) captains or the chiefs of the Xhosa people. The Moravian Missionary society never acquired land illegally or by force from the indigenous people; although it can be argued that the “Grant Stations” were acquired by institutionalised ‘colonial force’ with which the missionaries collaborated.
7. Already during the Anglo-Boer War great discontent was expressed by the inhabitants of the mission stations in respect of the missionaries’ apparent affinity with the Afrikaners. This

41 Land and Development Task Group, Report to the Provincial Board, February 1996.

42 Robberies at gunpoint and murder, unheard of in the history of Clarkson, have already taken place and a dearly beloved member and shopkeeper; Frei (one of the few German members of the Church) had been murdered.

43 A fact borne out in discussion with Rev N. Edson who at the time served in the Trust.

caused great rifts in the community as some inhabitants fought on the side of the Anglo-forces. The reason being the sense of dignity and political awareness based on universal franchise, which the people were denied in the Boer Republics, but which the people enjoyed in the Cape and Natal under the British regime. This was exacerbated by their fear of loosing their land.

8. During both WWI & WWII the Moravian Mission Society was regarded as an “alien entity or enemy subject” in South Africa because Germany was the aggressor in both the wars. All property was vested in the ‘custodian of Enemy property’. The indigenous members of the Moravian Church, subsequently strongly petitioned the Mission authorities in Germany and the government locally to transfer all church property of the Mission in South Africa in the name of the Moravian Church in South Africa at the time called Die Broederkerk in SA (Westelike Provinsie).
9. Although, the indigenous church eventually succeeded in having all properties registered in the name of the Moravian Church in South Africa, the people preferred to retain the communal property rights in the name of the Church. Not to say that there were not individuals who would for personal reasons want to have private property rights, but the majority of the members who have birthright and therefore citizenship in the mission stations prefers the communal system.
10. Even under the democratic system after 1994 the people requested the government to draw up an accord (called the Genadendal Accord) with the church to “develop and mainstream” the mission stations but to retain the historic identity as collective Moravian church property. Under the Accord provision is made to ensure some form of property rights, which will not open the mission stations to the general public.
11. In one case a Mission station has opened up its borders to accommodate people from the broader society, and that was in the case of Clarkson - on the basis of biblical and political restorative justice to assist the Keiskammahoek settlers to resettle in the Tsitsikamma after so much injustice was done to them by the *apartheid regime*.
12. Property and land give people a sense of derivation and origin, and therefore dignity. In all the years of colonialism and apartheid the people from the Moravian mission stations had a strong sense of belonging and pride. They also carry with them their religion and traditions; they are proud hard working people with a strong sense of self-worth. Strangely enough they were never touched by forced removals to the extent that other people had to suffer in the towns.
13. Today all of the Grant Stations (state property which was administered by the Moravian Mission) are rural villages open to all South African citizens and all the inhabitants have property rights to this extent especially the Moravian Mission Society and later on the Moravian Church in South Africa have contributed. This fact the democratic government has acknowledged in recognising the role the Moravian Church has played in protecting and adding value to the rights and dignity of the indigenous people.
14. The transformation of the Moravian owned properties is still in process and has to take place to the best advantage of the inhabitants as agreed upon with the democratic government.
15. Restitution and reconciliation will come at a price and the government and society should render support to such attempts by the church such as the Clarkson-case to make it work for the sake of nation-building and restorative justice.
16. Through out its history the Moravian Church was informed, sanctified and directed by the principles of the Kingdom of God, viz. justice, love and peace, in that it strove for the Restoration and protection of human dignity, equity and the equality within the fellowship of the believers as an alternative world from within the fellowship missionally driven by the

love of Christ with a view of transforming all humankind, but especially God's discarded people.

17. The Moravian settlements were never spaces of oppression which kept people expropriated and landless. They provided communities with the living space for dignified association, safety and creativity. People were trained in various skills which ensured productivity and creativity. Hard work was considered a virtue of Christian living, together with fellowship not only in worship but also in labour and in recreation. A true community spirit was cultivated amongst the inhabitants – a sense of belonging, of caring, of responsibility for preserving the community. Education was compulsory and Christian citizenship was enforced from an early age on with regard to responsible and disciplined living in community but also in caring for the natural environment (both flora and fauna).

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