

Out “Black Spot”: Roosboom and the Struggle for Land Restoration in South Africa during the Transition to Democracy (1990-1993)

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Many processes have been responsible for the inequitable distribution of political power and wealth in South Africa, but the dispossession of land is arguably the most important (De Klerk 1994). The Land Restitution Act was one of the first pieces of legislation passed by the Government of National Unity after the democratic elections of April 1994. However, this study focuses on land restoration and restitution during the transition period to democracy from 1991 to 1993.

The Abolition of Racially-based Land Ownership Regulations (1991) was one of the principal reforms introduced by President De Klerk's government. It abolished all laws restricting access to land on a racial basis, but existing patterns of land ownership remained unchanged. Officials claimed that a program for the restoration of land was not feasible because “the potential for conflict, contradictory claims and practical problems will make implementation extremely difficult, if not impossible” (Bekker 1992, 22). However, pressure from the dispossessed communities increased until the government was forced to concede that some form of restoration was unavoidable.

An Advisory Commission on Land Allocation (ACLA) was established to identify unused or underdeveloped state lands for acquisition. Thirty-nine communities submitted land claims to the ACLA, but the commission proved to be slow and ineffective. In November 1992, they submitted a joint memorandum to the De Klerk government expressing their concern about the inability of the ACLA to address the issue of land restitution given its advisory status as well as the government's lack of credibility to settle land disputes. The National Party government responded by changing the ACLA's name to the Commission on Land Allocation (CLA) and broadening its terms of reference. Its charge was to determine restitution or compensation for communities who had been forcibly removed. Only three communities in KwaZulu-Natal Province had their land restored under the National Party government. This article examines the struggle of one – the Roosboom community – to secure tenure during the transition period to democracy.

Data were obtained through participant observation, interviews, and archival research. In-depth interviews were conducted with members of the