

## Understanding land & land reform in South Africa

Knowledgebase.land provides comprehensive and reliable content on almost everything to do with land in South Africa. We also cover land news from Southern, Eastern and Central Africa. We are the 'go to' resource hub for anyone with an interest in land issues and the planning and implementation of land reform. We also write a [weekly summary](#) of land news and podcast weekly at [KB.L Land News South Africa](#)

# Week 13: Monday 22 March – Sunday, 29 March 2020

With South Africa in lockdown much of our news focuses on land news related to Covid-19. As South Africa's confirmed cases continue to rise rapidly, there are numerous concerns about food security, the impact on the economy of a prolonged shutdown and the plight of poor and vulnerable South Africans. While social distancing may be feasible for the elite and middle-class South Africans, for many of our citizens living in overcrowded township housing, backyard shacks, informal settlements and hostels this is almost impossible to put into practice. The shutdown impacts on the local economy as many people are no longer able to work and many of them are now unable to secure a livelihood. We explore some of the issues which have surfaced in the news for week 13.

## Farm workers

There are ongoing calls on civil society organisations for the government to impose a moratorium on all evictions – whether of farm workers and dwellers or of people in informal settlements or inner-city contexts.

## Food security

The Farmer's Weekly ([25 March 2020](#)) reports on the formation of an agricultural industry task team to manage the corona virus crisis overseen by Minister Thoko Didiza. The task team is to focus on three work streams – the economy, social impact and communication.

At the heart will be to ensure continuous food availability to all, at affordable prices, as well as that all supply chains function, and both imports and exports of agricultural goods are maintained.

Agricultural economist Wandile Sihlobo has released a working paper on the impact of Corona virus on food security stating that from a national perspective it was unlikely that South Africa would experience food shortages for most food products over the next 12 months ([IOL 24 March, 2020](#)). However, he noted that the implications of Covid-19 on food price inflation was still to be understood. Sihlobo noted that any potential shortages would be more likely due to logistical challenges in the transport of food imports, rather than a decline in essential grain supplies.

This week stats SA released the results for the latest Census of Commercial Agriculture which was undertaken in 2017. Thea Liebenberg writing for Agri SA in Politicsweb ([24 March 2020](#)) notes that:

This census is incomplete in that it does not cover the entire agricultural spectrum for example, it does not include information on former homelands, subsistence farming and beneficiaries of land reform. The results only cover commercial agriculture's core 40,122 farming units.

Stats SA data highlights that the total number of persons employed in commercial agriculture on 30 June 2018 was 757, 628 which was down from 769,594 on 28 February 2007 – a decrease of 1.6%.

You can access the full copy of the report from the Stats SA website or click on this [link](#) to download a full copy of the report (2 MB).

## Restitution

The Citizen ([26 March, 2020](#)) carries a warning from the Chief Land Claims Commissioner concerning a land claim scam in the Eastern Cape. It has been reported that land claimants from rural areas across the Eastern Cape had been deceived by scammers into paying thousands of rand in exchange for 'fast track settlement' of their land claims. The Commissioner advised claimants to seek advice from the office of the Land Claims Commission in the Eastern Cape, rather than fall prey to people making false promises.

## Rural development

It has been a week where many reassurances have been given, but at the same time the gravity of the economic and social impacts of the Corona virus is just starting to be understood. The chairman of Fruit South Africa Justin Chadwick was quoted as saying that "agricultural operations will continue" but "it would be wrong to say it is business as usual". ([Fresh Fruit Portal 24 March 2020](#)) Currently the South African citrus, pome fruit and avocado seasons are in full swing. While there remain at least another two weeks for the harvesting of table grapes. Fruit South Africa stated that it had developed a set of guidelines to educate the industry and that it was critical that those who allowed to continue operating do so responsibly.

Anton Rabe Executive Director of Hortgro observed how:

Dis-information fuels anxiety. We are asking producers to keep their workforce informed with the correct information and to keep everyone calm, by following protocols.

Vinpro Managing Director Rico Basson responded to ill-conceived announcements associated with the lockdown which initially prohibited wine grape harvesting, cellar processes and the sale of alcohol. The harvesting and cellar process bans have since been lifted. The industry is still reeling following cancellation of wine orders by China which closed its ports. Much wine farm income comes from wine linked tourism which has now also collapsed ([Fin24 28 March 2020](#)).

Agriculture Minister Thoko Didiza is reported to have allocated a 100 million rand to the Land Bank to help farmers in distress ([TimesLive 24 March 2020](#)). However, no detail is yet available about who is eligible and what steps are required to apply.

The NGO Women on Farms ([IOL, 26 March 2020](#)) has noted that while government has focused on measures to support business, there has been very little focus on how the Corona virus will impact on farm workers living on and off farm.

We demand extraordinary interventions for farmworkers, with a financial guarantee from the government for farmers to cover the lost wages of farmworkers who are forced to stop working by farmers as a result of the coronavirus.

## Urban land

As civil society groups press for a countrywide ban on evictions Vincent Lali ([GroundUp 23 March 2020](#)) reports on the eviction of 29 households from Zweledinga Informal Settlement in Khayelitsha. The Anti-Land Invasion Unit was reportedly enforcing a court order prohibiting people from occupying city owned land.

Many of those whose shacks were destroyed were former backyard shack dwellers. Noluvuyo Mdledle, 33, had moved onto the land with her family a day before her shack was demolished by officials.

“I begged them to leave my building materials alone and assured them that I would not rebuild my shack, but they ordered me to vacate my shack”.

She previously rented a shack in Section 32, Makhaza for R600 per month. She sells fruit and vegetables to support her three young children and unemployed sister.

Many stories this week focus on the threat that Corona virus poses to people living in informal settlements. Abahlali baseMjondolo has called on government to end evictions and prioritise water and sanitation provision to informal settlements. Meanwhile the Citizen ([24 March, 2020](#)) reports that Human Settlements, Water and Sanitation Minister Lindiwe Sisulu has identified 29 unspecified areas which are “heavily populated and could be breeding grounds for the spread of Covid-19”. She spoke of measures to provide water and sanitation to settlements while apparently considering measures to lower the densities in high risk areas.

IOL ([25 March 2020](#)) quote Abahlali president S’bu Zikode who stated that many of the measures announced by the Minister have not yet been implemented.

“This is urgent, its a matter of life and death. There’s no water, nothing has been provided and nobody communicates anything to the informal settlements”.

Shaazia Ebrahim and Tim Fish Hodgson contributed an Op Ed in the Daily Maverick ([27 March 2020](#)) which quoted Abahlali extensively while highlighting that:

The problem is that the recommended measures in South Africa, similarly to those of the World Health Organisation, assume that everyone lives in a house. A house which is at no risk of being destroyed by the state or private owners of the land upon which it is built: a house with access to water, sanitation and other basic services. But the reality is that millions of South Africans do not live in a house, but in rudimentary structures in poor conditions.

The onset of Covid-19 reemphasises what housing activists have been arguing for years that access to land, housing, water and sanitation are essential if we are to provide safe and dignified living conditions for our people and manage the pandemic both now and in the future. This was echoed by a recent protest by informal settlement dwellers outside the Civic Centre in Cape Town ([GroundUp 26 March 2020](#))

The group sang and danced while adhering to the one-meter distance rule as they waved placards that read: “Ramaphosa: Wash your hands”

Informal settlement resident: “Ngantoni?” (with what?)”, “No fight, we just want water”, and “Water before lockdown”.

Finally on a practical note Mark Weston writing in the Mail and Guardian ([27 March 2020](#)) provides a thoughtful look at how to tackle Covid-19 in informal settlements. He provides eight ideas for policy makers:

1. Adapt to the context
2. Test and tailor education messages
3. Don't expect to eliminate risk
4. Focus resources on the vulnerable
5. Enlist and support community leaders
6. Don't forget human rights
7. Empower the youth
8. Don't forget long term challenges

Each of these ideas is elaborated in the article which is well worth a read. Until next week, keep safe, find courage and be kind.

## Week 12: Monday 16 March – Sunday, 22 March 2020

Just 12 weeks into 2020 the rapid spread of COVID-19 and measures to contain this are the focus of much national news. The pandemic exposes the deep impacts of inequality and the inadequate safety nets for the poor South Africans who are the majority citizens. This gives renewed emphasis on equitable access to land for housing and livelihoods as well as clean water, proper sanitation and other essential services.

### Expropriation

For the first time in months the media has abandoned its focus on expropriation and the process of amending the constitution to make clear the circumstances under which land could be expropriated without compensation being payable. On Monday, 16 March the Chair of the ad hoc committee announced the postponement of the public hearings as a result of the COVID-19 outbreak in the country ([EWN 16 March 2020](#))

### Farm workers

in last week's land news update we reported on how GroundUp carried a right to reply written by one of the owners of Anura Farm who sought to place his version of events on record with regard to the eviction of the Petersen family. This week sees Carmen Louw a director of the NGO Women on Farms publicly counter the owner's story ([GroundUp 18 March 2020](#)). According to Louw, Petersen had been unfairly dismissed, ostensibly because of a broken window in the cellar – and not absenteeism as the owner had alleged. According to Louw, Petersen had taken the matter to the CCMA and she received a settlement amount. Louw disputes the owner's account that Petersen had told the sheriff who served an eviction order on her that she wanted to be dumped on the street outside the farm so as to get maximum publicity. Petersen did not want to be taken to La Rochelle – an overcrowded and poorly serviced informal settlement with a

high crime rate. With respect to the owner's allegations that Petersen's husband had been arrested for stealing farm diesel, Louw alleges that this was an attempt to criminalise the family on spurious grounds and that no formal charges were ever laid by the owner.

With regard to the eviction order granted by the Paarl Magistrate's Court and confirmed by the Land Claims Court, Louw counters by stating that magistrates often misinterpreted the rights of occupiers in terms of ESTA and that the land claims court is under serious pressure with no permanent judges. An Internet search failed to turn up a copy of the eviction proceedings.

Women on Farms has consistently highlighted what they regard as the shortcomings in the extension of security of tenure act (ESTA)

ESTA currently does not reflect the situation of farm dwellers like Petersen who was born on a farm, lived and raised her children there, but was traumatically, albeit it "legally", removed from the farm and "legally" dumped at the roadside. ESTA stipulates that the courts should not grant evictions unless municipalities are able to provide alternative accommodation. However, courts are clearly granting evictions even if evicted families like the Petersens are going to be dumped on the side of the road.

In other news a group of 25 seasonal farmworkers reported that they had been dismissed without warning with two days' pay – allegedly due to the impacts of Corona virus. ([GroundUp 23 March 2020](#)), although no detail was given in this regard. Female farm workers and dwellers picketed outside the South African Human Rights Commission in protest over a range of issues on farms including evictions, occupational health hazards, wages and living conditions. One of their spokespersons was Wendy Pekeur representing the Ubuntu Rural Women and Youth Movement. Pekeur was a former General Secretary of the now disbanded farm dweller union Sikhula Sonke.

## Land Policy

An Op-Ed in the Daily Maverick by SAIRR's publicist Terence Corrigan ([Daily Maverick 17 March, 2020](#)) explores the implications of Zimbabwe's decision to compensate Zimbabwean farmers whose land was confiscated and in some cases enable farmers to reacquire their properties. Corrigan examines South Africa's role in supporting the Mugabe government, but highlights that these new moves by Zimbabwean President Emerson Mnangagwa had met with the support of unnamed South African diplomatic representatives in Zimbabwe.

## Land rights and mining

An Op-Ed in Business Day ([18 March 2020](#)) reviews the impacts of elite capture in the mining sector on poor rural communities. The writers representing organized mining affected communities argue that:

The practical outcomes of mining in SA have left communities poorer, and our own research suggests that communities benefit from as little as 0.2% of value created in the mining sector, while they carry all the negative burdens of mining...

Social and labour plans required by law have delivered very little of value to local communities. Much of the R7.5bn supposedly earmarked for community development never found its way to the ground. Much of these resources have been captured and misappropriated.

In various social audits conducted by Mining Affected Communities United in Action (Macua) we found ample evidence of corruption and false reporting on community investment initiatives. One example is of a mining company that claimed to have invested millions in food gardens, only for our audit to find that it was a small garden in someone's backyard.

## Food security and rural development

The Farmer's Weekly ([16 March, 2020](#)) reports that the Royal show in Pietermaritzberg has been cancelled following the Presidential directive prohibiting gatherings of more than a 100 people. Other events such as the annual Nampo harvest day are also likely to be cancelled.

With the onset of Corona pandemic and the declaration of a State of Disaster by President Ramaphosa concerns have been raised about the nation's food security. This has prompted a number of statements seeking to reassure South Africans.

AgriSA released a statement ([20 March, 2020](#)) stating that:

South Africans should stay calm and work together to overcome this pandemic. Consumers should refrain from panic buying as South Africa will remain food secure for the foreseeable future thanks to our farmers.

However, at the same time AgriSA noted that exports may be affected due to logistics constraints and the availability of shipping while on the supply side, given South Africa's vertically integrated value chains, there could be a shortage of agricultural inputs.



## Traditional leadership

King Dalindyebo who was given a special remission of sentence in December 2019 after being imprisoned in December 15 2015 on seven counts of kidnapping, three of assault and arson, one of defeating the ends of justice and one of culpable homicide. The King was originally charged and convicted following the kidnapping of a woman and her six children, the burning their homes to the ground and the assault of four youths, one of whom subsequently died from their injuries – apparently, all because one of their relatives had failed to present himself before the king's traditional court.

Three months after his release it was reported that the King had been rearrested ([TimesLive 13 March, 2020](#)) after a case had been opened against him by his son and acting regent. King Dalindyebo was reported to have allegedly stormed the Great Place carrying an axe, before throwing out clothing and destroying furniture. The King has apparently subsequently been released while Contralesa has volunteered to intervene and mediate after his son filed for a protection order against his father.

## Urban land

As the COVID-19 crisis escalates news articles focus on evictions with civil society groups pressing for a moratorium during this period. While human rights organisations are forced to close their walk in services they continue to consult online. Meanwhile people who have long occupied various facilities in protest against the lack of social housing face uncertain times. GroundUp ([19 March, 2020](#)) reports that the occupied Woodstock hospital which now houses about 1000 people has put in place “stringent protective measures” to limit the spread of the virus with communication moving to WhatsApp rather than large meetings. However, at the occupied Helen Bowden Nurses Home in Sea Point little had changed and occupiers appeared unimpressed about the dangers they face. Likewise African migrants seeking repatriation and located in various occupation settings were also completely unprepared and with little resources to protect themselves.

## Week 11: Monday 9 March – Sunday, 15 March 2020

National news has predictably been preoccupied with the battle to contain the outbreak of COVID-19. As a result, land news for this week has been somewhat thin. We focus on expropriation, farm workers and land policy in this weekly news update.

## Expropriation

The Vryheid Herald ([13 March 2020](#)) runs a story by Lolo Madonsela who was reporting on public hearings on the expropriation of land without compensation at the Cecil Emmett Hall earlier in the month. A number of contrary views were expressed by people attending the hearing including a member of the ANC who reportedly went off script



stating that “we get assistance from white farmers therefore we do need them, we need to have an equitable share with them.” This apparently provoked outrage amongst other ANC supporters which was further aggravated when a white farmer attending the hearing “got up and danced”. Parliamentary officials were called in to try and contain what was described as a “volatile situation”.

People attending the hearing proposed a number of new amendments to Section 25. There seemed to be a strong call for land to be owned by citizens and not by the government. Local resident Sibusiso Nkosi moved that:

Government must address the issue of corruption that seems to plague the Department of Land Affairs. It is also an insult to people to suggest that the state must be custodian of the land, as if black people are incapable of looking after their valuable assets. When the land is expropriated it must be given to the people not the state. The revelations of the Zondo Commission has showed us how deep is the corruption in this government and there is no political will to deal with it, therefore it cannot be trusted with the responsibility to look after land on behalf of the people.

Meanwhile in Cape Town community representatives called for the government to speed up the process to expropriate land without compensation. Dr Mathole Motshekga, chair of the ad hoc committee stated that:

The majority of contributions made during the hearing supported the amendment because it is about addressing the historical injustices of land dispossession of the black majority.

However, he also noted that the committee had been warned that the amendment would put dire strain on the economy and could undermine food security. ([IOL 15 March, 2020](#)).

At another public hearing in Germiston an ANC member argued that “the land had already been compensated for by the blood that we share during apartheid. We are not asking for it we are taking it. No one should be compensated, that was done when the blood of our forefathers was shared in Apartheid times”.

And then following the declaration of a national state of disaster on Sunday by President Ramaphosa to combat the COVID- 19 outbreak in the country, Parliament announced that it had postponed all further public hearings on land expropriation. Motshekga noted that the situation meant that “it was in the interest of all South Africans to postpone the hearings until further notice”.

## Farm workers

In the previous weeks KB.L has featured stories from GroundUp and other media on the eviction of workers from Anura Vineyards. These evictions led to protest action and the brief arrest of a co-director of the NGO Women on Farms. In week 9 we observed up that “unfortunately, as with much reporting on land and eviction issues, the circumstances of the eviction case remain unclear”. This week GroundUp gave Lance Bouma, one of the owners of the property the right to reply. ([GroundUp 12 March 2020](#)) According to his version of events the farm worker was dismissed for chronic absenteeism and had been offered alternative accommodation.

Bouma stated that the Francina Petersen, the evicted farmworker was “a more absent than present bottle packer for five years”, whose husband had been arrested along with her father for allegedly stealing and reselling diesel on the farm. Bouma also had words for Women on Farms which had characterised the eviction as “leaving another farm family destitute” recording that the farmworker’s husband was employed in the construction sector as an earthmoving operator earning more than a farmworker’s wage. Bouma closed his piece by noting that:

In accordance with the rule of law in which — astonishingly, not only the farmworker but the farmer has rights — the Paarl Magistrates’ Court and Land Claims Court weighed the evidence and competing rights of the Petersens and the Boumas and granted an eviction order against the Petersens on 15 October 2019. This gave the Petersens just under four months, until 7 February 2020, to find alternative accommodation.

According to Bouma alternative accommodation had been offered in La Rochelle which had been rejected, although no specifics were supplied. What will emerge as his version is contested? Watch this space.

Also in the news was a report on a study by the Research Planning and Policy Directorate in the Department of Labour ([13 March, 2020](#)) which sampled 4055 employees and 210 employers. This report found that “a whopping 77, 7% of workers in agriculture are not union members”. Other studies indicate that trade union membership varies substantially according to where a worker is located within the agricultural value chain. The ILO found that:

Membership of trade unions was very rare amongst workers in the formal sector of the agricultural industry who have employment of a limited or unspecified duration. Within the category of workers with employment of a permanent nature, the incidence of trade union membership was low for

farmhands and labourers (11.4%), motorized farm and forestry plant operators (13.4%) and hand-packers and other manufacturing labourers (19.3%). (ILO, 2015: 30)

A report on the Department of Labour study was also carried in Business Day ([15 March, 2020](#)).

## Land Policy

The Parliamentary Portfolio Committee on Agriculture, Land Reform and Rural Development met on 10<sup>th</sup> March to receive a briefing from Mr Mdu Shabane, Director-General (DG) for Land Reform and Rural Development: DALRRD. ([PMG 10 March, 2020](#)) The briefing covered DALRRD's response to the recommendations of the Presidential Advisory Committee where 60 of the 73 recommendations of the Panel were accepted. Regarding new policy development Busi Mdaka, Chief Director for Inter-Governmental Relations: DALRRD laid out the plans of the Department.

Policy frameworks, policies and legislation targeted for 2020/2021 to 2024/2025 include:

- Deeds Transformation Policy and Bill;
- Land Administration Policy and Bill;
- Agrarian Reform Policy;
- Revised White Paper on Land Policy and the Land Redistribution Bill;
- Land Valuations; and
- Land Compensation Policy and Urban Land Policy.

The Portfolio Committee were also briefed on the implementation of the Spatial Planning and Land Use Management Act.

## Rural Development

Wyske Chamberlain and Karin Kleinbooi write about the [failure of the South African government](#) to meet their commitments to smallholder farmers in the 2014 AU Malabo Declaration on Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods.

The second biennial review finds that Southern Africa as a region does not reach the on-track score on any of the seven commitments<sup>[1]</sup>. Although overall progress has been made since 2017, this is not sufficient to remain in line with the interim targets. A number of **negative developments** stand out. Firstly, the agreed commitment to allocate 10% of annual public

expenditure to agriculture is not achieved by any of the member states in Southern Africa.

[1] The seven Malabo Declaration commitments are: 1. recommitment to the principles and values of the CAADP process; 2. enhancing investment finance in agriculture; 3. ending hunger by 2025; 4. halving poverty through agriculture by 2025, 5. boosting intra-African trade in agricultural commodities and services; 6. enhancing resilience to climate variability; 7. enhancing mutual accountability for actions and results.

## Week 10: Monday 1 March – Sunday, 8 March 2020

### Expropriation

The Council for the Advancement of the South African constitution (CASAC) published their written submission to the National Assembly's Ad Hoc Committee on amending Section 25 of the Constitution. [CASAC's submission](#) was prepared by Advocate Tembeka Ngcukaitobi.

The submission makes clear that the whole amendment process is premised on an incorrect assumption that the Constitution as it stands does not enable expropriation without compensation. The submission notes that expropriation of land is expressly mandated and allowed in the constitution, arguing that section 25(8) of the constitution which gives the state power to address the results of past racial discrimination also allows the state to "restrict any entitlement to compensation which may be claimed by property owners. However, the section has not been put to use and accordingly little or no attention has been paid to it".

CASAC argues that "without some fundamental changes to the entire programme of land reform by the state it is not likely that any changes in the Constitution or the law will shift the land holding patterns to achieve the vision of the Constitution". The submission also states that no land reform can succeed if it is not based on the rule of law.

Kallie Kriel CEO of Afriforum writes in the SowetanLive ([6 March, 2020](#)) that Afriforum agrees with the Minister Naledi Pandor in her article [land reform is legal](#) that measures are required to reduce poverty and inequality. Kriel argues however that the lessons of expropriation without compensation and the erosion of property rights should be learnt from the experience of Zimbabwe, According to Kriel the unemployment rate of 90%, hyperinflation, food and fuel shortages can all be attributed to so called fast track land reform.

However Kriel states that:

The fact that AfriForum is fighting expropriation without compensation in no way implies that it is opposed to land restitution. AfriForum supports the notion that cases where black people were unlawfully dispossessed of their land should be rectified.

The Farmer's Weekly ([4<sup>th</sup> March, 2020](#)) wrote a feature on the [submission](#) made by the Association for Rural Advancement (AFRA) to the Ad Hoc Committee on the Amendment of Section 25 of the Constitution. AFRA puts forward its own proposals for amending section 25. Reading through the AFRA submission and that of CASAC, noting that they are just two of many thousands of submissions which have been put forward, provides a small insight into the extraordinarily difficult task facing the ad hoc committee, if they are serious about fulfilling the mandate which has been given to them.

The irony in the whole process is that, as Advocate Ngcukaitobi has pointed out in the CASAC submission and elsewhere, the constitution already allows for both expropriation and for expropriation to be nil depending on the circumstances of the case. Ngcukaitobi argues that what has been lacking all along is the political will to carry out an effective land reform programme.

While these constitutional deliberations proceed, the 2020 budget speech confirms that the amount of money spent on VIP protection will exceed the national land reform budget for a second year in a row. (As if Advocate Ngcukaitobi needed any more evidence).

## Farm workers

Women on Farms followed up on the protest action of the previous week which saw their director arrested on charges of public violence that were later withdrawn. The NGO organised a march following an open dialogue at the Huguenot community hall. The NGO seeks to put pressure on the municipality to put a farm worker eviction plan in place, particularly as evicted farmworkers ended up in overcrowded informal settlements with serious social consequences for their family life and the future of their children.

## Restitution

The Daily Maverick (6 March, 2020) reports on the continuing saga surrounding the settlement of the District Six land claim. In this episode the former Minister of Land Reform and Rural Development Maite Nkoana-Mashabane applied for leave to appeal a Land Claims Court ruling handed down by Acting Judge Tembeka Ngcukaitobi in April 2019. Mashabane was found in contempt of court for not complying with a court ruling requiring that a plan be presented to resettle former residents of District Six back on the land from they had forcibly been removed. Acting Judge Ngcukaitobi had ordered "Minister Mashabane ...to pay the costs of the proceedings on 17 April 2019, including

preparation and appearance, in her own personal capacity, on an attorney and own client scale, such costs to include the costs of senior and junior counsel.”

Matters were adjourned in the case because there was no clarity as to who had actually applied for leave to appeal. There will no doubt be more on this story in coming weeks.

## Redistribution

Food for Mzansi ([2 March, 2020](#)) reports on the strange case of Petros Sithole (64) a former extension officer in the provincial Department of Agriculture, Forestry and Fisheries. Sithole reportedly retired to become a full-time farmer, who entered into a caretakership agreement with rights to utilise a land reform farm in 2009.

However, the story however is frustratingly unclear about how Sithole lost the rights to continue to use the farm after he had been on the land for more than a decade, referring to an unspecified and “apparent miscommunication amongst officials within the provincial Department of rural development and land reform which left him landless”. Sithole who is a Cotton SA award-winning farmer also produced sugarcane and vegetables.

## Urban land

Urban land issues are at the heart of a new film entitled *Azibuye – The Occupation* by award-winning documentary film maker Dylan Valley ([ScreenAfrica 2 March, 2020](#)). The film focuses on an actress and a trade unionist who occupy a suburban mansion which – according to the article – had been vacant for almost 20 years. As the filmmaker observes “it’s hard to mention the underlying issues in the film without getting into spoilers, but I hope the film challenges viewers assumptions about the issues and the characters”. Since its completion, *Azibuye* became the first South African film to be selected as part of Sundance Film Festival’s New Frontier Exhibitions programme.

GroundUp ([4 March 2020](#)) reports on an occupation and a land conflict which definitely is not art, but certainly in need of documenting. In Port Elizabeth residents of two informal settlements and a group of backyard shack dwellers have come into conflict over who should be allocated service sites in a new development. The relocation of residents from Vasrap informal settlement to new sites at Jaagvlakte was halted on Monday after residents of another informal settlement Qunu demanded 50% of the sites. Then a third group known as the Ward 29 backyard shack dwellers “stormed the offices of the local ward councillor demanding 10% of the serviced sites”. The Jaagvalkte story highlights the high levels of desperation and volatility associated with urban land struggles and their potential to spark violent conflict if poorly handled.