

A Critical Appraisal of the Silence and Apathy of the Church Regarding Land Reform with Special Reference to the Lutheran Church as a Case Study: Towards Making the Church a Caring and Humanising Institution

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Abstract

While the country is grappling with events and unusual practices that are shocking and bringing churches into disrepute, following dramatic and ‘miraculous’ events in some of the Charismatic and Pentecostal church traditions, society must not turn a blind eye to challenges faced by so-called main-line churches. They are also engaged in actions and behaviours that are scandalous and bring the churches into disrepute. That is particularly the case with the disturbing silence of churches regarding the raging debates in South Africa, about land, land reform and expropriation of land without compensation. While the debates are ongoing, there is the big scandal of not only silence, but the disposal of church land that sabotages land reform and pre-empts expropriation of land without compensation. An example comes from the Evangelical Lutheran Church in Southern Africa (ELCSA), which, like other churches, is a significant landowner that has received many of its portions of land during the colonial period during which indigenous peoples were dispossessed, impoverished and dehumanised. By disposing of land without any consultation with groups of claimants, the church has missed an opportunity to be relevant and to be a catalyst in the creation of a more humane society in which the injustices of the past are redressed and the human rights and dignity of the landless, land-hungry and dispossessed are respected and not violated. The church has missed an opportunity to be true to its nature as a caring and compassionate institution that has the responsibility to create a more humane society.

Keywords: land reform, restitution, humanizing institution, Lutheran church, Pentecostal/ charismatic churches, Rustenburg declaration, pariahs

Introduction

In recent years, the Pentecostal and Charismatic churches have come to be associated with controversial practices that are common in some of the churches. These practices are tarnishing the reputation of the church and bringing the church into disrepute. The strange, unusual practices must be debated, condemned and possibly rooted out. The main argument of this article is that it is not only the Pentecostal and Charismatic churches that are tarnishing the image of the church and its reputation. The mainline churches also have tendencies that bring the churches into disrepute and society often turns a blind eye to what they are doing, including to the injustices they engage in actions that cause suffering to God's people. One area in which the mainline churches bring the church into disrepute is that of church land ownership in which the churches fail to contribute to land reform or fail to contribute to social and economic justice. At the time of the conference of Rustenburg, which led to the Rustenburg Declaration (1990), churches confessed and committed themselves to audit their land and to play a meaningful role in restitution and redistribution. Part of the Rustenburg Declaration states,

Confession and forgiveness require restitution. Without it, a confession of guilt is incomplete. As a first step towards restitution, the Church must examine its land ownership and work for the return of expropriated land from relocated communities to its original owners (Alberts & Chikane 1991:284).

The Lutheran church was one of the 80 denominations and 40 parachurch organisations represented by 230 Church leaders.

However, since 1994, churches have not only been disturbingly silent about the land question, but apathetic. Even amidst the current debate about land reform and expropriation of land without compensation, churches are very quiet. As if that is not enough, the Lutheran church has been disposing of church land, even in cases where there are historical claims and where there are occupants, as they have done with Bethany, Kopanong, Xhariep district, Free State. This article therefore argues that while there are unusual practices in the new Pentecostal churches that warrant condemnation, equally there are some scandalous practices such as selling land on which there are historical claims by various groups, namely The Griqua, the Khoisan, and the Beddie family. There are also claimants who successfully claimed 5 337 hectares of

the over 18 000 hectares of the land. In terms of methodology, the article uses the Lutheran church (ELCSA) in respect of Bethany as a case study of such events that are scandalous. The main source of the information are primary documents and literature related to the land and the history and broader context of dispossession, historical acquisition of the land, forced removals and the original claims, the successful claim and the documents related to the sale and the protests of the communities regarding the sale. The article concludes that there are scandalous practices in the mainline churches that equally need to be condemned and uprooted. Furthermore, the article makes a case for the churches to re-examine themselves and play a meaningful role in land reform, particularly restitution and return of land to original owners and their descendants.

Background

Lest we think that challenges that bring the churches into disrepute and cause a stumbling block (scandal) to the believers are only found in the Charismatic and Pentecostal churches, there are also scandalous actions in the so-called mainline churches or mission-established churches. This is particularly the case with churches that Anderson refers to as ‘new Pentecostal churches’ (Anderson 2005:66). In recent years, some of these churches have faced a lot of criticism for unusual practices, which range from making people drink petrol, eat rats and grass, staging the resurrection of the dead¹, sexual assault and rape of women and girls², human trafficking, money laundering³, and many other strange, unconventional practices (Mapadimeng 2020:1; Kgatle 2017:2). Many of these acts have caused alarm and controversies in churches and in the country. These are scandalous actions and events that are tainting the image and reputation of the Pentecostal and Charismatic churches. Does it mean that

¹ Recently there was the video clip that went viral of the Congolese-born pastor Alph Lukau, in which he claimed to have just prayed and managed to bring a dead man lying in the coffin back to life.

² Timothy Omotoso, the Jesus Dominion International (JDI) church, is charged with allegations of sexual assault, human trafficking and racketeering.

³ The Malawian-born multimillionaire pastor of the Enlightened Christian Gathering (ECG) church, Shepherd Bushiri, and his wife are facing charges of fraud and money laundering. They were granted bail and they have since skipped bail and returned to Malawi.

the mainline churches do not have scandals of their own that equally affect their image and reputation negatively? This article does not focus on the new Pentecostal (neo-Pentecostal) and charismatic churches, but the mainline churches, using the Lutheran church as a case study. As a case study, it is not focused on a church within the context of worship services but outside the church. The Lutheran Church is not the only church that failed to deal with the issue of land (church land) in such a way that benefits the communities residing on church land or those who were previously dispossessed through forced removals and other forms of dispossession. Other than actively contributing to dispossession, the Lutheran church and other churches have been silent regarding the controversial issue of land and its redistribution and restitution. The ongoing debate in South Africa regarding expropriation of land without compensation has not yet pricked the collective conscience of churches, as they remain silent regarding land owned by churches which should also be considered for redistribution to the poor and landless communities.

The silence of the church regarding the debate on land reform and expropriation of land without compensation is a serious challenge. It is not only a challenge, but scandalous that other than being disturbingly silent, a Lutheran Church, the Evangelical Lutheran Church in Southern Africa (ELCSA), has initiated a process that has ultimately dispossessed communities and made land reform difficult, if not impossible.

As the big debate continues about land, land reform and expropriation of land without compensation, the focus is on land belonging to commercial farmers, state land (trust land) and tribal land. There is land that belongs to different churches and that is ignored. Some church land may have been bought in the open market. However, there is some church land that was obtained fraudulently by missionaries. The landless communities who could not own land in white South Africa requested some missionaries to acquire land on their behalf and missionaries later refused to hand the land back. There are missionaries who were faithful, who returned the land or facilitated the return of land to the rightful owners. According to Van Donk (1994:18), the church acquired land in the following ways:

- In some cases, missionaries purchased land.
- Or, land was donated to missions such as Bethany, which was donated by Adam Kok II, the leader of the Griekwas (Schoeman 1985).
- In other cases, indigenous leaders (often erroneously referred to as

chiefs) donated land for specific purposes, mostly ‘for the benefit of indigenous people, for the propagation of the gospel and for the purpose of education and building churches’ (Buffel 2001:1).

- In other instances, Black people paid missionaries to purchase land on their behalf, as legislation prohibited them from purchasing land (Van Donk 1994:18). In those cases where missionaries held the title deed, the indigenous people still felt that the land belonged to them.
- In other cases, the missionaries received land as grants from the colonial administration which had participated in the dispossession of indigenous people, often for missionary purposes (Van Donk 1994: 18). This was also to clear Blacks from so-called White land.
- Many missions were given permission to establish mission stations on tribal land, in efforts to prevent complete deprivation of tribal land by colonial powers (Van Donk 1994:19).

Some land was given to Mission Societies ‘for the benefit of the indigenous communities’ such as Bethany in the Free State, which was given as grant to the Berlin Mission Society. Bethany, which was originally referred to as Brandewynfontein, was given to the Berlin Mission Society by Adam Kok II (Schoeman 1985:11–12; Twala 2018:1; Buffel 2015:1; cf. Van Aswegen 1993:22). However, later communities were removed in various ways because of racist legislation such as the Native Land Act of 1913 and the Native Act of 1936. These are the pieces of legislation that, in the words of Sol Plaatje, turned indigenous people into ‘pariahs in the land of their birth’ (Plaatje 2007:21).

History is now repeating itself as dispossession is not perpetuated by the colonial powers and the apartheid regime, but by a predominantly Black church, ELCSA, as they sold land claimed by various communities. These are dispossessed communities that were forcefully removed before 1913 and that are not covered by the Restitution Act of 1994 (as amended). Since the Lutheran Church, ELCSA, a successor of the Berlin Mission Society benefited from the long process of dispossession of Africans from their land, the church and many other churches that possess massive tracts of land should be championing the return of land to indigenous communities. These dispossessed communities include those who were forcefully removed before 1913 and who are not covered by the Restitution Act of 1994. A church that was part of the South African Council of the Churches (SACC) and was part of the vanguard against oppression and injustice, has engaged in the process of dispossessing

the community and thereby rendering them landless. A church that is supposed to support the call for expropriation of land without compensation is now preempting expropriation of land without compensation. It is a stumbling block to restoration of justice. Any institution or person who dispossesses people is violating their human rights, human dignity, and impoverishing and dehumanising God's people. The article critically reflects on church land that has conveniently been removed from the agenda since 1990 at the Rustenburg Conference where churches committed themselves to facilitating the restoration of church land (Albert & Chikane 1990:21). The Black Lutheran Church is a classical case study of a church that is insensitive to the plight of the poor and oppressed. A case study of a church that was part of the prophetic voice against apartheid, which has now deserted the poorest of the poor and instead of contribution to transformation and humanisation, it is now involved in a process of dispossession and dehumanisation. The church is supposed to be missionary and human, as Prof. Saayman argues in his book, *Being Missionary, Being Human* (2007). The church has an important role to play in caring for all its members, including the dispossessed communities, the poorest of the poor, many of whom are members of the church (cf. Buffel 2018:119). The last thing that we expect from a church is to play an active role in further dispossessing and impoverishing the landless and the poor and oppressed.

Blacks⁴ still Pariahs in the Land of their Birth

It was a scandal when indigenous peoples were systematically dispossessed through the Native Acts of 1913 and 1936. It was a scandalous process that turned Africans into 'pariahs' in the country of their birth. When Sol Plaatje wrote the words 'Awakening on Friday morning, June 20, 1913, the South African native found *himself*, not actually a slave, but a pariah in the land of *his* birth' (Plaatje 2007:21), he was referring to Africans who were impoverished and rendered landless. The words of Plaatje are the opening

⁴ Black here is used in the sense of the Black consciousness definition of Blacks as generic and includes Black Africans, Coloureds, who are also African, and Indians who are equally African. One concedes that the word 'coloured' is regarded as unpalatable and as very condescending. Black includes all the peoples who were regarded as so-called 'Non-white' (as if non-beings) in the old, apartheid South Africa.

words of the first chapter of his book, *Native Life in South Africa*, which was published in 1916, just a mere three years after the promulgation of the Native Land Act of 1913. The late and former Minister of Education, Prof. Kader Asmal, described these words as ‘the most powerful and memorable first paragraphs in literature’ (Asmal in Sol Plaatje 2007: xi)⁵. According to Asmal, these words vividly capture the pain, humiliation and distress of millions of our people who suffered through the exercise of power by the white parliament that created a landless and destitute people (Asmal in Plaatje 2007: xi). Plaatje was referring to Africans who were impoverished and rendered landless. They were not only impoverished and rendered landless, but dehumanised. These are the words that describe the reality of millions of black people. This reality is not at all ancient and outdated. This is the reality experienced by millions of Black South Africans who have no access to land and continue to live in poverty. This is the reality that was also acknowledged by the Department of Agriculture and Land Affairs (DLA)⁶ in a discussion document released by the Ministry in 2005:

Our country’s entire history was shaped by the fact that land ownership was dictated by race. Dispossession and systematic destruction of the then highly successful black agricultural sector condemned the black population to near slavery; to being ‘pariahs’ in the land of our birth—as Mr Sol Plaatje expressed it (Walker 2008:41; DLA 2005).

Nothing is more scandalous than that. What is even more scandalous is that one important category of beneficiaries of this dispossession and impoverishment, in addition to Whites, includes mission societies and subsequently churches that inherited huge tracts of land that were gained as a result of colonialism and associated dispossession and impoverishment. It is scandalous that White Christians and missionaries allowed that to happen with little or no resistance. It continues to be scandalous that former mission churches that used to be led by white missionaries but are now being led by black continue to be owners of huge tracts of land that were bequeathed to them because of systematic dispossession and dehumanisation of Black people. Now

⁵ That was in a foreword to Plaatje’s book republished in 2007.

⁶ The Department has since been renamed the Department of Agriculture, Land Reform and Rural Development (DALRRD) in June 2019.

that apartheid is gone and colonialism is also being tackled by waves of anti-colonialism and discourses of decoloniality, local institutions, organisations and religious organisations that benefited from colonialism, dispossession and dehumanisation must return what was stolen or taken away and join the struggle to restore what was taken away from indigenous peoples.

The History and Context of Dispossession in South Africa

The history of South Africa and the associated process of dispossession, impoverishment and dehumanization are part of the scandalous history in a country that is supposedly predominantly Christian. In a publication commissioned by the Dutch Reformed Church in 1994, the editors of the series, Rev. Bennie Witbooi and Rev. Shaun Govender, stated, 'Land has been a site of trouble throughout history. In the South African struggle for liberation and democracy, it is a crucial component, if not the most important' (in Van Donk 1994).

Even by standards of other religions it is scandalous that the indigenous peoples were dispossessed, impoverished and dehumanized by their Christian leaders. What is a scandal? A scandal is an outrageous action or behaviour that is morally wrong and causes public outrage. In the bible, scandal means a stumbling block. It is a metaphor for behaviour, attitude and action that leads to sin or to destructive behaviour. In the case of the scandal regarding the silence and the failure of the Church, the Church is causing serious reputational damage to its name and moral standing in society.

South African history is marked by a long history of colonization, racial domination and land dispossession that has left majority of the black population landless, homeless and poor. It is no secret that the legacy of colonialism and dispossession of land remains in South Africa 'with the bulk of the agricultural land being owned by a white minority' (Rugege 2004:1). This process of dispossession and impoverishment started right at the beginning of the colonial era upon arrival of the white person and reached the worst level in 1913 and 1936 with the instruction and implementation of the Native Land Acts (of 1913 and later 1936) and later the Urban Areas Act of 1923 and the Group Areas Act of 1950. The Acts merely consolidated a deliberate and systematic process of dispossession that started much earlier (Buffel 2015:138; cf. Twala 2018:1). It was the same Acts that turned black South Africans into 'pariahs' in the country of their birth, as stated above (Plaatje 2007:21). These infamous Acts did not usher in dispossession and impoverishment but were

rather a continuation and consolidation of a long process of oppression, dispossession and impoverishment which started with colonialism that started with the arrival of Europeans in South Africa. That process ‘alienated the original inhabitants from their land’ (Hebinck 2013:30).

According to Ntsebeza (2007:108) this process of dispossession and impoverishment,

... started from the 17th century when white settlers in South Africa, through a complex process of colonialism and land dispossession, ended up legally appropriating more than 90 percent of the land, a process that was formalised with the passing of the notorious Native Land Act of 1913. The Act confined the indigenous people to reserves in the remaining marginal portions of land ... As a result, the indigenous people were gradually converted from once successful farmers prior to the discovery of minerals, particularly gold in the 1860s, to poorly paid labourers (cf. Buffel 2015:137).

This process of dispossession and impoverishment which was ushered in by colonialism and perfected by apartheid, systematically undermined and destroyed African agriculture, while strengthening Whites who benefited from state subsidies (Ntsebeza 2007:109; cf. Buffel 2015:137).

Bundy (1990) outlines the complex process of dispossession and impoverishment by categorizing that into three forms:

- Firstly, forced dispossession by colonial conquest that predate the period of forced removals in the 1960s. For instance, the Khoi and the San lost their grazing and hunting lands to the Dutch settlers who used force of arms (Bundy 1990:4). They also predate the Land Acts of 1913 and 1936, as well as policies of the National party that came into power in 1948.
- Secondly, New Economic forces and pressures. These forces severed people from their land. Peasant producers became involved in new economic obligations such as paying rents and taxes. They fell into debts and were put off by creditors. According to Bundy (1990:5), the introduction and imposition of a cash economy provided new goods and introduced new pitfalls. It must be pointed out that these economic

pressures were not neutral but favoured Whites against indigenous peoples of South Africa. The pressures were not necessarily dependent on market forces but on the protection of the interests of Whites vis-à-vis those of the Black population.

- Thirdly, the role of law (legislation). The White person's law was accompanied by State intervention. Bundy (1990:5) correctly points out that the law of that time was not neutral. It reflected the existing interests and the distribution of power in the society of that time and in any society. The law of earlier centuries of dispossession favoured property owners and white employers. It favoured Whites and was prejudicial against indigenous peoples of South Africa. According to Bundy (1990:5), there was nothing neutral about the Masters' and Servants Act, the Vagrancy laws, the Land Acts of 1913 and 1936, the Urban Areas Act or the Group Areas Act (cf. Buffel 2015:137).

This process of dispossession which was supported by White Christians and even given religious justification is responsible for the suffering of millions of Black Christians and people of other religions, and this is therefore scandalous. It is even more scandalous when a predominantly Black church such as ELCSA, that used to fight on the side of the poor and oppressed, participates in, and even initiate a process that continues with 'the original sin' of land dispossession, impoverishment and dehumanization.

The Role of Missionaries and Mission Societies in the Dispossession and Dehumanization of Indigenous Peoples

The debate on missionary activity in South Africa is as complex as the South African land question. According to Vila Vicencio (1980:43),

There are those who would argue that missionaries (and mission societies) were among worthy and honourable pioneers who contributed to the quest for social justice in the development of the subcontinent. At worst, the argument goes, they were well-meaning, even if naïve and misguided. Others contend that missionaries were tacit, and on occasion conscious agents of colonial subjugation and apologists for white domination.

Whereas missionaries were servants of God, they were equally representatives of the imperialists and they joined colonialists in condemning and sometimes insulting Africans. According to Vila-Vicencio (1988:43), African traditional society was condemned by both missionaries and colonialists and dismissed as lazy and indolent and were to be taught the dignity of labour. In addition, Africans were not regarded as equal with Europeans, and thereof as less human. Even those missionaries who are reputed to have done a lot for Africans and who have worked hard for the welfare of Africans were still trapped in the ideology of imperialism just like their colonial administrators. Vila-Vicencio (1988:44) concludes that 'such is the power of colonial or state structures that even the most worthy of people become its obedient servants'. John Phillip argues like all fellow missionaries and colonialists that 'the missionaries were, by the most exceptional means, extending British interests, British influence and the British empire' (in Vila-Vicencio 1988:44). He also contends that,

The task of the missionary was to teach Africans industrious habits and create a demand for British manufactures ... and the mission stations were the cheapest and best military posts that a government can employ to defend its frontiers against the predatory incursions of savage tribes (Vila-Vicencio 1988:44).

It is no wonder when Africans were subjected to dispossession, impoverishment and dehumanisation, there was little or no resistance on the part of missionaries and mission societies, which was indeed very scandalous.

It is an unfortunate fact of life that the gospel that the missionaries were propagating was so closely linked to British ideology and colonialism (Vila-Vicencio 1988:44). As custodians of Christian religion, they inevitably, consciously and unconsciously served the prevailing ideology of imperial expansion, domination and land dispossession even though this caused the untold suffering of the indigenous peoples (cf. 1988:44). The indigenous peoples lost their land, their wealth, social structure and political identity and social cohesion, without much protest from missionaries and their mission societies (Vila-Vicencio 1988:49). Although Blacks were to be Christianised in view of civilising them, they were still subjected to grave conditions of oppression and dispossession. They were also subjected to 'systematic exclusion from the benefits of the industrialised capitalist system' (Vila-Vicen-

cio 1988:48). That also involved the breakdown of traditional African social customs, subsistence farming and loss of land and loss political power by the Chiefs (Vila-Vicencio 1988:48). As a result of the acts of dispossession the indigenous peoples were then accommodated on mission stations. Some were turned into tenants on White-owned farms and others were turned into cheap labour. That is what happened to indigenous people whom the Berlin Mission Society found at Bethany in the Free State, who were turned into workers and squatters and later were forcefully removed.

Colonialism and mission were entangled and this entanglement, according to Saayman, had a lasting influence on the church and on society (Saayman 1991:22). He goes on to point out that in the South African context, the situation was part of the worldwide phenomenon of both the missionary and colonialist outreach (Saayman 1991:22). This entanglement of mission and colonialism had and still has consequences that are still much alive in the minds of those who were at the receiving end of both mission and colonialism, that is, in the minds of black 'objects' of mission (Saayman 1991:23). Colonialism is still a reality for the majority of Christians in South Africa (Saayman 1991:23). That is still a reality even more than twenty-six years after liberation. The consequences of this entanglement have many dimensions, and one of the important dimensions led to the cooperation and conspiracy between missionaries and colonialists in the process of dispossession of the land of the indigenous peoples of South Africa. This also includes institutional racism which originated as part of the economic exploitation inherent in colonialism (Saayman 1991:23). It is against that background of the history of dispossession that the Lutheran church came to own land on which the indigenous people were dispossessed.

The Disturbing Silence of the Church regarding Land and Expropriation of Land without Compensation

While the processes of dispossession, impoverishment dehumanisation were on their own very scandalous, there is a big scandal that is currently underway in South Africa. That relates to the disturbing silence of churches as individual denominations and collectively as the ecumenical Church with regards to the current debate on land reform and particularly the debate around expropriation of land without compensation.

An even worse scandal is the case of a church, the Evangelical Luth-

ran Church in Southern Africa (ELCSA), which quickly placed a portion of land, Bethany farm 610 in the Free State, on auction, despite the facts that various groups⁷ have submitted land claims and despite the facts that one group successfully claimed a portion of land (5 337 ha) and settled on only part of the bigger farm in 1998. When the community stumbled upon the advert of the auction of the farm in February 2018, they wrote an email to the Auctioneer company of Mr A. Noordman objecting to the sale. Noordman wrote a responding email to them with an offer to purchase the farm for R17 million, which the community had to raise in seven days (email correspondence from Mr Noordman dated 27 February 2018). Ironically, the offer to purchase was from AAA Boerdery PTY Ltd, a farming company co-owned by Mr Anton Noordman⁸, whose law firm was selling the farm on behalf of the Lutheran Church (ELCSA). This was a clear conflict of interest. The farm size is about 6 429 hectares (Offer to Purchase 2018). The representatives of the community led by Mr K.L. Sebeela⁹ objected to both the church and Mr Anton Noordman (letter of the community dated 22 February 2018). The community, most of whom are members of ELCSA, requested a meeting with the leadership of the church, who refused to meet the community. They then requested the author,

⁷ The Khoisan and Griekwa communities have submitted claims which according to the Land Claims Commission are not covered by the Restitution Act of 1994, as the Act only covers land that has been lost since 1913. The Bethany Communal Property Association has also submitted a claim, and according to them they only received back 5 337 hectares out of over 18 000 hectares. The Land Claims Commission states that, as far as they are concerned, the claim that was gazetted and partially restored in 1998 is now closed and will not be entertained. The other stakeholder that has also submitted a claim is the Beddie family members, who also have historical connections to Bethanie.

⁸ According to the offer to purchase dated 20 September 2018 the farming company belonged to Mr Anton Noordman, Ms Johannes Wilhelmus Noordman and Johannes Lodewikus Bekker. The legal firm communicating the offer to purchase is Noordmans Attorney at Law t/a Noordmans, with Mr Noorman as the main partner (owner).

⁹ Mr K.L. Sebeela is the chairperson of Bethany Communal Property Association (BCPA) and an elder and preacher of the Evangelical Lutheran Church in South Africa, St Johannes Congregation in Bloemfontein.

who was then a member and a minister of ELCSA, to intervene on their behalf. Only after months and several letters from the author did the leadership agree to meet with the community. They still arrogantly insisted that they would go ahead with the sale, promising that the area covering the sites of the church building, parsonages and the school would not be sold. The community then wrote a letter requesting the intervention of the Chief Land Claims Commissioner, who also did not respond to their request. In a letter to Ms Nomfundo Gobodo, they wrote,

Request to the Chief Land Claims Commissioner to help the community to stop the sale of Bethany farm 610 by the Evangelical Lutheran Church in South Africa until the church has consulted the community which has successfully claimed only a portion of the farm in 1998. The sale will prejudice the community and deprive them of their rights. Initially the community claimed the whole farm but was only given a portion of the farm. The whole farm that the community claimed was 11 917, 6416 ha, and only 5339 ha was restored in 1998. The sale of the farm will also prejudice other claims being investigated such as the Korannas, the Tswanas and the Griekwas (Letter from Mr K.L. Sebela 02 July 2018).

That request was also in vain as the Chief Land Claims Commissioner never responded.

The farm has since been sold, notwithstanding the request of the community of Bethany and its leadership. Even worse, a church building, which is a heritage site, was also sold to Mr Anton Noorman's family company by Mr Anton Noordman, the attorney acting on behalf of the church. The ELCSA Church Council minutes of July 2019 states, 'The sale of Bethany farm was completed, however the proceeds from the sale received was not as agreed and as per previous Church Council resolution' (ELCSA Church Council Minutes 2019:10).

The sale went ahead, despite the current debate which was initiated and continues to be highlighted by the EFF and only later with some variations accepted by the ANC and other parties, which supported a motion tabled by the EFF in Parliament. The targeted land is that which belongs to commercial farmers, state land and tribal land. Very little is said about land belonging to churches or church-related agencies and institutions (ecumenical and indivi-

dual denominations). The church is also a very significant landowning institution (Van Donk 1994:1; cf. Madjera 1992:1). Other than the Church being a significant land-owning institution, the landowners, the landless, the land-hungry, land claimants and all the dispossessed are members of the Church (members of various churches). Inevitably, the church has a pastoral duty to its members and to society in general. While the church may not be homogenous, it has obligations and responsibilities over its members and over society. The Church is the Church only when it exists for others. Ironically, during the struggle for liberation, shortly before the establishment of the new South Africa in 1990, various churches met in Rustenburg, where more than 230 leaders representing 80 denominations and 40 parachurch organisations came together and came out with the Rustenburg Declaration. An outcome of the conference was publication of a book, with the title, *The Road to Rustenburg: The Church looking forward to a new South Africa* (Alberts & Chikane 1991). In that declaration the Church conceded that the Church is a significant landowner and admitted to its complicity in colonialism, apartheid and in land dispossession (Alberts & Chikane 1991). It is strange that after 1994 the Church went back to sleep and became silent about many socio-economic and political issues, including the land debate. That is a continuation of the journey of the Church on a scandalous road, in contrast to the progressive and prophetic road to Rustenburg in 1990. The Church seems to have made a U-turn, and ELCSA is a classical case study of that anomaly and insensitivity.

Intervention by the Author as a Pastor of the Lutheran Church

When the community's efforts at engaging the church in view of stopping sale from going through before any consultation with the different stakeholders, they approached the author and requested some intervention. Several letters, e-mails and telephone conversations ensued. All these were in vain. In one of the letters¹⁰ to the leadership of the church, author of this article, wrote,

¹⁰ At the time (2018) of writing the letter the author was still a member of the Evangelical Lutheran Church in Southern Africa (ELCSA). The author and five other pastors have since withdrawn their membership and ministry from ELCSA. The author and many other pastors and lay leaders have been trying

It continues to be shocking that ELCSA is now in the process of quickly disposing of the property without any reference to and consultation with the community of Bethany. When the community, through its chairperson, Mr K.L. Sebeela tried to engage the church or its representatives they received the most insensitive, patronising and legalistic response from Mr Anton Noordman (Buffel 2017).

The letter continues to state,

The completion of the transaction has the potential to tarnish the image of the Church, ELCSA. ELCSA is one of the churches that over the years correctly claimed to be ‘a church of the poor’ especially during the time of Bishop Dr Manas Buthelezi. ELCSA was part of the ecumenical movement that opposed apartheid and made one statement after the other condemning apartheid and its policies. It will become ironic that such a church with struggle credentials ignores the plea from the community of Bethany, who are victims of colonialism and dispossession. ELCSA as one of the churches under the auspices of the South African Council of Churches (SACC) committed itself to the Rustenburg declaration related to church land in 1990 and ways of dealing with church land. It will in fact be scandalous if the transaction could be finalised. It is for that reason that on behalf of the community, I plead with the leadership of the church to suspend the process of disposing of Bethany and to afford the community an opportunity for a meeting to amicably discuss the matter (Buffel 2017).

The representatives of the community of Bethany had threatened the following should the church endorse the response of Mr Noordman and proceed with the sale, inter alia:

1. approach the court to interdict the process.

to reform the church from within since the 1980s up to 30 March 2019, when a new church was established with the name: Liberated Evangelical Lutheran Church in South Africa (LELCSA) on 19 January 2019. The Church, which started with only five pastors, has since grown to 13 congregations, with 15 pastors and 2 deacons/deaconesses.

2. approach the media to make the members and the South African population aware of the injustices that are now being perpetuated by a supposedly Black church that used to be on the side of the poor and that ignores the pleas of the community; and
3. approaching the Chapter 9 institutions such as the Public Protector and the Human Rights Commission, as land rights are human rights.

The community could not raise the funds required for legal action. They also received no assistance from government Departments and from the Chapter 9 institutions. The community also approached the Legal Clinic of the Free State University, all in vain. The response was a deafening silence to the request. Even the media did not see the plight of the poor and community as newsworthy. That is part of the bigger scandal that the cry of an impoverished community was ignored.

The Church's Commitment to the Struggle for Liberation and Land Reform in Particular

As indicated earlier, in 1990, the Church came together at the ecumenical at Rustenburg and reflected on a variety of socio-economic and political realities of South Africa, as they looked forward to a new South Africa (Alberts & Chikane 1990). Those individual denominations and ecumenical bodies that were involved in the struggle for liberation were vindicated and those that were not involved and that justified apartheid and its draconian policies asked for forgiveness. They came up with *The Rustenburg Declaration* (1990), in which the church ecumenical conceded that the church is a significant landowner that should set an example for society and for the government that was anticipated to take leadership in the new South Africa.

At a later stage, the Dutch Reformed Church commissioned several conferences and publications, referred to as Relevant Church series and one of the series dealt with the issue of land, namely: *Land and the Church: The Case of the Dutch Reformed Churches*, no 1, which was written by Mirjan Van Donk (1994) and published by the Western Cape Provincial Council of Churches. In that publication, Van Donk (1994:1) raises two very important issues related to land:

1. Land is indeed problematic in South Africa and political and social

institutions, including churches must address the land question. In my view it is also a source of conflict that the church cannot ignore.

2. The church as a social institution and as the embodiment of Christian values, has the responsibility regarding social concern, including land restitution and redistribution.

In 1992, the stakeholders, including academics, non-governmental organisations and representatives of churches and others, met again and produced another publication, namely, *Church and Land: Working documents on the post-apartheid Economy*, which was edited by the following academics, E.M. Conradie, D.E. de Villiers and J. Kinghorn (1992). The consultation was hosted by the Stellenbosch Economic Project. The Lutheran Church was represented by several people and one of them General Manager of its property management agency, ELCSA Property Management Company (ELCSA PMC), Mr M. Madjera, who presented a paper on *The Land issue in South Africa: Case Studies (ELCSA)*. Mdjera (1992:1) also concedes the church is a significant landowner, particularly the Lutheran Church (ELCSA). He argues that the church must use land as guided by Christian Ethics and in the best interests of and for the benefit of society. His argument was that the church exists and performs within society and it comprises members of society and is in fact part of society. He cites Jeremiah 29:7, which states, 'Seek the welfare of any city to which I have carried you off, and pray to the Lord for it, on its welfare, your welfare will depend' (Madjera 1992:1). According to Madjera, 'land ownership is to the church of importance in view of serving people, and the point of land ownership may be for the church only of secondary importance. The mandate and responsibility of the church is to use the land in the interest of the communities' (1992:12).

What the ELCSA has done and continues to do, is a radical departure from what its former General Manager of its property portfolio, according to Madjera (1994) said in 1992, which was said in the spirit of the *Rustenburg Declaration* (1990). What the Lutheran Church is doing is not different from other churches, as they are also silent regarding the debate on land, particularly their commitment to restitution of land rights to dispossessed communities. Thus, the scandal is ecumenical and affects all the so-called mainline churches.

According to Van Donk, the church ecumenical cannot avoid involvement in efforts to address the land question in the South African context (Van Donk 1994:1). At different levels, the land directly affects the church as a

landowning institution. It also affects the church, precisely because the landless, the land-hungry and the dispossessed are members of churches (Van Donk 1994). The landowners are also members of the church and in some cases, the church itself is the landowner, as it is the case with Bethany Farm 610, which the Lutheran Church sold without any consultation with the communities that submitted the claim and those that successfully claimed a portion of the farm. Therefore, the church cannot afford to absolve itself of responsibilities regarding the debate around land and around Christian activism in view of facilitating land reform processes and possibly mediating between various parties that may be in conflict because of the land question. However, this facilitating and mediating role becomes compromised in some cases,

- In the case that the church is a landowner that is silent amid the debates about land reform and about expropriation of land without compensation.
- In the case that the church itself as the landowner continues to perpetuate dispossession by selling its land without any reference or consultation with the communities on church land and communities that have submitted claims such as it is the case with ELCSA and the land claiming communities of Bethany; and
- In the case that the church pretends that landownership and land reform are not its business. As indicated earlier, if the church is not a landowner, most of the stakeholders are part of the church, be they landowners, the land-hungry and the landless and be they the dispossessed and land claimants.

The church must re-examine itself at various levels, namely,

- Re-examine its present land ownership and critically reflect on how it makes use of that land and what its relationship is with the people living on church land. In the case that a church is a landowner, can the church make its land available to address landlessness, land hunger and demands of restitution? Land ownership by the church presents the church with both the responsibility and potential to become directly involved in issues of major social relevance.
- As it re-examines itself the church must develop a healthy theology

of land, even in cases where the church is not a landowner, as all stakeholders in land reform and in the cry for land are members of churches.

- Re-examine its mediating and facilitating role and possibly work out models of development that can set an example for other land-owning institutions and individual owners (cf. Van Donk 1994:19); The church's role must be a humanizing role that reverses the dehumanization that happened when people were dehumanised by dispossession and impoverishment.
- Re-examine itself as the representation of God in the world of strife and suffering, as it has a vital role to play in conflicts that arise over land (Van Donk 1994:20). According to Van Donk (1994:20) the church must attempt to be a mediator in land disputes, particularly when people become blind to the needs of others and deaf to the cry and demands of others; and
- As the church re-examines itself, the church must look at ways of working together with stakeholders such as relevant government department, civil society organisations and organized labour, commercial farmers and others in find solutions to the land questions in South Africa.

As it re-examines itself the church must be able to repent and to make a metanoia, to make a U-turn and return to the Road to Rustenburg, where the church looked at itself, re-examined itself and made a commitment to working with other stakeholders in contributing to making the new South Africa a better place for all. The church must get out of its scandalous journey of not caring for the dispossessed and the impoverished and the dehumanized. If not, the church is risking suffering serious reputational damage.

In the author's second letter to the Lutheran Church (ELCSA) Buffel (2018) states,

Being too technical and legalistic about the matter will not help. The church may win the legal battle, but that will be tantamount to a declaration of war against its own members and against the dispossessed, the poor and the oppressed that we will not win and this will forever tarnish the image of the church and leadership with struggle credentials.

Buffel continues and says,

It is for that reason that I plead with you to find it in your hearts and in your collective consciences to consider dealing with the matter differently (Buffel 2018).

Sadly, the church did not listen to the author and to the leadership of the community and proceeded with the sale and with its failure to re-examine itself and to recommit itself as churches did at Rustenburg in 1990. The Lutheran Church, like many other churches referred to as the mainline churches, remains disturbingly silent in the midst of the raging debate on land and expropriation of land without compensation. Not only that; it even disposes of land without consulting communities and despite their pleas. That is a big scandal amidst the big debates about land.

Conclusion

The paper raises some serious concerns about the raging debate on land and expropriation of land without compensation. It argues that it is not only the Charismatic/Pentecostal churches that are bringing the church into disrepute but even the so-called mainline churches. A concrete illustration of this is found in the disturbing silence of the churches with regards to land reform and expropriation of land without compensation, notwithstanding the commitments that the churches, including the Lutheran Church (ELCSA) made in Rustenburg when they came up with the Rustenburg Declaration in 1990. The Lutheran Church and other churches are missing an opportunity to make the church relevant and to set an example for the rest of society on how to deal with land in a way that is helping to redress the injustices of the past and in ways that are helping to make contributions to the humanization of society. The church, Lutheran and ecumenical movements, must re-examine its land-ownership, its disturbing silence and complicity regarding ongoing injustices that perpetuate dispossession, impoverishment and dehumanisation. The church has no choice but to develop a healthy theology of land and to find ways of contributing to the humanisation of our society so that the church can be truthful to its nature as a caring and compassionate institution, that does not exist for itself but for others.

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