

COLUMNISTS

MASILO LEPURU | ANC to blame for lack of restoration of conquered land

BY MASILO LEPURU - 12 March 2024 - 12:30



□ □ □ □ □ Ramaphosa dances during the party's recent election manifesto launch at Moses Mabhida stadium in

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Jan van Riebeeck once stated in the late 1600s that the Dutch settlers who dispossessed the indigenous people of their land through “defensive warfare” intend to retain the land.

Van Riebeeck was affirming without shame “the right of conquest” and laying the foundation of SA and white settler constitutionalism which are based on land dispossession since 1652.

Jan Smuts, who was the “founding father” of SA, believed that white people in SA should trust in their “intellectual and administrative superiority” to continue to rule over the natives.

This year marks 30 years of democratic SA which was inaugurated in 1994 under the ANC. The commemoration of these 30 years is based on several historical fantasies which must be exposed.



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The first one is that there was never a democracy before 1994 and the second one is that the ANC is a liberation movement. White democracy, which of course excluded the indigenous people due to the fear of their numerical power, existed way before 1994.

It is this “*herrenvolk* democracy” which maintained white supremacy and white settler colonialism. By ceding intellectual and ideological leadership to white settlers as communists and liberals and suppressing any manifestation of African nationalism, the ANC has proven that it is a civil rights movement.

The ANC can be blamed for the lack of the restoration of land in conquered Azania. White settlers “expropriated land without compensation” in wars of colonisation since 1652.

The first constitution, which reinforced land dispossession and the right of conquest, was created in 1853 in the Cape colony. This constitution was based on parliamentary supremacy of white people, and it suppressed the numerical power of the indigenous people by requiring them to be “civilised natives” to vote.

The Boer republics, which were created after the so-called great trek of the Dutch settlers, excluded all the indigenous people.

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The second constitution was introduced in 1909 in the name of the Union Act of 1909. This constitution was also based on parliamentary supremacy of white people who reconciled after the Anglo-Boer war to collectively rule over the natives.

It reinforced the right of conquest by consolidating two British colonies and two Boer republics to form SA as a union and suppressed the numerical power of the natives by excluding them from SA.

“Amazentiti” or “civilised natives” such as John Dube and Sol Plaatje resented their exclusion from SA. As “amakholwa” and loyal British subjects, they petitioned the British empire to be included into SA to no avail.

As the legal foundation of the apartheid regime, this 1961 constitution was also based on the parliamentary supremacy of the Dutch settlers. The ANC, in the name of “we shall overcome”, managed to realise its assimilationist dream since its formation in 1912 through the 1993 and the 1996 constitutions.

Constitutional supremacy and judicial review which replaced parliamentary supremacy were aimed fundamentally at ensuring that the indigenous people do not restore land, thus a post-conquest Azania.

- *Lepuru is a researcher and founding director of the Institute for Kemetite and Marcus Garvey Studies*



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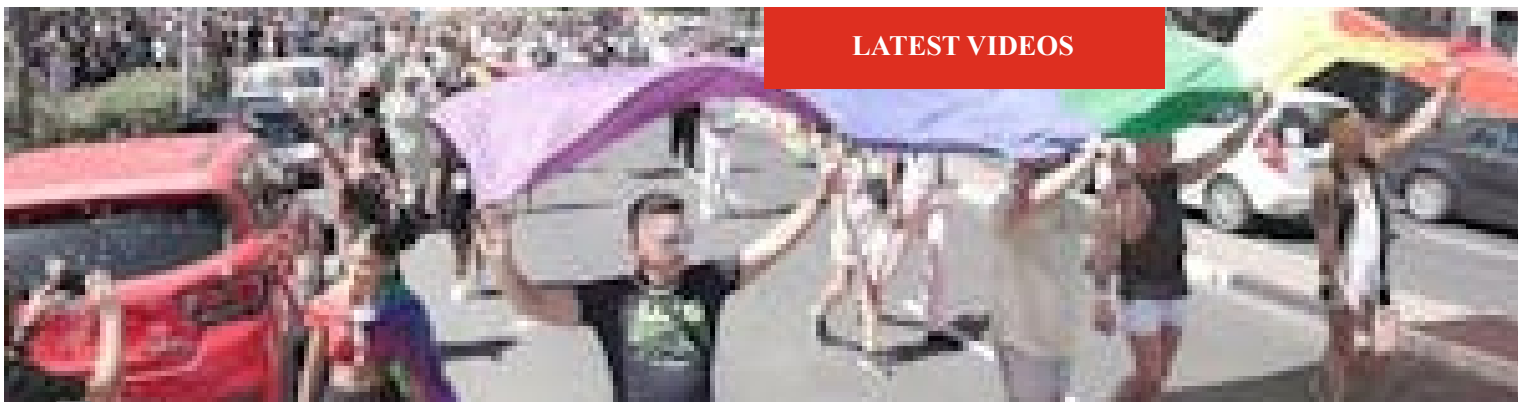
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