

South Africa: The Zulu King, and a people without land

We need to debate the Ingonyama Trust

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The recent high court challenge by the Council for the Advancement of the South African Constitution, a group of individual land occupiers and the Rural Women's Movement against Zulu King Goodwill Zwelithini has, once again, brought the issue of the Ingonyama Trust and the role of the king into the spotlight.

The organisations and individuals want to force King Zwelithini to reverse a decision to convert permits to occupy to long-term lease agreements and rentals, reported to range from R1 500 to R7 000, for residents on KwaZulu-Natal land that falls under the trust. The king is the sole trustee of the trust, which administers almost 3 million hectares of land, accounting for about 30% of the entire province.

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The high court case is set against the backdrop of a heated land debate on the amendment of Section 25 of the Constitution to facilitate land expropriation without compensation.

Earlier this year, King Zwelithini and his backers were infuriated by recommendations of a high-level panel (HLP) that suggested the Ingonyama Trust Act, which gave effect to the establishment of the Ingonyama Trust, was unconstitutional and should be repealed or amended. The panel also suggested that all land falling under the trust should be put under the administration of the rural development and land reform department. By daring to make these recommendations, the HLP has been described as "anti-Zulu" and its head, former president Kgalema Motlanthe, has become *persona non grata* in nationalist Zulu circles.

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King Zwelithini has threatened violence and legal resistance, and secession of the "Zulu nation" and KwaZulu-Natal from South Africa. This threat came with undertones of the king being in command of a private "Zulu army", which can be deployed at any time against anyone threatening the land of the "Zulu nation". King Zwelithini has even gone as far as teaming up with right-wing elements such as AfriForum (who also see themselves as targets of land reform programmes), and invoking a toxic and dangerous version of Zulu nationalism to hold on to the vast tracts of land under the trust.

Following the threats, a few days later, President Cyril Ramaphosa skipped a community meeting he was scheduled to attend in Chatsworth, south of Durban, and went to see the king at one of his palaces in northern KwaZulu-Natal. Literarily on his knees, Ramaphosa assured King Zwelithini that Ingonyama Trust land would not be targeted by government's land reform programme.

Contrary to widespread misperceptions, the HLP did not specifically target the Ingonyama Trust Act,

but a number of post-apartheid laws to determine their effectiveness in transformation, and in advancing “radical change” and “social cohesion”.

Pre-colonial relations to the land

Among the Nguni people, land was communally owned, before colonialism. The chief or king acted as custodians on behalf of the people. There were particular political and socioeconomic aspects of land usage and right of access to it. Not only land, but all the other means of production and livelihood were regarded as communal resources for the productive utilisation by members of a chiefdom or kingdom, later referred to as “tribes” by colonial oppressors.

In these societies, no single person, chiefs included, could greedily hold on to vast amounts of land when others remained landless. Poverty and landlessness were unknown. With capitalist and colonial encroachment, land became a terrestrial commodity that could be surveyed, bounded and more often left vacant in anticipation of the right market prices or lucrative “developmental” projects.

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In pre-capitalist, patriarchal African societies, production happened in the homestead. Under the traditional practice of *ukukhonza* (paying allegiance to a chief or king) *abanumzane* (male heads of homesteads) were allocated sites by a king, chief or their officials, to establish homesteads for cultivation and for their livestock to graze. In a theoretical analysis of the foundation of pre-colonial/pre-capitalist African society, historian Jeff Guy adopted the terms “inanimate” and “animate”.

From a materialist conception of history and societal developments, Guy argued that, unlike modern-day capitalist societies founded on the accumulation of material resources and commodities, traditional African societies were founded on the accumulation of living things, including people and cattle, which were exchanged for the productive and reproductive capabilities of women through the practice of *ukulobola*.

Bogus claims to indigeneity

Intentionally or unwittingly, serious misrepresentations of the land ownership pattern in pre-colonial Zulu society abound. IFP leader Mangosuthu Buthelezi, one of the architects of the Ingonyama Trust Act, misled Parliament when he stated, during the debate on the State of the Nation Address, that the Ingonyama Trust represented the “indigenous” and “traditional” manner of land administration.

King Zwelithini has used the same line of argument, which dichotomises between “tradition” and “modernity”. He contends that his position is about “preserving” Zulu heritage, culture and tradition. However, this fails to acknowledge that the king and *ubukhosi*, in general, do not exist in isolation from the modern-day bourgeois culture; and *amakhosi* are part of the ruling elite, forming part of the accumulation regime within a society founded not on ideas of communalism and *ubuntu*, but on the exploitation of the majority, many of whom are of Zulu origin.

In a nostalgic way, many, even among the workers and impoverished people, have bought into this within a context where capitalism, its institutions and the overall modern-day lifestyle have driven them into a life of destitution. Largely because of the institution he occupies, King Zwelithini is often viewed as some kind of “saviour” whose mission is to return his destitute people to their glory days of abundance. This in spite of the reality that the more than R100 million in rent collected and “developmental” initiatives on trust land have not, in any significant manner, improved their living

standards.

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Instead, there are reported instances where ordinary people have been forcibly removed from their land, in the colonial and apartheid style, for either being unable to pay rent or for capitalist development programmes that only stand to further fatten the pockets of the elites and their benefactors. Women have often borne the brunt of this.

Private ownership of the “commons” for profit maximisation is a foreign concept, which is only a little more than a century old in Southern Africa. This is a fraction of the region’s history, but one that has continued, uninterrupted, after the end of formal apartheid.

Concepts such as “social cohesion” have become fashionable in government circles. They are fundamentally superficial concepts that function to depoliticise profoundly political questions. As the late struggle theoretician Mzala Nxumalo stated, the resolution of South Africa’s “national question” would be impossible unless colonialism and apartheid-induced socioeconomic injustices are corrected. Mzala, like many of his contemporaries, centralised the Freedom Charter, which during the struggle was seen by many as the only socioeconomic blueprint for a post-apartheid society.

A serious confrontation with the enduring colonial structure of our relation to the land requires serious debate about both the rule of ubukhosi and amakhosi in a democracy and the commodification of land under the rule of capital. The land should be collectively owned and democratically managed by those who work it.

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