Resilient geographies: land, boundaries and the consolidation of the former bantustans in post-1994 South Africa

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This paper was accepted for publication in November 2006

This paper focuses on the spatial impact of land reform and the redrawing of internal boundaries on South Africa’s former bantustans. It argues that, in contrast to the democratic government’s intention to use land reform and boundary demarcation to effectively change the spatial legacy of apartheid, these processes tend to cement the geography of the former bantustans. Though earlier research correctly projected that post-apartheid policies could result in the enlargement of the areas of the former bantustans, the ways in which this could happen were still unclear. This paper draws on experiences of land reform and boundary demarcation to demonstrate how and why the areas of the former bantustans have been enlarged over the 12 years of democracy in South Africa.

KEY WORDS: South Africa, resilience, land reform, post-apartheid

Introduction

Although the academic attention to bantustans in South Africa was inseparable from that of the implementation of apartheid in a broad sense, the question arose as to whether studies on the bantustans might actually legitimate their existence as separate political entities in South Africa (Southall 1977). Radical scholarship paid attention to bantustans in order to use insight from bantustans to oppose apartheid. It aimed to expose the pathologies of the bantustans (Desmond 1969) and to integrate analyses of the bantustans into the wider study of underdevelopment in rural South Africa (Mabin et al. 1984). Since the demise of the bantustans in the early 1990s, academic analyses have largely been preoccupied with the impact that post-apartheid policies would have on the areas of the former bantustans (Pickles and Weiner 1991). Williams et al. (1998) and Levin and Weiner (1997) correctly suggested that land reform in post-1994 South Africa might actually enlarge the areas of the former bantustans. They advanced various reasons to support their view. For example, Williams et al. (1998, 88) reasoned that land reform would probably contribute to the consolidation of areas of the former bantustans, because the demand for land is most intense along the borders of the former bantustans, and argued that, ‘in most provinces, the historical divisions between (white-owned) land held as private property and land occupied by Africans under some form of communal tenure are likely to remain but the boundaries between them will shift’. In the same vein, Levin and Weiner (1997, 21) concluded that ‘market-led land and agrarian reform in the context of national democratic transformation is likely to reproduce historical forms of natural resource ownership, access and use’.

Similar observations were made about the future of bantustan boundaries in a democratic South Africa (Ramutsindela and Simon 1999).

The boundaries of the former bantustans have generally been analysed as those of the imposed states (Griffiths 1978; Merrett 1984; Lemon 1990; Reintjes and McCarthy 1992; Christopher 1994), mainly because they expressed apartheid interests with little or no regard for the interests and aspirations of the majority of the black population enclosed in those boundaries. The incorporation of the former bantustans into a democratic South Africa in 1993–4 raised the question of how the boundaries of those apartheid political entities were to be erased in order to create a unified territorial space for all South Africans. The first attempt
to change apartheid’s internal boundaries was made through the demarcation of new regional boundaries in 1993, a process that was carried out by the Commission on the Demarcation/Delimitation of Regions (CDDR). Since the process of regional demarcation is well documented (Fox 1995; Muthien and Khosa 1995; Ramutsindela and Simon 1999), this paper makes brief comments on that process to emphasize the relevance of regional demarcation to the analysis of the geography of the former bantustans. It also appreciates research on boundary studies in order to locate the redrawing of internal boundaries in South Africa in a wider context. It should be noted that boundary research has moved beyond the initial preoccupation with different ways in which local, national, regional, and international boundaries emerge and function to include boundary-producing practices in wider social contexts.

Despite the vast amount of research on space and boundaries, a great deal of knowledge is still required to understand conditions under which boundaries reinforce certain constructions of space. That knowledge is particularly relevant to situations where there is an expressive policy direction towards spatial transformation. This paper is intended to make a contribution to that knowledge by bringing together developments in land reform and boundary demarcation in post-apartheid South Africa. These two processes have been used in this paper, because they represent one of the clearly articulated national strategies for undoing the spatial legacies of apartheid. The paper argues that, in contrast to the political intentions to overcome those legacies in a democratic South Africa, the experiences of the first 12 years of democracy are that the processes of land reform and the redrawing of internal boundaries in that country have contributed to the consolidation of areas of the former bantustans. This is not to suggest that there are no other processes and factors that contribute to maintaining the legacies of bantustans. Rather, the paper focuses on land reform and boundary demarcation in order to demonstrate how state-driven processes and policies are seriously challenged on the ground, leading to the reproduction of the very same spatial configurations they are meant to transform. To substantiate this argument, the first part of the paper focuses on land restitution and communal tenure reform and their implication on the geography of the former bantustans. The second part pays attention to how the demarcation of provincial and municipal boundaries has also contributed to maintaining the spatial legacies of those former political entities. Conceptually, the paper suggests that boundaries may not necessarily appear, disappear and reappear, but may assume different forms to redefine the same space continuously.

Land reform and its spatial implications

South Africa’s market-driven land reform rests on three pillars, namely, land redistribution, tenure reform and restitution. Whereas land redistribution aims to open up productive land for residential and farming purposes, land tenure reform seeks to validate different forms of land ownership and to change the race-based dual land tenure that evolved under colonialism and apartheid. For its part, land restitution is meant to restore land rights to mostly black people who were removed from their land on racial grounds. The redistribution of land through any of these pillars relies on the willing-seller, willing-buyer policy, which is sanctioned by the constitution. In practice, the government can only access land in private hands through the willingness of land owners to sell their land at a negotiated market price. Various factors are used to determine the value of land for land reform. These include the present day market value of property; an inflation factor related to land acquisition; the market value of property and the actual price paid at the time of acquisition; historical values of acquisition and interest rate subsidies; and the corresponding inflation factors for the subsidies based on Consumer Price Index (South Africa undated). The government and civil society are of the view that land reform has failed to deliver the initial target of 30% mainly due to the unwillingness of white farmers to sell their land, and because farmers have inflated land prices (Land Summit 2005). Unsurprisingly, President Mbeki (2006) has called for the review of the willing-seller, willing-buyer policy in order to speed up land reform. It should be noted that between 1994 and 2005, 1 347 943 ha of land were delivered through the redistribution programme; 100 175 ha through tenure reform; while restitution accounted for 887 093 ha (South Africa 2005a).

With regard to Limpopo, three main factors complicate land reform in that province, the first being that the province is predominantly rural and therefore there is high demand for land restoration. Approximately 70% of the farms in that province are under land claims (This Day 2004a). The second factor is that white farmers in the province form part of a conservative constituency that opposed the transition to a democratic order in the early 1990s. Thirdly, the province has inherited three former bantustans (Gazankulu, Lebowa and Venda), which is the highest concentration of the former bantustans in one province in the country. The last factor is particularly relevant to the discussion of this paper.

Generally, analysts of land reform in South Africa have variously been concerned with the debate that informed the direction of the land reform
programme (Binswanger and Deininger 1993; Williams et al. 1998), the roles of civil society in that programme (Levin and Weiner 1997), the extent and nature of the demand for land (Marcus et al. 1996; Bernstein 2005), changes in land reform policies (Cousins 2000; Mather 2002), the performance of different land reform programmes (du Toit 1999; Lahiff 2005), the impact of land reform on livelihoods (Lahiff 2003; Bradstock 2005; Bank and Minkley 2005), links between land reform and environmental issues (Ramutsindela 2002; McCusker 2004; Kepe et al. 2005), South Africa’s land reform in the contexts of Africa and the rest of the developing world (Cousins 2002), and the place of South Africa’s land reform within the global neoliberal economy (Bernstein 1998; Mather and Greenberg 2003; Fortin 2005). While these studies have contributed to our understanding of different aspects of land reform in South Africa, there has been less done to illuminate the extent to which land reform has begun to impact on the geography of apartheid. Arguably, land reform is crucial to undoing the legacy of racial land ownership patterns, not least because the apartheid state used land as a pillar for racial segregation and for the development of the former bantustans.

Although the bantustans emerged out of processes that took place at different historical moments, their shape was profoundly influenced by the Tomlinson Commission Report of 1955, which suggested the consolidation of the scattered reserves. Following the publication of that report, the government ‘proceeded with the consolidation of the reserves and Trust Lands into larger blocks through a series of judicious land exchanges and purchases’ (Christopher 1994, 73). Clearly, the process of consolidation would have not been achieved without forcibly removing people to racially and ethnically divided parcels of land. In this sense, land was central to the process that led to the development of the bantustans. In the 1980s, the National Party government pursued agricultural policies that reinforced the spatial configurations of the bantustans. For example, the government used the Development Bank of Southern Africa as both a think tank and financier of black agriculture, which was confined to the bantustans. In the same way, the Association of the Chambers of Commerce of South Africa suggested that bantustans could be enlarged through the use of abandoned land. Weiner and Levin (1991, 106) have argued that ‘making the bantustans larger was the policy prescription for black agriculture’. It was anticipated that the democratic government that began in 1994 would contribute towards an equitable and non-racial land distribution. Indeed, the land reform measures that culminated in the development of South Africa’s land policy in 1997 aimed to deal effectively with the injustices of the racially based land dispossession of the past; the need for a more equitable distribution of land ownership; the need for land reform to reduce poverty and to contribute to economic growth; security of tenure for all; and a system of land management which will support sustainable land use patterns and rapid land release for development (South Africa 1997).

The broad vision of the democratic government is of a land policy and land reform programme that contribute to reconciliation, stability, growth and development in an equitable and sustainable way (South Africa 1997). The National Land Committee – a network of organizations committed to the promotion of social justice in South Africa in relation to access to and control over land and related resources – specifically viewed the objective of land reform as changing the pattern of land holding (National Land Committee 1995). This objective is implicit in the land restitution, land redistribution and tenure reform sub-programmes. The Reconstruction and Development Programme (RDP) emphasized the point that the land reform programme should include land outside of the historically black areas (African National Congress (ANC) 1994). Moreover, it was anticipated that land reform was needed in the former bantustans as a measure of validating land tenure (Cousins 2002) and easing population pressure in one of the most degraded areas in the country (Meadows and Hoffman 2002). To this end, the White Paper on Land Policy suggested that:

government at all levels, including local authorities, should strive to overcome all obstacles which may hamper equitable access to well located land. Implementation of appropriate urban and rural land policies and land management practices is required to overcome a primary cause of inequity and poverty. Realization of these policies is necessary to reduce living costs, occupation of unsafe land, environmental degradation and urban and rural vulnerability, affecting all people, especially the poor. South Africa (1997, 9)

Despite these policy pronouncements, land reform programmes are so far leading to the enlargement of the areas of the former bantustans, as I will show below. Land restitution and tenure reform have been used below to demonstrate that the process of land reform has the potential to cement the geography of the former bantustans.

Conceptualizations of land restitution and tenure reform: implications for the former bantustans

The Reconstruction and Development Programme (RDP) – a mass-based programme of reconstruction
in post-apartheid South Africa that was used by the ANC as an election manifesto in the historic election of 1994 – envisioned that land restitution would be used to address the suffering caused by apartheid-forced removals (ANC 1994), but did not go far enough to highlight the nature of forced removals that would be valid for restitution. Clearly, forced removals under apartheid took different forms, ranging from loading people and property onto government trucks to betterment planning. Accordingly, the National Land Committee (1995, 8) was of the view that ‘restitution should not be limited to claims arising from direct actions of the apartheid state such as forced removals, but the real infringement of rights through other actions such as betterment planning, farm evictions, corruption and maladministration should also give rise to legitimate claims to be addressed through the restitution process’. It has been suggested that land reform policymakers did not pay adequate attention to the applicability of land restitution in the former bantustans. This is particularly true for land claims related to betterment planning. The concept of betterment planning, as applied under apartheid, had subtle political intentions that were pursued in the pretext of development. To be sure, betterment planning involved the creation of villages by assembling black people living in scattered areas (Platzky and Walker 1985; De Wet 1995). Although the apartheid government projected betterment as a development plan, the political intention was to use it to group people of the same language together in order to promote the development of bantustans.

The team that drafted the 1997 White Paper on South African Land Policy did not consider the consequences of betterment planning as crucial to land restitution. To be sure, policymakers ignored the relevance of betterment planning to land restitution, and the result was that people who lost land through betterment planning were considered ineligible for land restitution. This was particularly the case in the Eastern Cape, where the Regional Land Claims Commission dismissed betterment land claims on the grounds that it was for the ‘public good’ and that it was not a racially discriminatory practice (Commission on Restitution of Land Rights 2000; This Day 2004b; Minkley and Westaway 2005). The reasons for the exclusion of betterment planning from land restitution are rather surprising because research has shown that the apartheid state used betterment planning as an instrument for creating bantustans, and that it was underpinned by racism (Letsoalo 1982; Surplus People Project 1983; Hendricks 1990; De Wet 1995). I will comment on the spatial consequences of the lack of recognition of betterment planning in restitution in the section below. For the moment, I concentrate on the conceptualization of communal land tenure as a sub-programme of South Africa’s land reform.

Apartheid perfected the colonially inscribed communal land tenure as the main system under which black people could own land. With regard to the former bantustans, communal land tenure was instrumental in defining land that was assigned to a language group belonging to a particular bantustan. This occurred in the form of tribal land and tribal authorities, which formed the initial nuclei of areas of the bantustans. Unsurprisingly, much of the land in the former bantustans was administered through the institution of tribal authority led by a chief. It should be noted that communities did not have land rights in communal land, as those land rights were generally held in trust, and communal land was registered as the property of the government. Against this background, tenure reform in post-1994 South Africa aimed at validating communal land tenure and to confer land rights to communities living on that land. One of the first steps towards achieving that goal was the creation of Communal Property Associations (CPAs) in the mid-1990s. In terms of the Communal Property Associations Act, a CPA represented ‘a new form of legal body through which members of disadvantaged and poor communities may collectively acquire, hold and manage property in terms of a written constitution’ (South Africa 1997, 63). Though CPAs were intended to move away from the chieftaincy and its tribal connotations, CPAs in the former bantustans operated along the language grouping bequeathed by apartheid. In other words, CPAs neither transcended the linguistic boundaries nor completely eclipsed the chieftaincy, both of which had been used to create bantustans.

Notably, attempts to bring changes to communal land tenure were frustrated by the lack of an overarching legislative instrument. That instrument was only provided 10 years after the birth of democracy (i.e. 2004), an indication that communal land tenure was not considered a priority in that country’s land reform. The Communal Land Rights Act 11 of 2004 aims to provide, among other things, for legal security of tenure by transferring communal land to communities; to provide for the democratic administration of communal land by communities; and to provide for Land Rights Boards (South Africa 2004). Of significance to the theme of this paper is that the Act defines communal land as land which is, or is to be, occupied or used by members of a community subject to the rules or custom of that community. In addition, the community comprises a group of people whose rights to land are derived from shared rules determining access to land held in common by such a
group (South Africa 2004). Against this backdrop, the Act not only reinforces the settlement patterns in the former bantustans, but also encourages the reconstitution of communities along apartheid tribal boundaries. For example, it recognizes Traditional Councils that are founded on tribal authorities as representatives of communities and as owners of communal land, where they exist. According to the Traditional Leadership and Governance Framework Act 41 of 2003 (South Africa 2003), members of the Traditional Council must include traditional leaders and members of the traditional community selected by the senior leader in terms of that community’s customs. The Traditional Council is responsible for, among other things, administering the affairs of the traditional community in accordance with customs and tradition. In spatial terms, the notion of traditional community implies that apartheid tribal areas will continue to exist in a new political dispensation. Since tribal areas were the building blocks for bantustans, their existence in one form or another means that the spatial foundations of the former bantustans are kept in tact.

The spatial consequences of land restitution and tenure reform

Spatially, the lack of recognition of betterment planning in the restitution process implied that the area of the former bantustans was kept intact. This was so because the possibility of residents to claim, and move onto, land outside the former bantustans was seriously compromised. In that way, residents were contained within the boundaries of the former bantustans. This is also true for the ways in which land claims are being settled. Despite political pronouncements on land restoration as the _leitmotiv_ for land reform (ANC 1994; Didiza 2003), most of the land claims are in fact settled through cash payments at the average price of R50,000 (about £5000 sterling) per claimant (This Day 2004c). Although cash payouts are a norm in urban areas, they do suggest that land restitution in rural areas is more complex than in urban areas. Cash payments not only raise the cost of land restitution but also fail effectively to change land ownership patterns. In formerly exclusive white towns and cities in the vicinity of the former bantustans, cash payments discourage the movement of successful land claimants into former ‘white areas’. The trend in the former bantustans is for land claimants to move onto areas adjacent to the boundaries of those bantustans. This is a result of the pattern of forced removals that were meant to assist in the creation of bantustans. Indeed, the creation of the former bantustans in present-day Limpopo Province was facilitated by the resettlement of one black group to give way to another. For example, Khosi (Chief) Mashau in the former Venda bantustan had both Venda and Tsonga-speaking subjects in his area of jurisdiction, Ha-Mashau (Figure 1). After 1969, the Tsonga-speaking people were relocated from Ha-Mashau to Ka-Nkuzana, Ka-Bungeni, Ka-Njakanjaka and Ka-Mpambo. The same pattern of resettlement took place in Efrata, from where Tsonga-speaking people were moved to Ka-Ribungwani and Ka-Bungeni in order to transfer the farm Efrata to the former Venda. Under land restitution, those neighbouring Tsonga-speaking people have successfully claimed areas in the former Venda. Land claims of this nature serve to consolidate and enlarge areas occupied by black people under apartheid. Clear evidence of this is Vleifontein (see Figure 1) where Tsonga-speaking people have successfully claimed the eastern part of that township, while the western part has been claimed and reoccupied by subjects of the Venda-speaking Khosi Nthabalala. Given that Vleifontein was created as part of the former Venda in the mid-1980s, the restoration of land rights to Khosi Nthabalala to the west of the township has basically consolidated and enlarged the area of the former Venda bantustan. Communal land reform is likely to have the same spatial effects, although operating in a different context.

It has been estimated that the Communal Land Act will affect over 21 million people, the majority of whom live in the former bantustans (Legal Resource Centre 2006). The spatial implication of the Act is that land titles will be transferred to communities along apartheid-era boundaries and through apartheid-era structures, such as land administration committees, that are founded on apartheid tribal authorities. Consequently, people who were put under a wrong tribal authority have little or no chance to re-establish themselves and to restore their land rights on communal land. According to the Legal Resources Centre – which has launched a litigation to challenge the constitutionality of the Communal Land Rights Act – the communities of Kalkfontein, Makuleke, Dixie and Magobistad/Mayayane are worried that the Act reinforces the apartheid spatial boundaries and structures to their disadvantage. By way of example, the Makuleke were removed from the northern part of the Kruger National Park in 1969 and, as Tsonga-speaking people, they were resettled to Ntleneni in the former Gazankulu bantustan under Chief Mhinga (Harries 1987). There are claims that the Makuleke suffered hardships under Chief Mhinga who was a powerful political figure in the former Gazankulu. Nevertheless, the community was able to reassert its identity and power by successfully claiming land in the Kruger National Park.
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They entered into a contractual agreement with South African National Parks by which their land is used for ecotourism without the possibility of the Makuleke physically moving into their land in the park. The Communal Land Rights Act threatens to disrupt all these gains and arrangements by forcing the Makuleke to re-negotiate their position in their communal land, which falls under the Mhinga chieftaincy.

Figure 1 Land claims in the former bantustans
The re-demarcation of internal boundaries and the future of former bantustan spaces

The ANC aimed to use the demarcation of regions to ‘de-racialise [the] country, so that people can start to think of themselves as South Africans holding diverse views, and not as members of this or that racial, ethnic or linguistic group locked into corresponding and definite political compartments’ (ANC 1992, 3). It was concerned that regions should not become mini-states that would reproduce old-style apartheid territorial disintegration. It initially favoured the adoption of the existing provinces (Cape, Orange Free State, Natal and Transvaal), arguing that those provinces were ‘sufficiently familiar and sufficiently capacious to provide the basis for progressive re-integration of bantustans . . . into the mainstream of South African political and administrative life’ (ANC 1992, 5), but later proposed the demarcation of eight regions. Nevertheless, regional demarcation failed to change fundamentally the shape of the apartheid map for a number of reasons. Firstly, the new regions that were demarcated by the CDDR reproduced the nine development regions that had been created by former President P W Botha’s government as part of his preparation for the 1983 tricameral constitution. In this sense, development regions were part of the reform process that aimed at shaping politics under the guise of development planning. It has been acknowledged that ‘all development plans announced or launched since 1980 have been within the context of the ideal of a confederation of states’ (South Africa 1983, 205). During the negotiation for a democratic political dispensation in 1992/3, the defunct National Party wanted to pursue that ideal through proposals for a federal post-apartheid state. Secondly, the criteria used to demarcate the new regions did not favour a fundamental restructuring of existing territorial spaces. For example, the new regions were based on, among other things, historical boundaries (such as provincial, magisterial and district boundaries), demographic considerations, and cultural and language realities, all of which functioned as pillars of the former bantustans.

In spatial terms, the demarcation of regions and the renaming of the regions into provinces in 1994 meant that the areas of the former bantustans were kept intact within the provinces into which they were incorporated. This is so, because the intention to keep a particular language group together means that language groups should continue to occupy the very same space within which they were confined under apartheid. In practice, the new provinces have accommodated and maintained apartheid-era linguistic and ethnic maps as the fundamental bases for spatial organization in a democratic South Africa. For example, the whole of the former KwaZulu Bantustan has been placed under the newly created province of KwaZulu-Natal. In this way, the demarcation of regions/provinces did not spread any of the former bantustans into more than one province. Instead, it has reinforced the concentration of language groups into particular provinces, thereby maintaining the apartheid status quo of the distribution of those groups. With regard to the former bantustans, the process did not allow for people to move away from the areas of the former bantustans into which they were said to belong. Clearly, there were communities in the former bantustans which wanted to use the demarcation process to break away from the confines of those apartheid entities. For example, in Bushbuckridge, the majority of residents wanted the area to be moved from Limpopo (then Northern) Province and be incorporated into Mpumalanga, a move that would have broken down the boundaries of the former bantustans of Gazankulu and Lebowa (Ramutsindela and Simon 1999).

In summary, Bushbuckridge was divided along North Sotho and Tsonga-speaking areas that were placed under the jurisdiction of the former Lebowa (North Sotho) and Gazankulu (Tsonga). Since Bushbuckridge belonged to the apartheid-era development Region G, the adoption of the boundaries of Region G, as that of the Limpopo Province, meant that Bushbuckridge automatically formed part of Limpopo Province. As early as 1993, residents in Bushbuckridge challenged the incorporation of their area into Limpopo Province, arguing that they were more economically and geographically linked to Mpumalanga than Limpopo Province. The ANC as the government-in-waiting at the time promised the people of Bushbuckridge that it would incorporate their areas into Mpumalanga once it was elected into power in the 1994 national elections. However, the ANC failed to carry out its promise for political reasons (see Ramutsindela and Simon 1999), despite its overwhelming political victory in the 1994 elections. The case of Bushbuckridge was not an isolated incident; there were no fewer than 13 disputed cases along the boundaries of the new provinces (Figure 2). It should be noted that disputes involving the incorporation of communities into new provinces were dominant in those provinces that include areas of the former bantustans, namely Eastern Cape, KwaZulu-Natal, Limpopo, Mpumalanga and North West, evidence that there were people who wanted to move out of the areas associated with the confines of apartheid spaces. Those disputes were not resolved during the Presidency of Nelson Mandela (i.e. 1994–8). In terms of the theme of this
paper, boundary disputes challenged the demarcation process that confirmed some of the spatial legacies of apartheid, but that challenge was rendered immaterial by the democratic government’s failure to support the aspirations and demands of border communities. In practice, relocating communities from one province to another would have implied changing provincial boundaries by amendments to the Constitution. The government did not want to go down that route, but preferred to resolve boundary disputes through the creation of cross-boundary municipalities.

**Crossing the provinces, leaving the areas intact**

In essence, cross-boundary municipalities imply the creation of certain municipal boundaries across provincial boundaries in terms of the Local Government: Cross-Boundary Municipalities Act 29 of 2000 (South Africa 2000). The Act went beyond the concerns with the disputed areas referred to above, to include the demarcation of three categories of municipalities, namely metropolitan, local and district municipalities that are classified as municipal categories A, B and C, respectively. Section 155 of the South African constitution defines a Category A (i.e. metropolitan municipality) as that which has exclusive executive and legislative authority in its area; a Category B (i.e. local) municipality as that which shares municipal executive and legislative authority in its area with a Category C municipality within whose area it falls; while a Category C municipality has municipal executive and legislative authority in an area that includes more than one municipality (South Africa 1996). The Demarcation Board’s (1999a) preliminary position was that disputed areas, such as Bushbuckridge and Groblersdal/Motetema (see Figure 2),

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**Figure 2** Disputed provincial boundaries
The former bantustans in post-1994 South Africa

should fall under a cross-boundary arrangement, and proposed the establishment of four cross-boundary municipalities, five cross-boundary district municipalities and two cross-boundary metropolitan areas across the country (Table 1). Following approximately 350 submissions by the public to the Demarcation Board in September 1999, the Board agreed to the establishment of eight cross-boundary local municipalities, six cross-boundary district municipalities and two cross-boundary metropolitan areas. These cross-boundary arrangements were officially recognized in terms of the Local Government Cross-Boundary Municipalities Act 29 of 2000. Of significance to the theme of this paper is the spatial implication of cross-boundary arrangements on areas that had been affected by boundary disputes that emerged during the demarcation of regions (i.e. current provinces). The official reasons for the cross-boundary arrangements were that they would improve the provision of services to contiguous areas that have been separated into different provinces. For example, it was suggested that Kuruman in the Northern Cape and Mothibistad in North West province should be brought together under one cross-boundary municipality, because Kuruman form the tax base of Mothibistad and surrounding villages – which are 8 km away from Kuruman (Demarcation Board 1999b). In this sense, the cross-boundary municipality would be fiscally sustainable, because of the functional linkage between the areas concerned. The rationale for establishing functional linkages and capacity sharing runs through all cross-boundary arrangements. It is rather surprising that those functional linkages were ignored during the demarcation of provincial boundaries, despite the fact that communities such as in Bushbuckrige lobbied for respect of those linkages (see Ramutsindela and Simon 1999). Moreover, the criteria for regional demarcation included the respect for economic linkages for fiscal sustainability. Arguably, cross-boundary municipalities were also established to resolve boundary disputes that surfaced in 1993–4, hence most of those municipalities involve areas that have long been affected by disputes over provincial boundaries.

The demise of cross-boundary municipalities

Cross-boundary municipalities were abolished in terms of the Re-determination of the Boundaries of Cross-boundary Municipalities Act 6 of 2005 (South Africa 2005b), the Cross-Boundary Municipalities Laws Repeal and Related Matters Act 23 of 2005 (South Africa 2005c) and the Constitution Twelfth Amendment Act of 2005 (South Africa 2005d). In addition to amending the legislation that provided for the establishment of cross-boundary municipalities, the acts were also instrumental in rearranging areas that fell under the jurisdiction of cross-boundary municipalities. The official explanation for this

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<th>Province – place</th>
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<tr>
<td>Northern Cape – Kathi, Olifantsheo and Kuruman TLCs</td>
<td>North West – Mothibistad</td>
<td>Cross Boundary District</td>
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<tr>
<td>Eastern Cape – Umzimkulu, Parts of Mount Fletcher, Mount Ayliff</td>
<td>KwaZulu-Natal – Mount Currie District, Underberg, Creighton and Inkop</td>
<td>Cross Boundary District</td>
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<tr>
<td>Gauteng – East Rand Metropolitan Area Cullinan-Rayton TLCs</td>
<td>Mpumalanga – Etwatwa</td>
<td>Cross Boundary Metropolitan Area</td>
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<td>Gauteng – Bronkhorspruit and Gauteng – Carletonville Pretoria</td>
<td>Mpumalanga – Mathjanana, Mbibane, KwaMahlanga and Ekangala TLCs</td>
<td>Cross Boundary District</td>
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<tr>
<td>Mpumalanga – Groblersdal, Moutse, Marble Hall, Motetema, Steelpoort and Burgersford Northern Cape – Hartswater</td>
<td>North West – Fochville/Wedela</td>
<td>Cross Boundary Local Municipality</td>
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<tr>
<td>Northern Cape – Jan Kendorp Limpopo Province – Bushbuckridge</td>
<td>North West – Garankuwa, Mabopane, Wintersveld and Temba</td>
<td>Cross Boundary Metropolitan Area</td>
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<td>North West – Hartbeespoort</td>
<td>Gauteng – Crocodile River</td>
<td>Cross Boundary Local Municipality</td>
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Source: Demarcation Board (1999a)
move was that cross-boundary municipalities were obstacles to the effective provision of services, thereby contradicting the same reasons for which they were established. The Minister of Provincial and Local Government Affairs, Sydney Mufamadi, defended the abolition of cross-boundary municipalities in these words:

The ANC, government, the national and provincial legislatures, as well as the elected local government leadership of our country decided to roll back the spatial barriers which stand in the way of the national drive for a more even pattern of socio-economic development. South Africa (2006, 1)

This, he added, was necessary to tackle the challenges posed by the geographical asymmetries of wealth and poverty. The Deputy Justice Minister, Johnny de Lange, is reported to have said that the performance of cross-border municipalities is poor and that cross-boundary municipalities lead to legal and administrative confusion as they are administered by different provincial laws (Sowetan 2005), a view that has been endorsed by the Premier of North West, Edna Molewa (Star 2005a). Arguably, the performance of cross-boundary municipalities cannot be ascribed to the cross-boundary arrangement alone, because most municipalities that are not administered across provinces have equally under-performed.

In contrast to the government’s view that cross-boundary municipalities should be abolished in order to improve service delivery, a common view of the affected communities is that the abolition of cross-boundary municipalities and the re-determination of the boundaries of provinces actually incorporate their areas into poor provinces, such as Eastern Cape, Limpopo and North West that have inherited most of the poor-condition of the Bantustans (Sunday Times 2005a; 2005b; City Press 2005). For example, re-demarcation has meant that Khutsong in Carletonville (Gauteng province) should be incorporated into the province of North West, a move that has caused many riots and mass protests in Khutsong. According to media reports, including live television interviews, Khutsong residents prefer to remain in Gauteng, which is the economic hub of the country, and are fiercely opposed to incorporation into North West, where it is believed that service delivery will deteriorate, as the following excerpts suggest:

In North West the level of education is still low [and] offices are too far.
Elvis Motamu, interviewed by Sunday Times (2005a, 4)

Taking us to the North West will make us a burden to a province which is really struggling with its few townships and large rural areas. They must just leave us alone [in Gauteng].
Pensioner Vuyelwa Sigauga, interviewed by Star (2005b, 7)

People take you seriously when you are from Gauteng. Now my children will have to change schools and fall under the North West syllabus. Everyone here knows how backward their syllabus is.
Dan Mosia, interviewed by City Press (2005, 2)

It has been estimated that 90% of residents in Khutsong are in favour of remaining in Gauteng (Star 2005c). Interestingly, the provincial government of Gauteng initially supported the residents’ aspiration to remain in Gauteng, but later changed its view, as a result of political lobbying within the top structures of the ANC. The political editor of Pretoria News, Angela Quintal, is of the view that ‘Gauteng was persuaded by other provinces [to agree to the incorporation of Khutsong to North West] in the national interest’ (2005, 3), the national interest being that if there is no agreement between provinces affected by cross-boundary municipalities, it would be difficult to abolish cross-boundary municipalities and that this would have resulted in delays in the local government elections that were held on 1 March 2006. Approximately only 1% of eligible voters in Khutsong is said to have voted in those elections, the rest boycotting the elections as a protest against their incorporation into North West. Admittedly, there are many issues involved in Khutsong such as the politics of the ANC and its alliance structures (mainly the South African Communist Party that supports the anti-North West campaign; Sunday Times 2005b), the ways in which ANC party decisions are made and passed through government structures, the nature of South Africa’s democratic process, and so on, that do not fall within the scope of this paper. Nevertheless, the case of Khutsong and other similar protests against incorporations such as in Moutse, Bronkhorstspruit and Matatiele (see Figure 2) suggest that there are significant complexities around dismantling apartheid spaces. Communities protesting against incorporation have approached the Constitutional Court with the aim of challenging the constitutionality of the ways in which cross-boundary municipalities have been abolished. At the time of writing (October 2006), the Court had ruled that the process that led to the incorporation of Matatiele into Eastern Cape was flawed, mainly because the provincial government of KwaZulu-Natal did not consult with the affected communities (Constitutional Court of South Africa 2006).

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Conclusion

Earlier research on the processes that could cement the geography of the bantustans (Pickles and Weiner 1991), and the subsequent analyses of land reform by Levin and Weiner (1997) and Williams et al. (1998), were based on projections rather than the outcome of the processes in question. That is to say, the earlier research did not have the benefit of using the outcome of land reform to understand how and why the geography of the former bantustans would be enlarged in the democratic dispensation. More crucially, research on the legacy of the former bantustans has not sufficiently assessed the combined impact of different policies on the areas that were under the bantustans. This paper has attempted to fill that gap by drawing on insight from two processes, namely, land reform and boundary demarcation, that variously contribute to cementing the spatial legacy of the former bantustans.

This paper has confirmed that space, once constructed, is difficult to transform, despite the political intention to do so. The reasons for this are by no means simple, because space does not exist in absolute terms, but is shaped by, and reflects processes at play (Duncan and Savage 1989). With regard to the former bantustans, space was constructed to support the ideology of apartheid. It must be emphasized that the ideology of apartheid not only gave content and direction to the bantustan policy, but also guided all processes that impacted on the bantustans (Pickles and Weiner 1991). Logically, it was expected that the collapse of the apartheid state in the early 1990s would be followed by progressive policies that would transform apartheid territorial configurations. Indeed, the new constitution and the policies that flowed from it seek to unite a hitherto divided South Africa in spatial and non-spatial terms. To that end, the land reform programme aims at transforming the racial pattern of land ownership, while the re-demarcation of internal boundaries was intended to bring together people of different racial and linguistic backgrounds under the same administrative units. In contrast to these intentions, land reform in the former bantustans has worked towards the consolidation of the areas of the former bantustans, mainly as a result of the conceptualization of land restitution and communal land tenure reform. The same effects can be observed from the delimitation of provincial and municipal boundaries. As I have shown above, the current nine provinces are, by and large, a reincarnation of apartheid-era development regions, which respected the boundaries of the former bantustans. The attempts to change those boundaries by means of cross-boundary municipalities did not succeed, because those municipalities respected the very same provincial boundaries that had firmly entrenched the geography of the former bantustans. The abolition of cross-boundary municipalities in 2004, and the subsequent incorporation of most areas into provinces containing poor and large areas of the former bantustans, do not go far enough towards changing the spatial legacy of apartheid.

Conceptually, the reproduction of space entails, among other things, the recognition of certain human creations as part of the natural order of space. In the former bantustans, apartheid has naturalized both physical and non-physical boundaries, and the institutions and structures that govern people who lived in those bantustans. Those boundaries and the spaces which they delimit have not been successfully challenged in a democratic South Africa. Experiences of the resilience of the former bantustans could broaden our knowledge of the processes by which space is constructed, lived and maintained (Lefebvre 1991), and how institutional power geometries (Buzar 2005), property regimes (Blomley 2003; Klingle 2006), formal and informal social control mechanisms (Brownlow 2006), identities (Brace et al. 2006) and the nature of capitalism (Harvey 2001) continuously give shape and content to space. With regard to boundary studies, the research on the former bantustans could contribute to the existing body of work on the value and effects of maps and the multiple meanings of space that boundaries of all sorts generate (Harley 1988; Dorling and Fairbairn 1997; Paasi 2005).

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