

Transforming Local Economies through Land Reform: Political Dilemmas and Rural Development Realities in South Africa

Siyabonga I. Dlamini

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Philosophy in Political Science, University of KwaZulu-Natal, School of Social Sciences,
Pietermaritzburg, South Africa.

Supervisor: Dr Joram Ndlovu

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DEDICATION

This work is dedicated to my sons, Andile Dlamini (the late) and his brother Kuhlekonke Khanyanjalo Dlamini.

And

To my parents, Mr Mduduzi Dlamini and Mrs Ncediwe Dlamini (uMaMjoli)

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Aaaahh, Look at GOD!

ABSTRACT

The land/agrarian question has always been at the center of South Africa's struggle for liberation. Land itself has always been a source from which Africans and particularly the rural inhabitants have derived their livelihood. The sustainability of rural livelihoods therefore largely rely on the availability of productive land. As a result, the inability to access land has always been a great challenge to Africans. In response to the issue of landlessness, the South African government adopted a three pillar Land Reform Programme- land redistribution, land restitution, and land tenure reform. This programme has been created to fend off the inequalities in landholding as well as injustices which emanated from forceful removals that took place in previous decades. This thesis therefore examines the progress made in attaining the goals set in the land reform programme.

The thesis mainly focusses on the political dilemmas and rural development realities in South Africa in relation to the impact of land reform in different communities. In an attempt to make sense of how land reform impacts on the lives of the people, particularly the rural inhabitants, this thesis seeks to explore how local economies can be transformed through land reform. The thesis therefore holds that it is through the transformation of local economies that the rural poor can live sustainable lives. The strategy here is therefore to use smallholder farming to deal with immediate food insecurity which is the general problem in the rural areas- at the same time, facilitating their access to markets for the smallholder farmers to sell their produce. The thesis concludes by suggesting that the willing buyer-willing seller has been too costly and failed to avail the amount of land that the state needs for the redistribution programme. As a result, the state should expropriate land for redistribution – starting with the under-utilized and the lands that lie fallow.

Key Words: Land Reform, Agrarian Reform, Rural Development, Sustainable livelihoods, Smallholder Agriculture, Local Economies.

LIST OF ABBREVIATIONS

ANC	African National Congress
ARC	Agrarian Reform Communities
CARP	Comprehensive Agrarian Reform Programme
CASP	Comprehensive Agricultural Support Programme
ClaRA	Communal Land Rights Act
CODESA	Congress for Democratic South Africa
CRDP	Comprehensive Rural Development Programme
CRLR	Commission on the Restitution of Land Rights
DAFF	Department of Agriculture, Forestry and Fisheries
DAR	Department of Agrarian Reform
DDF	District Development Fund
DLA	Department of Land Affairs
DoA	Department of Agriculture
DoJ	Department of Justice
DRDLR	Department of Rural Development and Land Reform
DUAT	Direito de Uso e Aproveitament de Terra
EFF	Economic Freedom Fighters
EPWP	Extended Public Works Programme
ESAP	Economic Structural Adjustment Programme
ESTA	Extension of Security of Tenure Act
FAO	United Nations Food and Agriculture Organization
FTLRP	Fast Track Land Resettlement Programme
GDP	Gross Domestic Product
IDP	Integrated Development Programme
INCRA	National Institution for Colonization and Agrarian Reform

ISRDP	Integrated Sustainable Rural Development Programme
ISRDS	Integrated Sustainable Rural Development Strategy
ITB	INgonyama Trust Board
KZN	KwaZulu Natal
LRAD	Land Redistribution for Agricultural Development
LRMF	Land Rights Management Facility
LRRP	Land Reform and Resettlement
LTA	Labour Tenants Act
MADER	Ministry of Agriculture and Rural Development
MP	Mpumalanga Province
MST	Landless Rural Workers' Movement
NGO	Non-Governmental Organization
NIE	New Institutional Economics
NLP	National Land Policy
NR	Natural Resources
OLT	Operation Land Transfer
PTO	Permission to Occupy
RDP	Reconstruction and Development Programme
RPE	Radical Political Economy
RSA	Republic of South Africa
SADC	Southern African Development Community
SL	Sustainable Livelihoods
SLAG	Settlement and Land Acquisition Grant
SOEs	State Owned Enterprises
SRL	Sustainable Rural Livelihoods
SWAPO	South West People's Organization
TAs	Traditional Authorities

TCCF

Technical Committee on Commercial Farmland

UK

United Kingdom

VLT

Voluntary Land Transfer

LIST OF FIGURES

- Figure 1:** Different branches of the New Institutional Economics
- Figure 2:** The Sustainable Livelihood Framework
- Figure 3:** Rural Development Strategy
- Figure 4:** Integrated Sustainable Rural Development Strategy
- Figure 5:** The Agrarian Transformation System
- Figure 6:** Government's Progress since 1994
- Figure 7:** Progress on Restitution Claims

LIST OF TABLES

- Table 1:** Summary of the theoretical foundations of the study
- Table 2:** Legislative Framework relating to land acquisition
- Table 3:** Medium Term strategic framework
- Table 4:** Project Profile

TABLE OF CONTENT

Contents:

CHAPTER ONE:	1
1.1 Background and outline of research problem	1
1.2 Research Objectives (broader issues)	4
1.3 Research Problem (Key questions)	5
1.4 Research methodology and design	5
1.4.1 Research population/sample	7
1.4.2 Data Collection and Analysis	8
1.4.3 Secondary Sources and methods of data collection	8
1.4.4 Primary Sources and methods of data collection	8
1.4.5 Data Analysis	8
1.5 Limitations to the study	10
1.6 Overview of the study	10
CHAPTER TWO:	12
THEORETICAL FRAMEWORK	12
2. Introduction	12
2.1 New Institutional Economics	12
2.1.1 Transaction Costs	15
2.1.2 Property Rights	16
2.2 Radical Political Economy	17
2.3 Sustainable Livelihood Framework	20
2.4 Summary of the theoretical foundations of the present study	23
2.5 Conclusion	25
CHAPTER THREE:	26
LITERATURE REVIEW	26
3. Introduction	26

3.1 International Perspectives on Land Reform	26
3.2 Land Reform in Brazil	27
3.2.1 State Institutions and Strategies	29
3.2.2 The Role of Social Movements in Land Reform	30
3.3 The Land Reform Programme in Philippines	33
3.3.1 Institutional Arrangements for Settlement and Post-settlement Support	36
3.4 Land Tenure Sustainable Use in Mozambique	38
3.4.1 Institutional Arrangements for Settlement and Post-settlement Support	41
3.5 Land and Agrarian Reform in Zimbabwe	44
3.5.1 The Lancaster House Agreement	45
3.5.2 Three Distinct Historical Phases in Zimbabwe's Land Reform	48
3.5.3 Institutional Arrangements for Settlement and Post-settlement support	53
3.6 Land Redistribution in Namibia	55
3.6.1 Institutional Arrangements for Resettlement	58
3.6.1.1 The (Commercial) Land Reform Act	60
3.6.1.2 The (Communal) Land Reform Act	61
3.7 Conclusion	62
CHAPTER FOUR:	64
SOUTH AFRICA'S LAND REFORM PROGRAMME (1994-2014)	64
4. Introduction	64
4.1 Historical Background of Land Dispossession	64
4.1.1 Laws and Legislations: The Native Land Act 27 of 1913	66
4.1.2 The Native Trust and Land Act 18 of 1936	67
4.1.3 Group Areas Act 41 of 1950	68
4.1.4 The Abolition of Racially Based Land Measures Act of 1991	69
4.2 The Context of Land Reform in South Africa	70
4.3 South Africa's Land Reform Programme: 1994-2014	75

4.3.1 Land Redistribution Programme	78
4.3.1.1 The Settlement and Land Acquisition Grant (SLAG)	81
4.3.1.2 Land Redistribution for Agricultural Development (LRAD) Programme	82
4.3.2 Land Restitution	84
4.3.3 Land Tenure Reform	87
4.3.3.1 Extension of Security of Tenure Act (ESTA)	88
4.3.3.2 Labour Tenants Act (LTA), 1996	88
4.3.3.3 Communal Tenure	88
4.4 Conclusion	90
CHAPTER FIVE:	91
RURAL DEVELOPMENT REALITIES IN SOUTH AFRICA	91
5. Introduction	91
5.1 The legacy of poverty and under-development	91
5.2 The Reconstruction and Development Programme (RDP)	93
5.3 Rural Dilemma: Poverty and disease in Rural Areas	94
5.3.1 Feminization of Rural Poverty	95
5.3.2 Feminization of Rural Agriculture	97
5.3.3 Rural-urban Migration in South Africa	98
5.3.4 Migration, Poverty and Disease in Rural Areas	100
5.4 Rural Development	102
5.5 Rural Development Strategies	104
5.5.1 The Integrated Sustainable Rural Development Strategy (ISRDS)	104
5.5.2 The Comprehensive Rural Development Programme (CRDP)	107
5.6 Rural Development, Extension Services and Agricultural Development	109
5.7 Livelihood Diversification: a survival strategy	113
5.8 Conclusion	114
CHAPTER SIX:	117

LAND REFORM AS A SOURCE OF RURAL LIVELIHOOD	117
6. Introduction	117
6.1 Land Reform and Socio-economic Development	117
6.2 Agriculture and (rural) Poverty Reduction	119
6.3 Current Status of Smallholder Agriculture in Africa	122
6.4 The Context of Smallholder Agriculture in South Africa	124
6.4.1 Socio-economic Status of Smallholder Farmers	126
6.5 Smallholder Agriculture: Land Size and Efficiency	129
6.5.1 Constraints to Smallholder Agriculture	132
6.5.2 Development of Smallholder Agriculture through Establishing Cooperatives	134
6.6 Conclusion	137
CHAPTER SEVEN:	140
PROSPECTS AND CHALLENGES in SOUTH AFRICA	140
7. Introduction	140
7.1 The Impact of Land Reform on Agricultural Sector	140
7.2 The Impact of Land Reform on Rural Livelihoods	144
7.2.1 Satisfied Land Reform Beneficiaries	145
7.2.2 Dissatisfied Land Reform Beneficiaries	146
7.2.3 Prospective Land Reform Beneficiaries	147
7.2.3.1 Monetary Settlement of Land Claims	149
7.3 The Effectiveness of State Mechanisms in the Implementation of Land Reform	150
7.3.1 The Willing Buyer-Willing Seller and the Pace of Land Reform	151
7.3.2 Populist Politics and Land Reform	153
7.4 Conditions Necessary for Successful Implementation of Land Reform	155
7.4.1 Expropriation of Land for Redistribution	155
7.4.1.1 South African Constitution and Land Expropriation	156
7.5 Expropriation of Land: Is South Africa becoming another Zimbabwe?	159

7.6 Prospects of Land Reform in South Africa	161
7.7 Conclusion	164
CHAPTER EIGHT:	166
SUMMARY, CONCLUSIONS AND RECOMMENDATIONS	166
8. Introduction	166
8.1 Summary	166
8.1.1 Conceptual and Theoretical Underpinnings of Land and Agrarian Transformation	169
8.1.2 Revisiting Land Reform	172
8.1.2.1 International Experiences and Lessons for South Africa	172
8.1.2.2 African Experiences and Lessons for South Africa	175
8.2 Land Reform, Rural Development and Poverty Alleviation	181
8.2.1 Land Reform and Poverty Alleviation	182
8.2.2 Land Reform and Rural Development	183
8.3 Recommendations	187
8.4 Contributions to new knowledge	190
8.5 Suggestions for Future Research	191
Bibliography	192

CHAPTER ONE

INTRODUCTION

1.1 Background and outline of research problem

Land, its ownership and use, has always played an important role in shaping the political, economic and social processes in the country. Past land policies were a major cause of insecurity, landlessness, homelessness and poverty in South Africa. They also resulted in inefficient urban and rural land use patterns and a fragmented system of land administration... (Department of Land Affairs, 1997: 1).

The land dispossession of the indigenous people in South Africa by both the Dutch and the British settlers, persisted for a very long time and it was greater than in any other African country. In the 1650s, the European settlement began in the Cape of Good Hope and spread northwards and eastwards over three hundred years. Thomson (1995: 109), contend that, by the twentieth century, most of the best agricultural land was reserved for the white settler minority. And the African majority was subjected to a mere 13% of the country's territory. This territory was popularly known as the 'native reserves', and it was later known as the Bantustans or African Homelands (Thomson, 1995). The government of white minority violently resisted racial equality up until 1990 through the implementation of a number of laws which did not only regulate who owns which land but also how people interacted with each other. Notorious among these laws is the 1913 Native Land Act, 1936 Native Trust and Land Act and the 1955 Group Areas Act (Pepeteka, 2013).

At the demise of apartheid, there were about 82 million hectares of commercial farmland ("86% of total agricultural land, or 68% of the total surface area") controlled by the white minority, which constituted about 10.9% of the population. These 82 million hectares of land were

concentrated in the hands of roughly 60 000 owners (Levin and Weiner, 1991: 92). More than thirteen million black people, (Hendricks 1990; Cousins 1996; Lahiff 2000), argue that they had remained in the crowded former Bantustans or Homelands. The land rights in these areas were generally not clear and remained in contestation, and the system with which land was administered was in disarray. The majority of these people were poverty-stricken. There was extremely low per capita incomes in these Homelands, infant mortality rates were high, illiteracy as well as malnutrition were relative to the entire country (May, 2000). On the farms which were privately owned by white people, tenure insecurity and lack of basic facilities were the problems faced by millions of black workers and their families. South Africa today represents one of the most unequal income distributions in the world. Both the quality of life and income are strongly tied to race, location and gender (May, 2000:2).

South Africa's transition to democracy (the period between 1990 and 1994) took place under circumstances which are different to those of neighbouring countries. This transition was established through negotiations, and not through a war of liberation like in the country's neighbours. The political compromise that followed left much wealth and power in the hands of white minority, this included leaving land ownership intact (Marais, 1998). Both the international economic and political climate decisively shifted, and the old certainties which had informed the socialist and the nationalist arms of the liberations movement (as led by the African National Congress) were fading very fast (Lahiff, 2007). A foundation for a liberal democracy was created by the new Constitution, and emphasis was placed on socio-economic rights and a clear mandate for the state to redress the past inequalities was given. The Constitution of the Republic of South Africa (1996) has a property clause which guarantees the protection of existing owners' rights, but it also makes specific rights of redress to victims of previous dispossessions, and puts in place the basis for land reform.

The nature of the South African agriculture is dualistic. On the one hand, there are highly developed and mostly large scale commercial farms which are controlled and mostly owned by whites on land that is owned privately, and on the other hand, co-exist a large number of small scale and largely subsistence oriented black farms on the land that is held communally. The sector which is white controlled is a generator of substantial employment and export earnings, but the contribution it makes to the Gross Domestic Product in the highly urbanised and industrialised economy is relatively low (Vink and Kirsten, 2003). Most black (African) people still live in rural areas, but many of them engage on agriculture only in relatively small scale. Many of those people depend on non-agricultural activities for survival. They rely on migrating to urban areas for jobs, welfare grants and local wage employment for livelihood. Bundy (1979) and Greenberg (2003) contend that South Africa's thriving peasant sector which existed early in the twentieth century was destroyed systematically by the white settler regime on behalf of white farmers who demanded access to both land and cheap labour, and also on behalf of those who owned mines to feed them with cheap labour.

In the past two to three decades, debates about the purpose and the direction which should be taken by land reform programmes have been at the centre of engagements in many parts of the African continent. Most of these debates have been, more often than not, taking place in the Southern part of the continent. This, arguably, results from the extent to which dispossession of land took place in the settler colonies. Inequality continue to characterize access to land, and it is thus argued by many scholars and commentators that such inequalities are a result of colonialists policies as well as the racist legislations which were implemented for many centuries in Africa (Lahiff, 2007).

Cousins (2013) argues that in resolving the land question, policies must aim at addressing "...the long-term legacies of large scale land dispossession that took place both prior to and after the 1913 Natives Land Act, that includes a divided and often dysfunctional space-

economy, deep-seated rural poverty and lop-sided power relations in the countryside...” (Cousins, 2013:11). This represents the idea that there is really an urgent need to resolve the land question in the country in order to successfully tackle poverty, inequality as well as unemployment.

In response to challenges created by land dispossession, the government of South Africa developed and implemented a land reform policy. This policy has three different arms/pillars: Land restitution; land redistribution as well as land tenure reform. Broadly, this policy, at its inception, intended to “redress the injustices of apartheid; to foster reconciliation and stability; to underpin economic growth; and to improve household welfare and alleviate poverty” (Department of Land Affairs, 1997: i). In its implementation of the land reform programme, the government has never met its set targets. However, there has been some progress made in these different pillars of the land reform policy, but challenges remain strong and hinder the fast-tracking of the programme. Until to date, the targets set by the state regarding the implementation of land reform has not been met (Pepeteka, 2013).

1.2 Research objectives (broader issues)

The objective of the proposed study is to assess the impact of land reform programme in South Africa, and particularly in the rural areas, since 1994. The study will then formulate/ develop a model of land reform which will see faster redistribution of land; sustainable land use patterns as well as the reduction in poverty and unemployment levels. Considering that rural development has been put on the top of government’s agenda, lack of clear delivery strategies, guidelines, consensus and understanding tends to impede these efforts clarity. The primary objectives of this study are as follows:

- a. To assess the success, challenges and prospects of land reform as well as to assess and evaluate the effectiveness of its implementation in South Africa.

- b. To look at the conditions necessary for effective implementation of land reform.
- c. To discuss the legacy of poverty and under-development and show how the land reform programme can reduce the increasing inequality.
- d. To examine the current land tenure system and explore the inherent challenges of land redistribution in South Africa.
- e. To develop a new model/strategy for land reform.

1.3 Research problem (key questions)

The assessment of the land reform programme will be conducted against the targets which the South African government has set for itself since the inception of the land reform programme in the country.

The critical question is how land reform can be used to redress the past injustices where locals were dispossessed and discriminated against based on colour, race, and gender as a result of the apartheid regime. The proposed study seeks to address the following questions:

- a. What has been the impact of land reform in the South African agricultural sector?
- b. What contribution has the implementation of land reform made to the rural poor?
- c. What contribution land reform ought to make in both the social and economic aspects of the lives of the rural poor people?
- d. What strategies should be put in place to ensure an accelerated and meaningful implementation of the land reform programme?

1.4 Research methodology and methods

The issue of methods brings into focus important questions of broader philosophical concern. How can we know the social world? What counts as an adequate explanation of a social

phenomenon? It is the differing positions on these epistemological questions that generally inform different methodological orientations or preferences. The relativist position on these questions for instance, repudiates the idea –held for example by positivists- that objective, universal and timeless knowledge is possible. For relativists, the criteria for judging truth are relative to time, place and culture (Stoker, 1995). So, to understand a political event would require the construction of an overall picture based on differing conceptions of the events. Thus the role of the researcher would be to tease out the broad patterns of meaning attached to an event by different groups within society.

Discourse analysis holds a relativist position and it therefore in most cases prefers a qualitative methodological approach which allows the researcher to get at the meanings that different social actors attach to certain events and processes. The choice of qualitative methods is thus not arbitrary, but is rather tied to a particular epistemological position. Qualitative methods are appropriate in seeking to understand people's motives and interpretations, and allow the researcher to gain some insight into people's world views and seeing things as they do. For things and activities to be meaningful, they must be part of a particular discourse (Howarth, 1995). Although this does not mean that everything is discursive or linguistic, but simply that for things to be intelligible they must exist as part of a wider system of meaning. All of the different identities that something assumes depend on the particular type of discourse and the specific circumstances which confer meaning on it.

When using the qualitative research method, the researcher strive to get an understanding of human behavior as well as what informs such a behavior (Creswell, 2003). This type of study seeks to explore the nature of a problem without necessarily quantifying or oversimplifying it. The main objective here becomes the description of variation in a phenomenon, attitude or situation (Creswell, 2003). The chosen methods are suitable for this study because they capture meaning, process and context in a way that quantitative methods cannot.

1.4.1 Research Population/Sample

The research population in this study is underscored by numerous relevant stakeholders that are connected in a number of different ways to the cycle of land reform policy making, implementation and evaluation. This study takes advantage of personal, oral and semi-structured in-depth interviews which were conducted with a carefully selected group of key-informants which are in one way or the other connected to the thematic issues of the research.

Through purposive sampling, the samples in this study are taken from individuals within the network of land and agrarian reform. This include 20 academics (Social Scientists and Agri-Economists), 16 bureaucrats (from Department of Agriculture and Rural Development and Department of Economic Development), 5 Non-Governmental Organizations (NGOs participating in land and agricultural reform activities), 5 Agricultural Unions, 20 beneficiaries as well as prospective beneficiaries.

The use of purposive sampling shows that the researcher acknowledges that sampling is a series of strategic choices about who, where and how to conduct the research. In this case, the way in which sampling is done is tied to the objectives of the study. Given (2008) contends that embedded to this is the idea that who and where the person is located in a group is important. In this case, it is taken into cognizance that research participants are not always created equal – a well-placed articulate informant will often advance the researcher’s project way better than any randomly chosen sample. That therefore needs to be taken into account when selecting a sample (Given, 2008). Consequently, the use of purposive sampling in the present study is informed by the specific need to interview key stakeholders on the issue of land and agrarian reform. Equally, the issue of time frames for the study also contributed on the number of selected respondents.

1.4.2 Data Collection and Analysis

This study draws its data from both primary and secondary sources.

1.4.3 Secondary Sources and methods of data collection

Secondary sources were used largely to get an insight of where the problems of land come from and how it has been dealt with over the years. Basically, the secondary sources (Books, journal articles, and policy documents) have assisted in giving a historical account of the land question in Southern Africa in general and particularly in South Africa.

1.4.4 Primary Sources and methods of data collection

Primary sources have provided a more recent perspective and developments on attempts to address the land question in South Africa. Data collection for this study also relied on personal in-depth key informant interviews. In-depth interviewing was based on an interview guide and the use of open-ended questions and informal probing to facilitate a discussion of issues in a semi-structured manner. Open-ended questions were used to allow the interviewee to talk at length on the topic. Various forms of probing were also used to ask the interviewee to elaborate on what they have said. This approach has allowed the researcher to get first-hand accounts from scholars/academics; Non-Governmental Organizations as well as government officials who deal with the issue of land reform programme in South Africa. The researcher further interviewed the beneficiaries of land reform and those people that are victims of land dispossession and forceful removals/ prospective beneficiaries.

1.4.5 Data analysis

The collected data was assessed through content analysis. Content analysis, according to Laswell (1949: 120), can be described as: “Who says what, to whom, why, to what extent and with what effect?” Content analysis is basically “any technique for making inferences by

objectively and systematically identifying specified characteristics within a text” (Holsti, 1969:85; Krippendorff, 2004: 9). Altheide (1996: 14) contends that the “definition of content analysis delineates the object of inquiry and places the researcher into a particular position vis-à-vis his reality”.

For the purpose of this research, analysis was performed relative to and justified in terms of the context of data. The following basic concepts has offered a conceptual framework within which the researcher’s role has been represented: the data as communicated to the researcher; the context of the data; how the researcher (analyst) data partition his/her reality; the target of the content analysis; inferences as the basic intellectual task; and validity as the ultimate criterion of success.

The above framework is “intended to serve three purposes: prescriptive, analytical and methodological” (Babbie, 2007: 95); Prescriptive in the sense that it will guide “the conceptualization and the design of practical content analysis for any given circumstance” (Babbie, 2007: 95); Analytical in the sense that it will facilitate the critical examination of context analysis results obtained by others; Methodological in the sense that it will direct “the growth and systemic improvement of methods for content analysis” (Babbie, 2007: 95).

Maeresera (2012: 30) contends that “in any content analysis endeavour, it must be clear which data are being analysed, how they are defined and from which population they are drawn”. In this study, data will be collected from both primary and secondary sources.

1.5 Limitations of the study

While conducting this study, there were not many challenges that confronted the researcher. But one that really affected the pace of the study was the unavailability of respondents for scheduled meetings (e.g. Government officials). However, this did not affect the results in any way since the researcher and the respondents were able to re-schedule the meetings.

1.6 Overview of the study

Chapter One: Introduction and Background

This chapter introduces and provide background information to the study. It states the study's aims/objectives, research questions to be addressed as well as the research methods and methodology which is employed in conducting the study. The chapter also introduce the rest of the dissertation by specifying what each chapter entails.

Chapter Two: Theoretical Framework

In this chapter, the theoretical frameworks on which the study is grounded are outlined. In this regard, New Institutional Economics, Radical Political Economy and Sustainable Livelihood theories are discussed and their relevance to the study spelt out.

Chapter Three: Literature Review

The purpose of this chapter was to review existing literature on the subject of the present study. This was done in order to provide the context within which the present study should be understood. International perspectives on land reform are discussed in this chapter with an aim of identifying some lessons that South Africa can extract from these case studies.

Chapter Four: South Africa's land reform programme

This chapter extensively discuss South Africa's land reform programme (land tenure reform; land redistribution and land restitution). The discussion start its foundation from the history of the programme, its implementation and the current debates on the subject.

Chapter Five: Rural development realities in South Africa

This chapter embarks on a discussion of rural development realities in the country, and strategies employed by the state to mitigate the high poverty levels confronting the rural poor.

Chapter Six: Land reform as a source of rural livelihood

This chapter discusses how access to land and land reform can contribute to the betterment of the rural livelihoods. In essence, the discussion is on how land reform can become a source of rural livelihoods. The chapter looks on how land reform can redress the injustices of past dispossessions. The role of smallholder farmers in poverty alleviation and contribution to the nation's food basket is deliberated upon as well in this chapter.

Chapter Seven: Prospects and challenges

This chapter interrogates and discuss the impact that land reform has had on rural population. It also discuss the impact of land reform in South Africa's agricultural sector. Further to this, there is a discussion on the effectiveness of the mechanisms currently employed by the state in the implementation of land reform. Lastly, this chapter discusses conditions necessary for effective and successful implementation of land reform.

Chapter Eight: Summary, Conclusions and recommendations

Having addressed the key issues which constitute the focus of the study, this chapter pulls the thesis together. It summarises key arguments and findings, draw some conclusions and make recommendations.

CHAPTER TWO

THEORETICAL FRAMEWORK ON LAND REFORM

2. Introduction

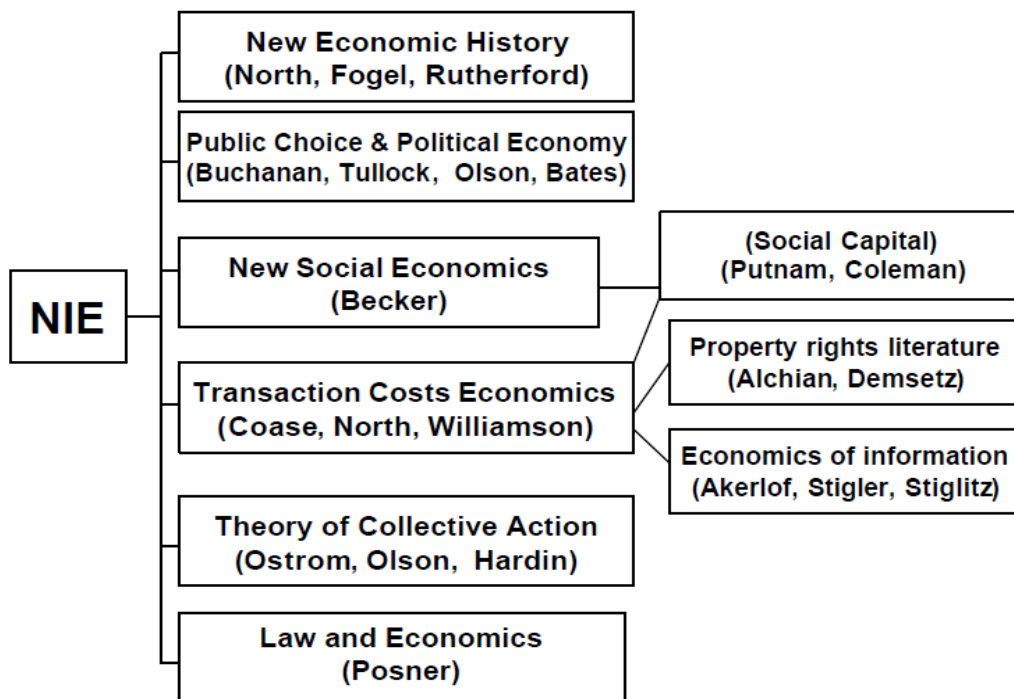
Denzin (1988) offers a certain understanding of a theory which is based on interpretation of social interactions. In this view, a theory is seen as a “description that goes beyond the mere or bare reporting of an act, but describes and probes the intentions, motives, meanings, contexts, situations and circumstances of action” (Denzin, 1988: 39). This means that providing the understanding of lived experiences rather than generalization is the goal of theorizing or theories (Glesne, 1999). In relation to this study, theories are helpful constructs for better comprehending the shifting dynamics of local economies, land and agrarian reform, and rural development issues. This study will be guided by the New Institutional Economics, Sustainable Livelihoods, as well as Radical Political Economy paradigms to better understand the problems South Africa faces regarding the implementation of land and agrarian reform and its efforts to eradicate poverty which is highly embedded in the rural communities. This study swerves from conventional understanding of farming, commercial farming in particular. It is, however, not the aim of this study to dispute or totally reject its importance and relevance in the South African agricultural sector, but to re-introduce subsistence/smallholder farming as a way that can help transform local economies for the benefit of the rural and poor people.

2.1 New Institutional Economics (NIE)

The New Institutional Economics (NIE) is a multidisciplinary field which is relatively new. This field includes aspects of history, sociology, economics, business organization, political science and law (Kherallah and Kirsten, 2002). According to Mooya and Cloete (2007), the purpose of the New Institutional Economics paradigm is to clarify the determinants of

institutions (such as property rights) and the way in which they evolved over time and also the evaluation of the impact they have on ‘economic performance, efficiency and distribution’ (Mooya and Cloete, 2007: 3). The NIE’s central proposition is that institutions are important, and they are acquiescent to the analysis of the economy (Mooya and Cloete, 2007). The NIE is based on a number of concepts which are “logically coherent and that provide powerful tools for delineating the questions to be explained and for shedding light on a large set of facts and relationships among these facts” (Menard, 2001: 86). There are a number of key concepts in the NIE, but the concepts which are directly relevant to this study are theories of transaction costs and property rights.

Figure 1: Different branches of the New Institutional Economics



Source: Kherallah & Kirsten, 2002: 114)

In the view of the new institutional economists, neo-classical paradigm together with the policy prescriptions associated with it is inadequate, and the role that is assumed by institutions is

more central. According to this view, although large land owners and peasants are viewed as rational decision makers, “real markets are often absent or thin because of the existence of inadequate information or high transaction costs” (Cousins and Scoones, 2009: 8). Institutions such as sharecropping or rural money markets come into being to reduce the risks which are associated with high transaction costs and imperfect information. These, argued Lipton (1993), can be inclusive of interlocked markets which are understood as an ‘endogenous’ way of responding to market imperfections. Property rights are therefore seen as ‘endogenous rural institutions’ which help with the reduction of transaction costs (Lipton, 1993: 641-642).

In the new institutionalist paradigm, power relations and structures are accepted as important because coalitions or groups try to use or alter their resources and their property rights to their advantage (Lipton, 1993). “Power structures, despite being ‘endogenous’, can thus lead to sub-optimal outcomes for society” (Cousins and Scoones, 2009:8). This is often the case, as argued by Lipton (1993) when owners of large land preclude land markets from elevating the size of a farm and allowing the economic strength of labour intensive, small scale agriculture to be realized. Cousins and Scoones (2009) contends that “where an inverse relationship exists between farm size and output per hectare, the redistribution of land from large to small, family-operated holdings can accelerate and to some extent equalize the institutional outcomes of agricultural factor and product markets, technologies and power structures” (Cousins and Scoones, 2009: 8). Since economic growth can be constrained by the high levels of unequal land distributions, there is immense contributions which can be made by ‘effective’ redistributive land reforms, and can also underpin industrial take-off.

In order to achieve these aims, Lipton (1993: 642-643) argued that land reform needs to be ‘market oriented’ as well as ‘incentive compatible’ and aim at changing the extant economic entities which performs endogenous economic functions (entities such as credit provision, security, technological innovations, processing, marketing etc.) with new effective institutional

arrangements. Land reform must also find a ‘power compatible’ path for it to be feasible, politically. These criteria are met by what Lipton refers to as ‘new wave’ land reform. Here Lipton argued that this ‘new wave’ land reform should replace state led approaches of the past which in most cases, involved the formation of co-operative or collective forms of production which have proven to be inefficient (Lipton, 1993: 650-655).

The major beneficiaries in this version of land reform should be “efficient, small-scale farmers” who, through appropriate rural development policies, are empowered to maximise returns of land and also make a contribution to “rural non-farm” economic growth (Cousins and Scoones, 2009: 8). These scholars further argue that farm efficiency and overall economic efficiency are the key focus of viability assessment. Therefore, assessing the potential growth of multipliers as well as backward and forward linkages to farming is also important. They further contend that these make a contribution in the rural poverty reduction (Cousins and Scoones, 2009: 8).

There are three main criteria with which new institutional economists assess the viability in land reform: ‘productive efficiency, higher levels of equity and contributions by land reform to both wider economic growth and poverty reduction (Cousins and Scoones, 2009: 9).

2.1.1 Transaction Costs

In the literature, there is no definite meaning of the concept of “transaction costs”. However, there is a lot that which is common amongst definitions provided by different scholars and contributors to the NIE paradigm. Mooya and Cloete (2007:3) quoting Eggertsson (1990) defines transaction costs as “the costs that arise when individuals exchange ownership of rights to economic assets and enforce their exclusive rights”. North (1990: 27) captures transaction costs as the costs of measuring the “valuable attributes” of what the exchange is about and the costs of “protecting rights, and policing and enforcing agreements”. Demsetz (1988:64) and Barzel (1989:2) define transaction costs as “cost of exchanging ownership titles; and costs

associated with the transfer, capture and protection of rights” respectively. All these definitions capture broadly the context within which transaction costs are conceived in the present study.

There are a number of transaction costs, but in this study, the focus is put on those costs that arise from the need to utilise the market system, such as in land markets. It is argued that these costs arise, largely, as a result of information problems. As argued by Eggertsson (1990: 15), in a case where information is costly, a number of activities which are related to the exchange of property rights between persons give rise to transaction costs. Scholars such as Furbuton and Ritcher (quoted in Mooya and Cloete, 2007: 3) summarise the cost of market use into three categories: “search and information costs; bargaining and decision costs; and supervision and enforcement costs”. Mooya and Cloete (2007) then argue that market failure is caused by high transaction costs. They further hold that in order for exchange to occur, the cost of the exchange must be significantly lower than the gains from the exchange. The exchange will probably not take place or be severely constrained if the transaction costs are too high, and that can be characterized as the market failure. State provision as an alternative way of allocating resources therefore becomes necessary. Consequently, analysing transaction costs becomes important in an attempt to understand both the markets and the role that should be played by the state (Mooya and Cloete, 2007).

2.1.2 Property Rights

Individual’s property rights over assets include the powers to “consume, obtain income from, and alienate these assets” (Mooya and Cloete, 2007: 4). The right to an asset is inclusive of the right to use it, to transfer all/or some rights as may be desired by the owner, and to change both its form and substance. There are three property rights which are identified by Eggertsson: 1) “there are user rights, which determine what an individual can legitimately do on his property.

2) There is the right to earn an income from an asset and to engage in contracts with others for this purpose. 3) There is the right to alienate or sell ownership rights over an asset to others” (Mooya and Cloete, 2007: 4). This is in line with the definition of property rights provided by Steiger (2006) which suggest that property rights are “exclusive, transferable, and legal rights to physical use of scarce resources, the returns thereon, and alienation thereof” (Steiger, 2006: 192).

In a case where property rights are well established, internalising externalities become possible. According to Coase, if there are no transaction costs and there are clearly established property rights, an externality can be internalised between the parties by means of negotiations and bargaining (Kherallah and Kirsten, 2002). More often than not, many economists who are largely concerned with property rights view any form of limitation to such rights as detrimental to economic growth. For a person to realize the value/ potential value of a property, the extent to which the rights that person has on that property is crucial (Mooya and Cloete, 2007). In the NIE, the manner in which property rights are both allocated and enforced is determined by transaction costs. This is said to result from the fact that there are inherent difficulties in economic exchange which therefore result in substantial costs in any effort to allocate property rights (Steiger, 2006).

2.2 Radical Political Economy

The recent groundswell of interest in radical political economy means different things to different people. Taking the development to be a “surge of new ideas ‘whose time has come’,” Martin Bronfenbrenner attributes the revival of radicalism to a complex of unresolved social problems, such as inequality, pollution, racism and imperialism” (Worland, 1972: 274).

As was observed in the 1970s, radical political economy remains significant in the resolution of complex problems which continue to haunt the world and particularly the Third World. Inequality and other remnants of both imperialism and colonialism continue to hinder and stagnate the development of the Third World countries. Africa in particular, struggles to overcome the legacy of colonialism and the inequalities which were produced by such a system. Land ownership and use remain reflective of the colonial era. As a result, rural population, who for many years had relied on land for their survival, remain poor and their communities underdeveloped.

Seekings (2014), argued that in South Africa, the most contributor to the continued inequalities is the fact that the post-apartheid government inherited both the policies and institutions of apartheid which were never meant for pro-poor development. In the context of South Africa, Seekings (2014) further argue that the post-apartheid enfranchisement of the poor through voting in elections and the “pro-poor rhetoric” of elites has not been able to transform the distributional regime inherited from the previous government. This can thus be seen as a perpetuation of poverty (and rural poverty in particular) instead of it being a solution.

Radical political economy is diverse, as a result and for the purposes of the present study, there is only one strand of radical political economy that will be discussed here. This is the strand which attempts to posit forms of agrarian populism which are contemporary. In the view of radical populists, rural poverty emanate from an unequal agrarian structure and they put emphasis on exploitation and oppression of workers as well as peasants by the land owning classes which are powerful and agribusiness interests (McMichael, 2008; Rosset *et al* 2006). However, radical populists differ from Marxists on that class and other divisions which exist among the rural poor receive less emphasis. Instead, they stress the ‘convergence of the interests of groups who live on the land’ (Cousins and Scoones, 2009: 12).

Radical populists see a threat of dispossession of peasants through actions and policies that are in favour of global food regime which is emerging and dominated by large corporations. The resistance to these threats has emerged since the mid-1990s. The threats to family based farming have been resisted by resurgent of peasant movements, some which are transnational in nature. One of the examples of the case above is the International Peasant's Movement (Via Campesina). This movement argues and advance for the concept of 'food sovereignty' as a radical alternative to conservative food and agricultural policies (Cousins and Scoones, 2009:12).

Proponents of this view believe that redistributive land reforms are a key component of a larger agrarian reform which aims at restructuring class relations in the countryside (Rosset, 2006). Agrarian reform is understood in this case as a range of policies which complement land redistribution with an aim to support peasant farmers and 'enhancing agricultural productivity, rural livelihoods and food sovereignty' (Cousins and Scoones, 2009:12). The main focus for the contemporary rural radical populism is peasants, both as beneficiaries as well as agents of change.

McMichael (2008: 210) contends that Via Campesina propose a notion of 'food sovereignty', which is the right of every nation to develop and maintain its own capacity to produce its basic food. At the same time respecting both cultural as well as productive diversity. The goal of corporate agriculture is to secure the conditions which favour capitalist accumulation by ensuring that the cost of labour is lowered and 'rules out a place for peasants, physically expelling them from the land, and epistemologically removing them from history' (McMichael, 2008: 213). On the contrary, the food sovereignty movement is founded on 'a process of revaluing agriculture, rurality and food as essential to general social and ecological sustainability, beginning with a recharged peasantry' (McMichael, 2008: 213).

Generally, the idea in this strand of contemporary radical populism is that successful/viable land reform is seen in the productive small-scale farming ability to secure peasant livelihoods. Proponents of this idea also contend that land reform should also work to promote ‘broad-based and inclusive local, regional, and national economic development that benefits the majority of the population’ and farming methods which are ecologically sustainable (Cousins and Scoones, 2009: 13).

2.3 Sustainable Livelihoods Approach

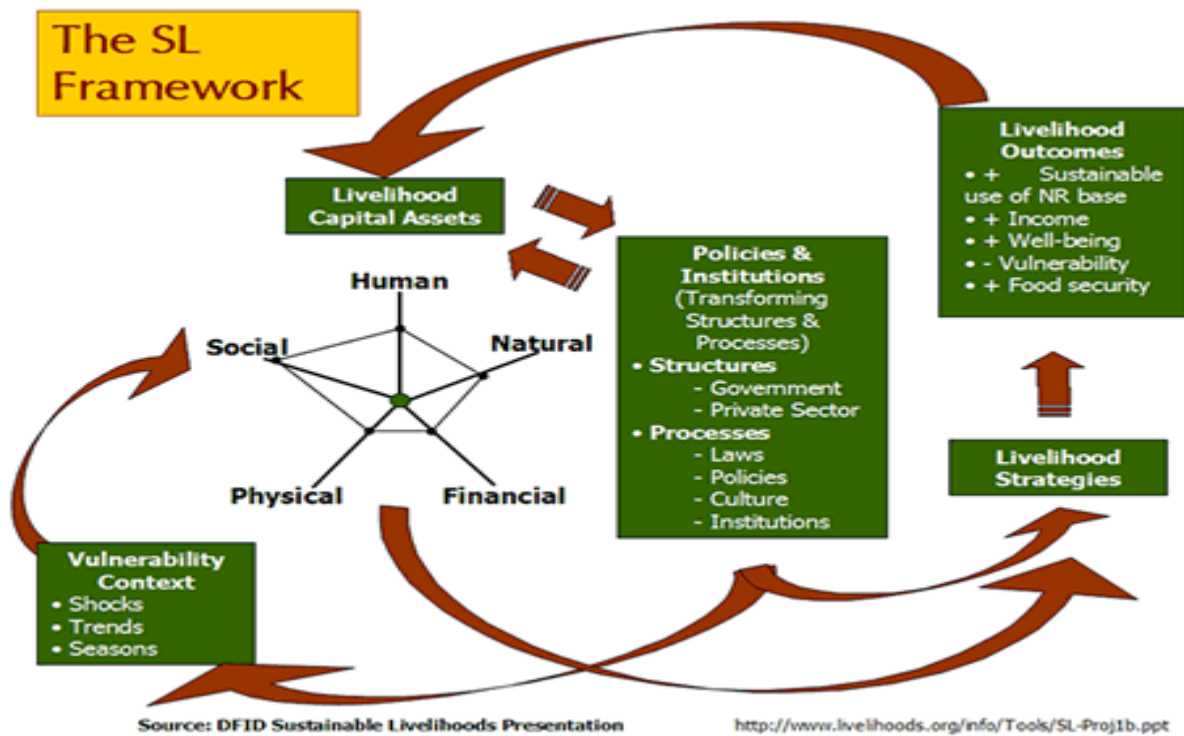
Capabilities, assets and all other activities which are required for a means of living are what constitute a livelihood. That livelihood is then deemed sustainable if it is able to cope and recover from shock and stress and ‘maintain or enhance its capabilities, assets, and activities both now and in the future, while not undermining the natural resource base’ (Serrat, 2008:1).

The livelihood perspective has greatly influenced both the policy advocacy which relates to land reform and also the way in which many donor policies regarding land reform are framed. This perspective puts an emphasis on the importance to reduce vulnerability of the rural poor through giving them access to ‘productive’ assets and resources (tenure reform), and at times, reforms which see equality of a greater magnitude in the distribution of land. In this framework, land reform is being associated strongly with the mainstream development as captured in the policy frameworks such as the Millennium Development Goals (MDG) (DFID, 2007).

Some of the key concepts in this approach include ‘multiple and diverse livelihoods’ which combines a range of assets, capabilities as well as activities to off-set risks and help to cope with drought, disease, and loss of employment (Chambers and Conway, 1992; Farrington *et al*, 1999). The second one is the classification of both material and social assets into ‘natural, human, social, physical, and financial forms of capital’ (Cousins and Scoones, 2010: 42). The third one is the understanding that ‘livelihood strategies’ are mediated both institutionally as

well as organizationally. From these, the vulnerability or robustness of livelihood strategies is influenced. Since land is a form of natural capital, accessing it will need mediation of institutions such as land tenure and other policies (Cousins and Scoones, 2010: 42).

Figure 2: The Sustainable Livelihood Framework



The sustainable livelihood framework assist in the organization of factors which either constrain or enhance livelihood chances and also show how these factors are related to each other. Central to this approach is the notion which acknowledges that different households have access to different livelihood assets – and the sustainable livelihood approach intends to devise strategies that will expand access to those livelihood assets. Among the livelihood assets from which the poor, and mainly rural dwellers must make trade-offs and certain choices about are:

- **Human Capital-** this include education, knowledge and skills, health, nutrition, capacity to work and capacity to adapt...

- **Social Capital-** these are relations of ‘trust and mutual understanding and support’, behaviours and values shared by groups both formal and informal, mechanisms which allows public participation in decision making processes...
- **Natural Capital-** this include, among others, the environmental services, biodiversity, trees and forest products, land, wildlife...
- **Physical Capital-** the example of this form of capital assets includes infrastructure such as secure shelter and buildings, transport and roads, water and sanitation, energy as well as communications...
- **Financial Capital-** this form of capital asset may include credit and debt, both formal and informal; savings; wages; payments/allowances... (Serrat, 2008: 2-3).

In its efforts to facilitate the identification of ‘practical’ priorities for actions which are founded on the views as well as interests of the people concerned, the sustainable livelihood approach does not seek to replace other tools, such as integrated rural development, sector-wide approaches or participatory development. However, it connects the people to the overall environment that directly affect and influence the outcomes of their livelihood strategies (Serrat, 2008). Through the sustainable livelihood framework, the following is expected:

- Growth in the sustainable use of natural resource base,
- Increase in household income and a better well-being, and
- Reduced vulnerability and increased food security.

The proponents of the ‘sustainable livelihood framework’ see it as a framework which explicitly recognises that livelihoods of the poor people are both complex and dynamic, and that they are a combination of both formal and informal economic activity (Shackleton *et al*, 2000; Cousins and Scoones, 2010). Ellis (2000) and Shackleton *et al* (2000) argue that this approach is made attractive by its ability to not only look at production, employment and

household income, but to have holistic and integrative aspects. There are different ways with which one can view 'land'. Quan (2000: 32) contends that it can be viewed as a 'basic livelihood asset, the principal form of capital from which people produce food and earn a living'. This also includes 'cropland, grazing and common land' from which people can gather a range of natural resources. Land is therefore seen as a source which supplements rural workers' and the urban poor livelihoods. Quan (2000: 32) further argue that land as a heritable asset, is the foundation for the 'wealth and livelihood security of future rural generations'.

Sustainable livelihood approach encourages thinking outside the commonly known parameters of development. It opens a space for development practitioners to think and work outside their conventional ways of approaching development. As a result, development practitioners and other stakeholders are invited to explore the contexts and relationships that will enable development activities to be 'process-oriented' rather than a rigid system of engaging in development (Brocklesby and Fisher, 2003; Serrat, 2008).

2.4 Summary of the theoretical foundation of the present study

New Institutional Economics

- the redistribution of land from large to small, family-operated holdings can accelerate and to some extent equalize the institutional outcomes of agricultural factor and product markets, technologies and power structures (Lipton, 1993).
- land reform needs to be 'market oriented' as well as 'incentive compatible' and aim at changing the extant economic entities which performs endogenous economic functions (entities such as credit provision, security, technological innovations, processing, marketing etc.) with new effective institutional arrangements Lipton (1993: 642-643)
- The major beneficiaries in this version of land reform should be "efficient, small-scale farmers" who, through appropriate rural development policies, are empowered to maximise

returns of land and also make a contribution to “rural non-farm” economic growth (Cousins and Scoones, 2009: 8)

Radical political economy

- Generally, the idea in this strand of contemporary radical populism is that successful/viable land reform is seen in the productive small-scale farming ability to secure peasant livelihoods. Proponents of this idea also contend that land reform should also work to promote ‘broad-based and inclusive local, regional, and national economic development that benefits the majority of the population’ and farming methods which are ecologically sustainable (Cousins and Scoones, 2009: 13).

Sustainable Livelihoods Approach

- Some of the key concepts in this approach include ‘multiple and diverse livelihoods’ which combines a range of assets, capabilities as well as activities to off-set risks and help to cope with drought, disease, and loss of employment (Chambers and Conway, 1992; Farrington *et al*, 1999).
- Central to this approach is the notion which acknowledges that different households have access to different livelihood assets – and the sustainable livelihood approach intends to devise strategies that will expand access to those livelihood assets

Table 1: summary of the theoretical foundation of the present study

Theoretical approaches	Main features/central focus	Key concepts	Land and agriculture	Beneficiaries
New Institutional Economy	Linking equity and productivity	Transaction costs, institutions	Unequal land redistribution can constrain economic growth	Efficient small farmers who maximise returns to land

Radical Political Economy	Development as agrarian transformation	Food sovereignty, peasants are a social class exploited by a global corporate food regime	A global corporate food regime dispossesses peasants via market discipline and renders them redundant	Peasants (small family farmers); landless farmworkers; the rural poor
Sustainable Livelihoods	Development as livelihood improvement and poverty reduction. Poverty alleviation, social protection	Multiple and diverse livelihoods; household food security; vulnerability; social protection	Small scale agriculture as residual, as safety net	The rural poor and unemployed with limited access to jobs or alternative incomes

2.5 Conclusion

This chapter has provided broader theoretical perspectives relating to land reform, property rights, sustainable livelihoods and rural development realities in South Africa. It directly explored the three theories (New Institutional Economics, Radical Political Economy, and Sustainable Livelihood Framework) which forms the foundation of this study. In the process, it became evident that there is no single theory that can account for the complexities embedded to South Africa's land question in general, and particularly land reform and rural development. The author chose to swerve away from the conventional theories usually used in the analysis of land reform implementation and its impact in society. This was, however, not done as a way to discredit or reject such theories but to try and provide a refreshed and broader perspective on the subject matter. Having discussed the theories which forms the foundation of this study, the next chapter will discuss both international and continental perspectives on land and agrarian reform.

CHAPTER THREE

INTERNATIONAL CASE STUDIES ON LAND REFORM

3. Introduction

This chapter reviews and interrogates literature on land and agrarian reform, drawing from both international and continental perspectives. This chapter will highlight some of the major events that have taken place around the globe in an attempt or quest to implement the land and agrarian reform policies. Among the countries from which literature on international perspectives will be extracted include, but not limited to, Brazil and the Philippines. From these international perspectives, it is believed that there are some lessons which Africa in general, and South Africa in particular can learn. This will be followed by the interrogation of literature from the African continent, specifically the former settler colonies in the SADC region (i.e. Mozambique, Namibia and Zimbabwe). The aim is therefore to make a comparative analysis on the approaches adopted by different countries and identify gaps that exist from both international and local cases. This will then form the basis for explaining the persistent inequalities and the racial nature of land ownership in Southern Africa in general and particularly in South Africa.

3.1 International Perspectives on Land Reform

In agricultural economies, land is the single most important asset. With access to arable land, rural people at a minimum can feed themselves and their families. Yet ironically, world hunger is concentrated in the countryside. (Boyce *et al*, 2005:1).

Different countries have approached the land question differently, depending on their preferences and the challenges they are trying to respond to. This however does not deny the fact that there are some common elements found in the different approaches taken by these countries. The importance of land and agrarian reform has grown and held much of the world's focus either as an attempt to redress past injustices or as an attempt to provide alternative and sustainable livelihoods, especially for the rural poor.

Land reform, as defined by Boyce *et al* (2005), is “the reallocation of rights to establish a more equitable distribution of farmland” and they argue that it can be a strategy which is very powerful in the promotion of both the development of the economy, its transformation and environmental quality (2005:1). On the other hand, Adams (2000: ii) define land reform as the “redistribution and confirmation of rights in land for the benefit of the poor”. It has become a trend, across the globe, that small-scale farmers grow larger inputs per hectare than large farms. Boyce *et al* (2005) further observes, with caution though, that when small family farmers have secure land rights they tend to be more cautious about damaging the environment, they protect it and enhance soil fertility, the quality of water as well as biodiversity (Boyce *et al*, 2005:1). Democratizing access to land can therefore be bedrock for sustainable rural livelihood and development.

3.2 Land Reform in Brazil

Brazil, alongside South Africa, is among the countries, which have the most unequal distributions of land in the whole world (Simmons *et al*, 2009). As captured by Tilley (2007), 30% of all farmers farm less than 30 hectares (ha) and these farms only account for 1.5% of total agricultural land. The number of small farms has decreased since 1985, they moved from over 3 million to just below 1 million. This resulted in large number of rural people migrating to the ‘slums and fringes of urban centres’ (Tilley, 2007: 10). On the opposite extreme, farms

which accounted for more than 1000 ha make up only 1.6% of all farms, but these farms amounts to 53% of the total country's agricultural land (Tilley, 2007).

Concerns for justice and the alleviation of rural poverty led to the development of a number of legislations and policies in Brazil; dating from the first legislation/statute of 1850. These were the efforts of the federal government in an attempt to reform both land and agrarian relations in the country (Simmons *et al*, 2009). The right to land possession, as was first outlined in the 1850 Land Statute, is only recognized if the land in question is put to productive use. This therefore allowed the state to expropriate and redistribute unused land holdings. There is a plethora of constitutional amendments and laws which have taken place in Brazil, but Simmons *et al* (2009) argue that some of those amendments created more problems than solutions as they diluted property rights, giving space for the state to expropriate land which is deemed to be failing to fulfil its social function.

The prescripts of the Brazilian Constitution, specifically Chapter III, allows for the expropriation of large landholdings which fails to fulfil the social function or those that are considered to be unproductive. Included in the expropriation process is the long-term payment of compensation. This compensation is paid through government bonds for the land and cash for the improvements on the land. On the other hand, there is a market-based approach which was introduced by the World Bank in 1998. This approach operates on the willing seller-willing buyer basis (Simmons *et al*, 2009; Tilley, 2007; Wolford, 2007). The Brazilian Constitution makes clear stipulations regarding which land can be expropriated and for what purposes.

A number of attempts aimed at reforming land relations have, in some cases, been undermined by the political power which is entrenched in the large landowners and also the 'successive military regimes' (Tilley, 2007: 10). The attempt by the state to reform land relations and the

challenges which emanated from the breakup of large estates (*haciendas*), and the transferring of land to either landless workers or small-scale farmers were worsened by the absence of state support for the new land owners and also clouded by the failure of the state to restructure the broader agricultural economy to support and favour small-scale farmers (Tilley, 2007).

Brazil has legislations which clearly elaborates the role and powers of the state regarding the expropriation and redistribution of land for agrarian reform. However, there has never been clear government interventions that seek to expropriate and redistribute land. Instead, the government has chosen to avail unclaimed lands for possession and settlement (Simmons *et al*, 2009). Both the neoliberal camp, which advocates for a market-led land reform and the populists' camp, which advocates for the redistribution of land as a form of redress of past injustices, have made the agrarian question to top the agenda of the development discourse (Simmons *et al*, 2009). Land and agrarian reform has thus been seen as an integral part of development or any attempts to better the lives of the rural poor and the landless.

3.2.1 State institutions and strategies

In Brazil, there are two ministries which deal with the issue of land reform. The first is responsible for land reform and it is known as National Institute for Colonisation and Agrarian Reform (INCRA), and the other one is responsible for agriculture. The Brazilian state adopted a decentralized approach to land reform. This has been expressed through the introduction of the 'Territorial Development Approach' which its aim is to target local areas in which economic opportunities afforded to the small-scale farmers are to be improved. The aim here was to better link government programmes, horizontally, with civil society activities (Tilley, 2007). Quan *et al.* (2003) pointed out some of the dangers they argue are inherent in this approach. Some of these include the ascription of too much power to the local elites. This kind

of institutional arrangement gives power to municipal or town mayors. These mayors can determine how land is allocated and to whom it is allocated (Quan *et al*, 2003).

State technical units which are housed in the Ministry of Planning or Ministry of Finance, in terms of this decentralized approach, plays a crucial role. These units, in turn, co-ordinate and link the municipal councils which are made up of people elected from local government and community associations. The municipal councils then interact with community associations, and representatives elected from the communities form these community associations (Tilley, 2007).

The state, in its execution of the land reform programme, relied on the private sector to play some role. This role was expected specifically in terms of ‘extension services’ to the acquisition of land under the market-led land reform programme. Borrás (2000) however, argues that the quality of the services from the private sector did not meet the expected heights, or simply did not produce the desired results.

3.2.2 The role of social movements in land reform

What has informed the content and the pace of land reform implementation in Brazil is not necessarily the state. Although the state has put mechanisms in place and some institutional arrangements for the execution of the land reform programme, rural social movements have been at the driving seat and had informed the direction which should be taken by the programme. Movements for the landless people have actually accelerated the implementation of land reform in Brazil, and Tilley (2000), argues that the state has been prompted by these movements’ actions to speed up its efforts in the implementation of land reform.

The content and the pace of land reform have been influenced by the emergence and social action of vibrant and militant social movements of the landless people. The driving impetus

for land reform in Brazil therefore does not necessarily come from the state, but the social movements. There are a number of social movements which have contributed to a faster redistribution of land and settlement of landless people in Brazil, but the emergence of the Landless Rural Workers' Movement (*Movimento dos Trabalhadores Rurais Sem Terra- MST*) saw more landless families settled on expropriated land (Boyce *et al*, 2005: 5 and Tilley, 2007).

The MST has immensely contributed and continued to contribute and inspire change regarding land and agrarian reform in Brazil. The mobilization of people by the MST did not only fast-track land reform implementation, but it also opened space for the rural poor people to articulate and implement their vision of rural life after settling on the acquired land. Through MST, the rural poor have also been enabled to articulate demands and access to post-settlement/acquisition phase support. Some significant pressure has been put to the state by the campaigns of the MST to immensely invest in the financing of land expropriation as well as post-settlement support. This financing is done through the INCRA, the state land reform agency (Tilley, 2007).

Land ownership in Brazil is governed by the principle of “effective use”. This principle entails that landowners who fail to use their land in a productive way, as a result fail to fulfil ‘social function’ of property are subject to expropriation. The principle of ‘effective use’, as argued by Boyce *et al* (2005), is founded on moral basis which can be traced back to Saint Thomas Aquinas and John Locke, gives a legal basis for land occupations. Both the Land statute, passed by military rulers in 1964, and the National Agrarian Reform Plan passed in 1985 upon the return to civilian rule affirmed this principle. A productive farm is therefore defined as one which effectively uses at least 80% of the acreage, a farm that respects both the environmental

and labour standards as well as the one in which land is for common benefit for both landowners and workers (Boyce *et al*, 2005: 5).

Even though there is a legislation which states that farms which are not productive should be expropriated, the state authorities do not generally expropriate land until there are direct actions which force them to act. The MST therefore becomes more relevant and plays a vital role in forcing the state to act. After an unproductive land is identified, the MST mobilizes around '200 to 2500 landless families' to carry out occupations. These people are mobilized or recruited from rural areas and at times from the townships (Hammond, 1999: 473-474 and Caldeira, 2008: 150). MST organises meetings and training sessions for the landless families in their places of residence. This process takes place over a period of numerous months. The occupation of the identified unproductive land is then conducted in a single stroke; 'mobilizing thousands of people overnight' and some among those people come from places which are substantially far from the land to be occupied. The response of the land owners is usually through lawsuits, and at times, they respond with violence. In instances where people are evicted, they usually erect 'temporary shelters' on a nearby land which is owned by the state while the litigation process continues. These people receive massive support from the MST while they continue their attempt to win legal title to the land (Boyce *et al*, 2005: 5-6).

The strategy used by the MST largely relies on the fact that property rights are never clearly defined and that they are created and recreated overtime, depending on the needs of the social reconstruction process. In explaining and defining how the MST strategy works, Hammond (1999: 475) asserted:

Though an occupation is a militant act requiring ideological commitment and willingness to undertake significant risks, the MST nevertheless assumes and

benefits from a public posture embracing moderation and legality. Occupiers demonstrate their willingness to work. They actively mobilise both solidarity (through urban movements including trade unions) and public opinion, claiming that giving the land to those willing to work it could solve the problems of unemployment and food shortage... The occupation per se is illegal, but they can accurately claim that their aim is to secure enforcement of the law which provides for expropriation of the property, and they are often legally vindicated.

The MST, over a period of two decades, has helped about three hundred thousand (300 000) families to gain legal rights over the property they had initially occupied illegally. Boyce *et al* (2005) contend that even though the land which has been redistributed to landless families is just a small fraction of the land held in large estates, these efforts are impressive and could mark a 'historic break' from the highly unequal agrarian structure that exists in Brazil.

3.3 The land reform programme in Philippines

The Philippines, just like Brazil, is among the countries which are characterized by high unequal patterns of land ownership. A huge amount of land is largely controlled by a few political elite which have a close link with 'successive conservative regimes and transnational companies' (Tilley, 2007: 15). The land question in the Philippines has a long history, spanning over centuries. Although there had been some form of landholding, clear land dispossessions began in the 1500s with the arrival of the Spanish colonial regime. This continued up to the EDSA revolution which took place in 1986 (Elvinia, 2011). Putzel (1992) contends that reports on the pre-Hispanic times in the Philippines indicate that there were some forms of social stratification which existed, but there are no signs of the existence of individual property rights.

The American administration which followed the Spanish colonial era continued and further entrenched the unequal land ownership (Elvinia, 2011).

In the history of the Philippines land reform, there has been eleven (11) agrarian reform programmes and these took place under very turbulent conditions. Issues pertaining access to land and the state of rural livelihoods has gained importance. This is informed by the fact that, among other reasons:

Fifty-six (56) percent of the population are rural and are directly or indirectly dependent on agriculture for livelihood. Half of the rural population live below poverty line, providing labour to the large estates, and accounting for the two thirds of the country's poor... (Tilley, 2007:15).

There are a number of reasons for the persistence of rural poverty, but it is largely informed by the dependence of rural households on the 'inferior resource bases' such as upland areas and it is aggravated by the absence of other means of employment in the rural areas. There is an extreme biasness in landholding patterns, and landowning families have managed to continuously cling to power in the countryside through political alliances and a 'network of patron-client' relationship (Elvinia, 2011). The most fertile land is occupied and utilised by numerous corporations, both foreign and local, and the position of these corporations is protected by the 'liberal free-market policies' of the government. Agricultural policies in the Philippines prioritise the agricultural commodity producers which are export-oriented, and this sector is dominated by a few large-scale landowners (Tilley, 2007: 15).

Land reform in the Philippines, during the 1960s, was only restricted to upgrading of sharecropping strategies to leasehold tenancies. There are more substantial reforms which took place under the government of Marcos from 1972. The Presidential Decree (PD) 27 of 1972 was introduced by the Marcos administration as its agrarian reform strategy. This was the first major attempt to redistribute land after the failure of the Agricultural Land Code of 1963 (Elvinia, 2011). The agrarian reform programme under the Marcos administration embarked upon an exercise to disentangle the power of the landed elite in places where rice and corn was planted. However, these efforts were not extended to other areas that were devoted to other types of crops (Elvinia, 2011).

However, there are even more reforms that occurred from 1988 under the leadership of Aquino, through the implementation of the Comprehensive Agrarian Reform Programme (CARP) which was implemented by the Department of Agrarian Reform (DAR). Under the CARP project, through either redistribution or securing tenure rights, all farms were subjected to reforms regardless of whether they were privately or publicly owned (Tilley, 2007).

Tilley (2007: 15) contends that there are a range of means put in place in the Philippines for the acquisition and transfer of land. Among these means are:

- Operation Land Transfer (OLT) which focused on tenanted rice and corn land, and involves an element of expropriation. Under OLT, land is directly purchased by the state, at a price which is market related, and then allocated to tenants.
- Voluntary Land Transfer (VLT) which is a policy promoted by the World Bank. In this policy, landless people negotiate directly with the landowners, and without the state support, they pay a market related price for the acquired land.

- In instances where both the above-mentioned mechanisms fail, the state may purchase the land at a price that is below the market value of the land.

Notwithstanding the CARP provisions for redistribution of privately owned land, most of the land that has been redistributed so far is the government land (Tilley, 2007). This therefore means that the ownership of large landholdings remains intact and many people remain landless.

The harassment of beneficiaries, through exploiting legal loopholes and sometimes through the use of outright violence to evict tenants remains among the key concerns. The conservative elements within the Philippines' state and society have led to the reduction of budgets for land reform as well as settlement support. As a result, there was a great reliance on voluntary transactions that were to be funded by the landless themselves. However, as indicated by Tilley (2007), it was estimated that in 2004, half of the country's farmland had been redistributed to about three million rural poor households.

3.3.1 Institutional arrangements for settlement and post-settlement support

The administration and management of land reform and settlement support provision is the responsibility of the Department of Agrarian Reform (DAR). Central to its focus is the poverty alleviation and food security through the land reform programme and post-settlement support provision. Training, supplies and facilities are provided to a range of community structures by DAR. The department has also established a team of development facilitators whose task is to coordinate provision of services to land reform beneficiaries.

Through the CARP approach, numerous attempts to focus on the beneficiaries and their post-settlement needs have been made. Among these attempts is the preparation of farmers to occupy and cultivate their land. The approach that has been adopted by CARP integrates beneficiary development activities with land acquisition and distribution activities from the onset (Bravo, 2001). Most of the efforts of DAR are focussing on the ‘Agrarian Reform Communities’ (ARCs). These are communities connecting areas which are made up of different villages within a particular municipality. The Agrarian Reform Beneficiaries then form the next stratum of participants in the settlement support structure. This strategy of grouping beneficiaries, or the targeting of communities has been seen to be effectively working as opposed to ‘spreading the government’s limited resources over its scattered beneficiaries’ (Tilley, 2007:16). Consequently, the ARCs quickly becoming the focus of CARP implementation.

Low farm incomes have continued to be a challenge since the acquisition of land by beneficiaries. This situation, as argued by Tilley (2007), is mostly influenced by the weak or lack of rural infrastructure, marketing information which is insufficient, limited or no expertise in improved farming technologies, post-harvest facilities which are inadequate, farmers’ organisations which are weak and also the slow pace of implementation of agrarian reform. Central to these problems is the change in global agricultural sector which saw the drive or focus on high-value export crops (Tilley, 2007).

Small-scale farmers and land reform beneficiaries have been directly affected by the shift of focus from ‘low-value, high-volume’ crops to ‘high-value’ export crops. This shift can be traced back to 1992 when the Ramos-led government implemented, actively, the neo-liberal reforms. This was done with the intention to encourage economic growth and increasing performance of the industrial sector (Feranil, 2005). Small-scale farmers were therefore pushed

to the margins of the agricultural economic activities and these farmers were then rendered useless. These changes in institutional arrangements negatively affect the land reform beneficiaries and small-scale farmers. The reforms started under Ramos continued even after 1998 under the leadership of President Estrada. At this period, the shift to high-value crops became more explicit as the countries efforts to increase foreign direct investment and foreign exchange increased (Tilley, 2007).

The agricultural exports of the Philippines have a significant impact on the implementation of land reform and how the crops which beneficiaries are encouraged to cultivate are selected. This subsequently impacts on the extent and the nature of support the state provide to beneficiaries. Accessing finance for post-settlement development has been a key challenge for the land reform beneficiaries (Feranil, 2005). Financial assistance for land reform beneficiaries has proven to be a challenge in many countries, and this directly affects the performance of these small-scale farmers. Post-settlement support is central to the success or failures of land reform beneficiaries and their small-scale farms.

3.4 Land tenure and sustainable use in Mozambique

Rights over land in Mozambique have changed dramatically in the last two decades. It became clear, by the early 1990s, that the national legal and regulatory frameworks which governed the land-use rights fell short in providing secure tenure rights to either both the ‘smallholders or larger commercial interests’ (Tilley, 2007: 34). In addition, the state has been obliged to recognise rights acquired through occupation and inheritance. The land law was revised and a new land policy was developed and adopted in 1995. This was followed by the development of a new land law in 1997. Tilley (2007: 34) summarises this new land law as follows:

- Land remains the property of state; communities, individuals and companies only gain use rights (leases).
- Use rights can be transferred but cannot be sold or mortgaged.
- Use rights are gained by occupancy or by the grant by the state of a lease of up to hundred years.
- Formal title rights showing the right to use land can be issued not just to individuals and companies, but also to communities and groups.
- Communities or individuals occupying land for more than ten years acquire permanent rights to use that land, and do not require title documents.
- Courts must accept verbal evidence from community members about occupancy.
- Titles for use cannot be issued on land which is already occupied by others.
- Titles for use rights are only issued if there is a development plan. Titles are issued provisionally for two years and made permanent only if the projected development is being carried out.

The National Land Policy (NLP) of 1995, approved by the Council of Ministers in September, was founded on a set of principles which highlighted the need for stronger protection of the land-use rights which already existed and also the creation of an environment within which the rural poor can take advantage of land, the most common form of natural resource available to them. This policy was designed, consciously, to positively impact on the rural livelihoods. The Mozambican national land policy has dual objectives:

- ‘It aims to create conditions for development and growth of local communities and to promote investment in rural areas through the involvement of private sector.
- ...the policy maintains the concept that all land belongs to the state, despite a strong lobby for the full privatisation of land’ (Tilley, 2007: 34).

The declaration in the 1995 National Land Policy addresses both the security of tenure issue and the sustainable use of land. This declaration gives assurance to the people of Mozambique regarding the protection of their rights to land in their diversity. The declaration states that the land policy wants to:

Safeguard the diverse rights of the Mozambican people over the land and other natural resources, while promoting new investment and the sustainable and equitable use of these resources (Serra, 2007: 27).

Protecting the existing rights and creating conditions for secure investment were built into the new law, and this created important implications for the Mozambican land map. Firstly, a single policy and legal framework which integrated customary and formal land administrations was created. As a result, ‘Mozambique is not divided into distinct community and commercial areas; rather, different types of occupation and land use coexist, often side by side’ (Tanner, 2010: 107). Secondly, in this policy, land rights which were customarily acquired are recognised and are given full equivalence to a state-allocated land use and benefit right (*Director de Uso e Aproveitamento de Terra – DUAT*). The equitable and sustainable rural development is facilitated by the 1997 Land Law through allowing ‘negotiated private sector access to customarily acquired land’ (2010: 107). As a result of this, it is believed that the agreements reached from these negotiations benefit the local people.

Through the 1997 Land Law, individuals who have customary rights over a piece of land can take their land out of the customary jurisdiction. This law recognises rights which are acquired in ‘good faith’ and even squatter occupation, and this is done to protect the internally displaced

people who did not move back to their original places after the war and also to protect the many people who occupy land without formal documents (Tanner, 2010; Locke, 2014). The local people are empowered by the land law to participate in the management of land and natural resources, including allocating land rights to investors or potential investors. The local community is to be consulted when private investors seek rights to use land, and then they can choose whether they want to keep their rights or they accept the terms that the investors come with and relinquish their rights to them (Tanner, 2010; Odhiambo, 2015).

3.4.1 Institutional arrangements for settlement and post-settlement support

At the initial stage of implementing the programme, there was an Inter-ministerial Land Commission which was tasked to manage and administer land reform and other settlement support initiatives associated with it. This institution, however, has been collapsed and integrated into the Ministry of Agriculture and Rural Development (MADER). Different agricultural directorates, at a district level, vary widely but what is common amongst them is the low levels of physical, human, and financial resources (Tilley, 2007). Many of the districts do not have specific representatives from the provincial land services, which therefore mean that those districts must rely on generalist technicians who are based in the districts for regulatory activities. District administrative authorities, through their representatives, play a crucial role in the land adjudication process. The sub-district level faces even worse shortages of specialist capacity and normally this is restricted to extension workers (Tilley, 2007).

The new land policies introduced one of the most important aspects, and that is the mandatory consultation processes with local community groups. These consultation processes are now a necessary aspect of every application made over natural resource rights in the rural communities. This process is deemed to be very important in that it has a potential of

establishing partnerships between investors and the local communities, and it also believed that the consultation process has a potential of curbing or minimising future conflicts about a particular land (Tilley, 2007).

Tanner (2010) contends that even though it is widely assumed that the process is beneficial and that consultations bring the benefits to the local people for relinquishing their rights to large areas, it therefore make sense to closely look at the impact made by these consultations. It is stipulated in Article 27 of the Land Law Regulations that the district administrator must issue a statement regarding the consultation between a community and the investor. This statement should:

...refer to the existence or not, in the area requested, of the Land Use and Benefit Right (DUAT) acquired through occupation (customary or 'good faith'). Where other rights do exist over a requested area, the statement will include the terms through which partnership will be regulated between the titleholders of the DUAT acquired through occupation and the applicant (Law 19/97, Regulations, Article 27).

The government legal advisors, together with the National Land Directorate, have continuously argued that Article 27 adequately protects local land interests and it is costing less in terms of time it takes and the money to be used for implementation. From a public sector perspective, given the fact that the budget is limited, this is understandable because this process is expected to take place for each and every application. However, Tanner (2010) contends that the central question should seek to establish whether the consultations bring benefits to the local people or not. He further contends that it should be established whether such benefits to the local

people (a) 'are sufficient to compensate them for the real value of the asset lost, and (b) allow them to move out of the property trap they are in' (Tanner, 2010: 120).

Tilley (2007) and Tanner (2010) contend that the benefits which the local people get from these consultations are very limited and the local people are often not aware of either their rights or the fact that they are permanently relinquishing their rights to land. Local people have legal rights over land, but they are unaware of how to exercise those rights. In the presence of investors or outsiders, the representatives of the state (district administrators), the local people feel pressured to agree (Locke, 2014). This is also informed by their lack of negotiating experience and skills. The local people have no knowledge of and therefore are unable to appreciate the real value of their asset. The coordination of consultation sessions is poor, resulting in very minute local representation, and these consultations are often too short (Tanner, 2010). Given the fact that there is little time given to consultation sessions, not all members of the community are consulted, and that is against the prescripts of land law which provides for consultations.

The people organising the communities have certain roles that they could play in assisting the community during the consultations. These roles are identified and classified by Tilley (2007: 36) as:

- Supporting communities during consultations;
- Working with communities on delimitations;
- Helping communities to monitor existing title-holders within the area;
- Doing more detailed work with communities to promote investment- helping them to identify their resources and then go out and sell to an investor; and

- Serving as a professional intermediary between investors and the community, but explicitly on the side of the community.

The community representatives often fails the communities in that even those communities which have been consulted and had reached an agreement with the investors, they do not necessarily understand what they had agreed to. The representatives make the communities to feel like they cannot refuse to relinquish their rights over land, thus reducing the consultations to merely a land sale (Odhiambo, 2015).

Given the fact that the Mozambican land law emanated from a consultative and a democratic process, it includes many progressive provisions which have a potential of helping the local communities get the best out of their land. However, legal prescriptions alone do not help much, more support and education is needed in order for the legislations to really empower the local people to be able to defend their land and also meaningfully promote local development (Tilley, 2007). Where this support and coordination is absent, the local communities are left to negotiate on their own, and with very limited knowledge on how to negotiate. As a result, some investors purchase the land for a very low price. Tilley (2007) and Tanner (2010) have argued that many of the beneficiaries have lost their land to the investors or their agents because they have not understood and appreciated the terms and conditions of the agreements they have entered into.

3.5 Land and Agrarian Reform in Zimbabwe

The land and agrarian question in Zimbabwe has been discussed and analysed widely in the preceding decades...but around 1999 and 2000, the Zimbabwean land and agrarian question hit the international stage after the spontaneous commercial farms occupations (Rutherford,

2004). This was then followed by the radical fast-track resettlement plan which was initiated by the Government of Zimbabwe in the aftermath of the general elections held in the year 2000. A number of commentators argue that the farm occupations were motivated by the continuous quest to fight the legacy of the long standing discriminatory land and agricultural policies which facilitated the patterns of land distribution, and therefore patterns of land ownership in the country (Kinsey, 2004).

Land grab, as many political commentators argue, was a response to the slow pace of land redistribution. At independence, although the Zimbabwe's liberation movement had always promised to redistribute the land for the benefit of the ordinary people, it was not possible since they had signed the Lancaster House Agreement. In an attempt to try and resolve the land question in Zimbabwe, the land reform experience of Kenya played an influential role (Lebert, 2015). In resolving the land reform issues in Kenya, the British government was prepared to buy out white farmers. As a result, they injected 500 million Pounds for both land acquisition and settlement. The hope was therefore that the same will happen in the case of Zimbabwe. Lebert (2015: 4) argues that this hope was further strengthened by the promotion of the notion that an 'Anglo-American Development Fund for Zimbabwe' was to be formed, a notion which was widely accepted and supported. The fund, had it materialized, it was going to be used to buy out white farmers. But unfortunately it did not materialize.

3.5.1 The Lancaster House Agreement

The Lancaster House negotiations started in 1979, and by this time there had been changes in the British government. During these negotiations, the Development Fund was used to sway the liberation movements toward agreeing to the terms which were put on the table. However, the Development Fund offer was withdrawn in the end; instead the United Kingdom (UK)

government offered a 'compromise' solution (Lebert, 2015). In this new deal, the liberation movement had to guarantee the protection of the existing property rights in exchange that the UK 'would underwrite half the costs of resettlement'. The Zimbabwean government had to therefore match that amount of funding to make up the full costs of the entire programme (Lebert, 2015). This agreement therefore meant that land would change hands through the willing seller-willing buyer approach. As a result, those white farmers who were still willing to continue to farm, then they were allowed to do so.

The Lancaster House agreement guaranteed that the post-colonial state would not engage in major expropriation of land. The state had however retained the right to engage in expropriation activities but that had to be coupled with compensation which had to be paid in foreign currency. The restrictions that the Lancaster House Agreement imposed on the post-colonial state were to remain in force for 10 years (Bernstein, 2003). Resulting from this 'crucial capitulation', the hands of the new government of Zimbabwe were effectively tied regarding the agrarian transformation. Therefore, any possibility of significant land redistribution was effectively ruled out (Palmer, 1990: 166).

After the war, there was massive displacement and the peasant production collapsed as a result. Therefore a need for reconstruction emerged and such a need further entrenched the restrictions captured in the Lancaster House Agreement. As a result of the collapse of the peasant production, '90 percent of the country's marketed food requirements were being produced by white farmers' (Lebert, 2015: 4). Ironically, the white farmers were at an advantage, both politically and economically at the end of the war as they were the ones who were at the centre of massive production in the country.

The Lancaster House Agreement has been viewed as the major hindrance to Zimbabwe's efforts to address the country's land question. It is therefore not surprising that at the expiration of this agreement, the government of Zimbabwe enacted a series of laws in an attempt to facilitate successful land reform implementation. The table below provides a summary of some of the laws which relate to Zimbabwe's land acquisition.

Table 2: Legislative Framework Relating to Land Acquisition

Year	Legislation	Provision
1979	Constitution of Zimbabwe	<ul style="list-style-type: none"> ▪ Property shall not be forcefully acquired/expropriated ▪ Willing buyer-willing seller approach to land reform introduced
1981-1984	Land Acquisition Act, no.21	<ul style="list-style-type: none"> ▪ Enforces constitutional provision to land for resettlement ▪ Prompt payment of adequate fair compensation
1985-1990	Land Acquisition Act, amendment of 1985	<ul style="list-style-type: none"> ▪ Issued certificate of no present interest, or government's right of first refusal
1990	Constitutional Amendment Act, no.30	<ul style="list-style-type: none"> ▪ Denies power of the court to declare unconstitutionality of compensation decisions ▪ Allows for land acquisition
1992-1993	Land Acquisition Act (Amendment to section 10 of chapter 20)	<ul style="list-style-type: none"> ▪ Right of first refusal abolished ▪ Designation provision is introduced enabling addition of compulsory acquisition to willing seller-willing buyer

2000	Constitutional Amendment Act, no.16 Land Acquisition Amendment Act amended through the Presidential Emergency Temporary Powers	<ul style="list-style-type: none"> ▪ Absolves government from paying compensation for expropriated land (compensation now only made available for improvements on the land) ▪ Elimination of dual designation route ▪ Enables payment of compensation through payment 3-5 year bonds ▪ State can refuse to buy land deemed too expensive ▪ Allows for time-delay in actual acquisition
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(Source: Moyo, 2001) – Some emphasis is made by the author.

These and other laws and amendments will be seen in application in the next section which looks at the different phases of Zimbabwe’s land reform. So, the next section explores how these laws influenced the Zimbabwe’s land policy positions and political decisions over three ‘distinct’ phases of land reform implementation.

3.5.2 Three Distinct Historical Phases in Zimbabwe’s Land Reform

The land reform that Zimbabwe opted for is the one which land would be acquired for agricultural purposes rather than for ‘claim based process’ whereby ancestral land could be redistributed to those who had been victims of dispossession. Thus the land acquisition policy is not based on legally restoring land rights to individuals or communities which had been forcefully taken during the colonial rule. Moyo (2000) and De Villiers (2003a) argue that there are three broad approaches to land acquisition which Zimbabwean land reform followed over the years. These are: acquisition of land through the land market which was led by the state

(willing buyer-willing seller); compulsory land acquisition with the provision of full compensation, but only for improvements made on the land. This approach was also state-led; the third approach is the land seizures that took place through land occupations.

These approaches, as outlined by Tilley (2007) and Moyo (2011), fall into three distinct historical epochs. Although the dates the two scholars used are not exactly the same. The first was the post-Lancaster House Agreement period, the period between 1980 and 1990. The state purchased land from farmers or landowners who were willing to sell and then redistributed it to beneficiaries (Lebert, 2015). So, during this period, land and agrarian reform was market driven. It strictly followed the willing seller-willing buyer approach. This period was also characterized by the return of exiles and the displaced persons. Large amounts of donor funds were made available to assist with the required reforms. The availability and distribution of marginal land and under-utilised land informed the increase in small farmer activities (Tilley, 2007; Lebert, 2015). It is worth noting though that the land redistributed at this time was largely the one which was abandoned during the war (Lebert, 2015). The number of redistributed land between 1980 and 1990, through the market-led approach to land reform proves the failure of this approach in resolving the Zimbabwe's land question (Moyo and Yeros, 2004).

There are three key issues that emanated from the market-led land reform in Zimbabwe. The first (as identified by Lebert, 2015) was the location, quality, amount as well as the cost of land that was made available by landowners. The second was the fact that the process was neither driven by the state nor the beneficiaries in accordance with their needs. The third issue was that, the state being the 'key buyer' of land, distorted the land market through the parameters it put in place regarding pricing and the location of land (Lebert, 2015: 10). As a result of this, the land that was available for resettlement was that which was drier and agro-ecologically

marginal. This land was largely located in the areas in the southern region of Zimbabwe, which therefore meant that a huge amount of prime land found in the Mashonaland provinces was left almost untouched (Moyo and Yeros, 2004; Lebert, 2015).

The second phase of land and agrarian reform which occurred between 1990 and 1999 was characterized, among other things, by a different legal order. When the Lancaster House Agreement expired in 1990, the government of Zimbabwe amended its constitution so that it allows for 'compulsory acquisition' of land. This was coupled by the introduction of the Economic Structural Adjustment Programme (ESAP). The state, through this, it was given space to obtain land through both expropriation and the market (Moyo, 2011). The amendments suggested the acquisition of land with minor compensation and fewer rights to appeal the acquisition decision to the courts (Thomas, 2003: 699). This phase saw the enactment of the 1992 Land Acquisition Act which was to facilitate the purchasing of farms. Many political commentators view this as the first steps towards a social-justice driven land acquisition programme (Thomas, 2003).

After the introduction of the ESAP, the land acquisition and reform started to change face. The policy almost gave a new direction to the Zimbabwean land question. The ESAP failed to address the challenges and difficulties which were faced by small-holder farmers. The example of this would be the 'discriminatory land and financial markets, distorted water rights and lack of essential infrastructure for more effective land use' (Moyo, 2000: 11). The compulsory land acquisition which was earlier envisaged was not part of the strategies of the ESAP. The ESAP also did not invest in infrastructure development or water development which was a problem for the small-holder farms. This, if addressed, as argued by Moyo (2000:11) would have contributed to agricultural productivity increase and rural employment.

This phase also saw severe drought and economic decline. Implementing the programmes aimed at sustaining land reform became a serious challenge as the reduction in donor funding also increased. This was largely informed by the sanctions which were imposed on the government of Zimbabwe. The state at this time had already started to challenge the market-led land acquisition, hence the imposition of sanctions (Moyo and Yeros, 2004). The threat of compulsory land acquisition became more real in 1997. This period, as argued by Moyo and Yeros (2004: 18), was characterised by the ‘context of deepening social and political crisis’.

The third phase of land reform in Zimbabwe characterised by the total abandonment of the market-led approach to land acquisition. This method was therefore replaced by very radical and compulsory land acquisition approach (Moyo and Yeros, 2004). The period from 2000 to 2008 was generally characterised by the absence of a clear and sustainable land reform policy. As part of this phase, a series of legal frameworks that were aimed at giving the state full power to expropriate land without compensation were enacted. These legal frameworks actually absolved the state from paying compensation (Lebert, 2015). Massive land invasions and occupation therefore formed a huge part of this phase. As a result, the resettlement process has been largely described as ‘chaotic’ and that it paid little attention to post-settlement support (Tilley, 2007). This view however, undermines the fact that this period was overshadowed by sanctions which to a certain extent led to economic meltdown and inflation, and that such had a direct impact on the implementation of land reform and its post-settlement support mechanisms.

During the implementation of the Land Reform and Resettlement Programme (LRRP2), donors were continuously checking whether the government of Zimbabwe was still adhering to transparent and legally acceptable behaviour. But these donors did not come clean about their

willingness to tolerate compulsory land acquisition (Van den Brink, 2000). The IMF, throughout 1999, constrained and threatened the government of Zimbabwe that it will withhold its funding to assist in the implementation of the land reform programme. Van den Brink (2000) further argues that at this time, it became very clear that following the earlier established legal route to land acquisition was going to maintain the slow progress in the redistribution of land.

The government, notwithstanding the threats of withdrawal of donor funds, still continued with the planned amendments on the constitution in April of the year 2000. These amendments gave government the right of acquiring commercial farms. In the few weeks that followed, three ministers were sent to London in order for them to request funding assistance, but their efforts were not successful (Thomas, 2003). In May, the government introduced another change in law which allowed it to expropriate land. This marked the beginning of the Fast Track Land Resettlement Programme (FTLRP). After realising that donors and other stakeholders on the matter did not have genuine interest in helping the government to successfully implement the land reform programme, the government was therefore determined to engage in this process alone (Thomas, 2003).

Taking into cognizance the market failures to deliver on the projected redistribution and resettlement targets, FTLRP seemed to be the only way that the government of Zimbabwe could use in order to successfully implement land reform in the country. Thomas (2003: 701), cites George Charamba, Mugabe's press secretary, as saying that because of the 'legal hurdles' and the inflated land prices, any other approach to land reform has been ruled out. An example of the legal hurdles can be seen at the time where the government, in 1997, applied the 1992 Land acquisition Act to address the inequities in the distribution of land. The government actions at this point were within the legal parameters, but acquiring land was delayed endlessly

because each and every order was subjected to scrutiny by the Administrative Court (Van den Brink, 2000). So, the lack or absence of donor funds and legal hurdles can thus be construed as what pushed the Zimbabwean government to implement the FTLRP in its efforts to address the land question in the country.

These approaches to land reform and the different phases on which they took place provides a ground for understanding the change that has occurred and its possible causes. This may also be interpreted as reflecting a negative attitude towards radical change. On the same token, it may be painting a picture of how things turn out to be when hastily engaged. Over and above all, this is a demonstration of the political dilemma that the government of Zimbabwe was and is faced with in the presence of bad weather conditions and un-favouring economic climate.

3.5.3 Institutional arrangements for settlement and post-settlement support

Through its Development and Resettlement Management teams, the Department of Rural Development undertook the implementation of the land reform programme. The responsibility of the Development and Resettlement Management teams was to translate all project plans into provisions on the ground. The delivery of physical infrastructure and other services related to it were also a responsibility of these development teams. This was done either through contracts, or through their own effort. The process of interacting with beneficiaries during the beneficiary selection has been coordinated and done by the resettlement officers who act as project managers. Amongst the things that these resettlement officers interact with the community about are ‘settler mobilization for communal services, general scheme development, and solicitation of other agencies’ services’ (Tilley, 2007: 31).

Rural district councils (RDCs) are the governing institutions when it comes to rural areas, and these institutions are a product of the amalgamation of rural councils and district councils. In order to give meaning to self-governance through community based administrative organs, the government created 57 RDCs. These councils are political institutions which are composed of representatives who are elected on 'political party lines' and their term in office is four years (Tilley, 2007). The developmental roles of RDCs, as established by section 27 of the Rural District Councils Act are:

- The promotion of development in a particular council area;
- The formulation of policies, both short term and long term, for that specific district;
- Develop or prepare annual development plans for that council area.

Additional to their mandate, councils have to develop as well as maintain infrastructure in their area and they have the power to charge and collect revenue (Ndlovu and Mufema, undated). However, the role of RDCs in the fast-track land reform programme is blurry. When taking a closer look at the programme, it appears that there are no clear policies which define the role that should be played by RDCs. This therefore creates a dilemma for the RDCs in that they have the responsibility to help in implementing land reform, but they do not have corresponding authority (Tilley, 2007). The role of project managers which was previously played by resettlement officers has been discontinued, and depending on circumstances, such role has been filled by either extension workers, district administrators or the technicians of the District Development Fund (DDF). As a result of the incorporation of all schemes into the rural district authorities, the rationalization of support and services to resettled farmers has become impossible (Tilley, 2007).

Beneficiaries, in the absence of resettlement managers, have had to actively participate in local scheme administration and had to form part of the management structures responsible for local needs. Through these efforts, the local people gets an opportunity to participate in the decision making and implementation of such decision. However, this may also create tensions and divisions in society as there may be those who would want to use the system for their own benefit. Structures like these are beneficial to local communities because they tend to be 'project specific' and they have the ability to tackle specific local issues and needs. Tilley (2007) contends that these structures may need assistance in connecting with external services and resources. Development planning, scheme administration and general management of the local resource is among the tasks performed by the local community structures. Through this, they engender beneficiary participation and take into cognizance their 'unique interests and peculiar circumstances' (Tilley, 2007:31).

3.6 Land redistribution in Namibia

The unequal distribution of agricultural land and high rates of unemployment have fuelled persistent calls for land redistribution (Werner, 1999: 315) ...The topic of land reform has been on the development agenda in Namibia since before independence. On coming to power in 1990, the SWAPO government announced its intention of transferring land to 'the landless majority' and agreed to a constitution in which the property of citizens could not be taken without just compensation (Adams, 2000:1).

Namibia, although a former settler colony, differs from others in that "settlers here dispossessed essentially marginal agricultural land" (Werner, 1999: 315). Most of the areas which are more fertile and gets more sustainable rainfall are found in the communal areas and are governed by

customary tenure. In realizing how politically sensitive the issue of land was, stakeholders in the Namibian governance agreed that it was necessary to hold a national land conference to try to establish a proper way of addressing the country's land question (Werner, 1999).

Almost all liberation movements, both during their struggle and when taking power, promise to give land back to the landless majority. However, after taking power, the reality starts to kick in and they realize that it may not be as easy as they had anticipated. Mozambique, Zimbabwe, Kenya and many other countries that are embarking on land reform had promised their citizens that land would be redistributed to ensure that the poor majority also benefit from this resource. Evidence pointing towards achieving this is minimal. As has been alluded to above, SWAPO, working together with the opposition parties in Namibia, conducted a 'national consultation on land question' and these consultations culminated in the National Conference on Land Reform and Land Question which took place in Windhoek in 1991 (Adams, 2000:1).

The National Land Conference looked at a plethora of issues relating to Namibia's land question. The discussions that took place in this conference culminated into a series of resolutions. Among others, it was resolved that the government should appoint a Technical Committee on Commercial Farmland (TCCF) tasked with the responsibility to look into and recommend to the government in relation to the following issues:

- The approach which should be taken regarding the under-utilised land;
- What should be the position of the state in relation to land owned by absentees;
- What farm sizes would be viable and in which regions;
- What should be the government's response to multiple ownerships of farmland;
- Look at the taxation method of commercial farms, and

- The method with which the state should acquire and allocate commercial land (Werner, 1999).

The technical committee was appointed, as has been resolved by the conference, in 1991 and it submitted its report in 1992. Just before the general elections in 1995, the Agricultural (Commercial) Land Reform Act was promulgated (Adams *et al*, 1999; Werner, 1999). The promulgation of this Act was in part informed by the recommendations from both the land conference and the TCCF. This Act therefore allowed the government to acquire and redistribute ‘excessively’ large farms that were under-utilised and freehold farms which were owned by foreigners (Adams *et al*, 1999). According to Werner (1999), there was no ‘comprehensive land policy’ which existed at this time.

Adams (2000) argue that land reform was not necessarily made a priority in Namibia in the first decade of SWAPO’s rule. This, he argues, is reflected in the slow progress which was made regarding land reform in the first decade of the implementation of the programme. According to Adams (2000), this only changed after the events which occurred in Zimbabwe in March and April 2000. He further holds that land grabs in Zimbabwe did not only awaken the need for a faster land reform programme, but it also gave an indication of what people will do if this issue is not attended with immediate effect, or even given the care that it deserves. After seeing the land grabs which unfolded in Zimbabwe, the Namibian President made an announcement of the government’s plan to accelerate land reform in the country. Resulting from this, the government urged donors to contribute in its attempt to resolve the land question (Adams, 2000). Adams’ view and therefore his conclusion on how much of a priority land reform was in the first decade may not be accurate, but these views are in agreement with

Werner's observation in which he contends that 'land redistribution got off to a slow start' (Werner, 1999: 316). This may therefore logically be construed as not being a top priority.

The announcement that land reform will be speed up does not only pose a challenge to donors, it also puts the government in a dilemma. This is the same dilemma facing Zimbabwe and South Africa. In the attempt to accelerate the implementation of land reform, the poor and landless people will be happy and often sing praises for their government, but the donors - which are very much needed - may not have the same view as the ordinary and landless people. This, to them, may mean the loss of profits which they make from the land businesses. As it has been argued by Adams (2000:1), when he contended that 'the overarching rationale for donor assistance to land reform would be to support a more equitable redistribution of land and power and avoid an agrarian conflict which could disrupt the rest of the economy'. The dilemma for government therefore emanates from the fact that equitable redistribution of the economy and power cannot come with terms that are acceptable to both parties, the landless or prospective beneficiaries and the landowners.

According to Adams (2000), the point at the centre of the agrarian question in South Africa, Namibia and Zimbabwe is 'the repossession of land' that was forcefully taken by the Europeans. Although there are many differences between the three countries, it would not be a farfetched idea to think that the land invasions of Zimbabwe might soon erupt in South Africa and Namibia or maybe in the entire southern region of the continent if nothing is done to address the land question.

3.6.1 Institutional arrangements for resettlement

At its *National Conference on Land Reform and the Land Question* held in 1991, Namibia took a number of decisions and policy positions. The resolutions made by this conference were

however not binding to the government, but they were made to provide some form of guidelines in the process of formulating land policy. Part of the resolutions of the conference, and perhaps one that was easily accepted by government was the one pertaining the claims on ancestral land. The conference resolved that these claims should not be entertained (Werner, 1999: 315). As has been alluded to above, the conference made recommendations and resolved on the issues pertaining the commercial farmland.

After appointing a technical committee in 1991, which as indicated above, reported in 1992, the Namibian Cabinet approved an Affirmative Action Loan Scheme. This scheme was to be administered by Land and Agricultural Bank (later Agribank) (Werner, 1999). The scheme was intended to resettle farmers who were established in the communal areas to commercial farming area (Garcia, 2004). So, the Agribank was to provide loans to be repaid over a period of 25 years, and the interests on these loans was to be subsidised by government (Werner, 1999). According to Adams (2000), the main aim of this scheme was to give ‘full-time black farmers’ access to government subsidised loans which ranged from R400 000 to R500 000.

In order for people to qualify for the Affirmative Action Loan, they had to prove that, inter alia, they are full-time farmers in communal areas. They also had to prove that they own ‘a minimum of 150 large stock units’. Lastly, a proof that the livestock has been removed from the communal areas needed to be provided (Werner, 1999: 318). Since the inception of the scheme, Werner (2000) argues that there are about 130 communal farmers who have been granted the loans...that is by 1999. These loans came from Agribank and they were used for the purchasing of commercial farms. The Affirmative Action Loan Scheme was later opened to those people who were part-time farmers. Their loan conditions were different to that of full-time farmers.

The interest rates on repayment, as opposed to the full-time farmers, escalated overtime (Werner, 1999).

3.6.1.1 The (Commercial) Land reform Act

As a way to establish a legal framework, on the basis of which land could be acquired for resettlement purposes by the state, the (Commercial) Land Reform Act was introduced. This Act followed the willing buyer-willing seller approach in that it opened space for those commercial farmers who wanted to sell their ranches to offer them to the state. In a case like this, an official commission would visit the farm and then make a determination on whether the farm should be bought or not, and also whether it is suitable for resettlement or not (Garcia, 2004).

The Agricultural (Commercial) Land Reform Act as promulgated in 1995 made the following provisions:

- Established a Land Reform Advisory Commission consisting of stakeholders to advise the Minister of Lands;
- Laid down a preferential right of the state to purchase commercial farmland;
- Provided for market related compensation;
- Provided the way in which commercial farmland was to be planned and allocated;
- Restricted the acquisition of commercial farmland by foreigners; and
- Establish a Lands Tribunal (Adapted from Werner, 1999: 316; Adams, 2000: 5).

Beneficiaries of Land Reform are broadly described, in Section 14(1), as the citizens of Namibia who do not own nor have access to adequate agricultural land. The priority was to be the people who were previously disadvantaged by the discriminately laws of the past. These

had to be those who were educationally, socially and economically discriminated (Werner, 1999). The Act also provide for the ‘subdivision and survey’ of land holdings for small-scale farming. To further commit itself to addressing the land question, the government made a commitment to the creation of resettlement projects on communal land. Basically, the Namibian Land Reform programme is divided into three branches. Those three pillars could be classified as follows:

- redistribution of commercial farm land;
- an Affirmative Action Loan Scheme; and
- The development of resettlement projects on communal land (adapted from Werner, 1999: 316).

The (Commercial) Land Reform Act also established land tax. Those farmers who were unproductive were to be penalized through the land tax. As a result, forcing them to sell the land to the state, and in turn that would make available more land which could be used for further resettlement (Garcia, 2004). This land reform Act was later amended in 2003 in order to allow the state to expropriate land “in the public interest”. Expropriation was to be subjected to the payment of a “just compensation” (Garcia, 2004: 8). The introduction of the (Commercial) Land Reform Amendment Bill therefore gave birth to a new era in the processes of land reform in that it effectively collapsed the willing buyer-willing seller approach.

3.6.1.3 The (Communal) Land Reform Act

In the communal areas, the power regarding the management of land and its distribution is vested in the ‘Land Boards’. These land boards were created by the promulgation of the Communal Land Reform Act. The land boards are in possession of full power regarding the management and allocation of land in the communal areas; traditional authorities previously controlled these areas. This move is argued to have been aimed at providing democratic

procedures for transferring land in communal areas. In turn, this was going to increase the tenure security of the peasants living in those regions (Garcia, 2004; Odendaal, 2011). The powers of traditional authorities and chiefs in relation to communal land are set out in this piece of legislation.

Both these legal instruments (Commercial and Communal Land Reform Act) together with the Affirmative Action Loan Scheme forms the basis of what sustains the Namibian land reform.

3.7 Conclusion

This chapter was divided into two parts; the first part dealt with the review of international perspectives on land reform and the second part dealt with the review of continental perspectives, specifically the countries on the southern part of the African continent. On international perspectives, literature from Brazil and the Philippine land and agrarian reform was reviewed. The author used these countries because they had more or less similar challenges to the ones faced by South Africa, which is the main concern of the present study. The aim was therefore to draw some of the lessons that could be used in advancing the struggle to achieve land and agrarian reform in the country. Secondly, the chapter presented a review of continental perspectives on land reform. Again, the intention was to draw some lessons for the implementation of the programme in South Africa. The literature reviewed for African perspectives are Mozambique, Zimbabwe as well as Namibia. These countries share a similar history with South Africa. They all are former settler colonies and located in the Southern African Development Community (SADC). This therefore provided the author with an opportunity to compare countries with relatively similar background and challenges. Having dealt with the literature review of both international and continental perspectives on land an

agrarian reform, the next chapter will review the history and the progress of South African land reform programme.

CHAPTER FOUR

LAND REFORM IN SOUTH AFRICA

4. Introduction:

The skewed patterns of landholding in South Africa is a well-known phenomenon. After 22 years of democratic governance, the legacy of previous distributive regimes is still evident. The South African land reform programme has been viewed by many sectors in society as an ambitious (if not over ambitious) initiative. Even though land reform is generally criticised for being slow, it still forms a bigger part of the major policy programmes of African National Congress (ANC) led government which aims at restructuring the agricultural sector and the land relations among the citizens. The major aim of this policy was, and continues to be the redressing of previous injustices created by both the colonial and apartheid forceful removals and land dispossession. Through this policy, the government also hopes to transform both the social and economic relations in the countryside (Hall, 2007). This chapter is therefore going to critically look into the South African land reform programme since the dawn of democracy to the year 2014. This, however, does not mean that any relevant data or information falling outside this period will not be utilised. In unpacking the South African land reform programme, this chapter will explore and discuss the three pillars of the programme (land redistribution, land restitution, and land tenure reform) and their impact on the society as well as landholding patterns in the country.

4.1 Historical Background of Land Dispossession

The debates about the purpose and the direction of land reform have been at the centre of deliberations in many parts of the African continent. Most of these debates are taking place in the Southern part of the continent. This, as one may argue, is informed by the extent to which

land dispossession has occurred in the settler colonies. Inequalities continuously characterize access to land and numerous scholars argue that such inequalities are a result of colonialism and later apartheid rules and laws which have been used to govern the continent (Weideman, 2004).

The enactment of laws legalizing land dispossession, or formalizing it, came long after first land dispossessions took place. At the arrival of the settlers, the land that was viewed as suitable for the settlement of Europeans was alienated, notwithstanding the fact that Africans were already occupying that space. Letsoalo and Thupana (2013: 299) contend that this might have emanated from the failure to comprehend the African landownership system and or maybe a “deliberate capitalisation on the functional nature of the system”. These settlers used this understanding or misinterpretation to dispossess Africans the land which they considered as unoccupied. This was the land which the Africans either used for grazing, cultivation, firewood purposes and water, or a combination of two or more (Letsoalo and Thupana, 2013). Because of landlessness, Africans were therefore forced to provide cheap labour on the land which was once in their possession. Dispossession therefore reduced Africans from being landowners to becoming labour tenants.

In the South African case, the 1913 Native Land Act, the 1936 Native Trust and Land Act as well as the 1950 Group Areas Act were among the laws which were notorious in the cementing of inequalities between the settlers and the natives. These laws facilitated the dispossession and displacement of natives from their land. The magnitude of land dispossession of the indigenous people in South Africa by both the Dutch and the British settlers, as argued by Weideman (2004), was greater than any dispossession which had occurred elsewhere on the African continent. These acts of dispossession have persisted for an extremely long time.

However, the European settlement began in the Cape of Good Hope as early as the 1650s, it then expanded eastwards and northwards spanning over a period of three hundred years. The Khoi community are the first to have been formally forced, in 1658, to relocate from the west side of the Salt and Liesbeek rivers. From this point going forward, military conquest alongside the colonial settlement became the form and the model which facilitated dispossession of the indigenous people. Weideman (2004) contends that ‘trickery and legislation’ always played a great part in the process of dispossession. To elucidate this point, the forceful annexation of the Eastern Cape in the 1800s is cited (Boudreaux, 2010).

During this period, legislation became the tool with which dispossession was facilitated and carried through. The demand for African labour grew as the white agricultural sector expanded. In response to this demand, a tax policy was designed to coerce Africans into wage labour, this policy was put in place in 1860. Under the prescripts of this policy, independent “African tenants on farmland” were heavily taxed, thus forcing them to wage labour (Weideman, 2004). In 1894, Africans saw the enactment of the Glen Grey Act. This signalled the continuing efforts to increase the availability of African labour. The Glen Grey Act guaranteed private ownership of land by whites while confining Africans to communally owned land in the native reserves (Ramutsindela and Mogashoa, 2013).

4.1.1 Laws and Legislations: The Native Land Act 27 of 1913

The 1913 Land Act, as it is popularly known, is seen as a critical moment in the country’s division of land. Walker (2014:655) contends that through the 1913 Land Act, the country was divided into “two irredeemably unequal zones: a fertile, productive heartland comprising 87 percent of the land reserved for whites, and a marginal, unproductive periphery, made up of the 13 percent of land reserved for blacks...”. This Land Act was chief amongst many policies

and legislations which facilitated and entrenched the unequal and racially based landholding pattern in South Africa. Chief among the 1913 Land Act aims was to prevent Africans from buying or owning certain land outside the marked reserves. In essence, this meant that Africans can only be landowners in the reserves, which were not really suitable for massive agricultural activities (Weideman, 2004). Boulle and Julyan (1987) argued that the 1913 Land Act was primarily an effort to segregate and suppress African people. In their view, the Act was created to ensure permanent separation of Africans and white people in the country. This was, on the other end, going to ascertain the availability of cheap labour to white farmers and mines (Boulle and Julyan, 1987).

The 1913 Natives Land Act facilitated the confinement of indigenous people to marginal portions of land in the reserves, and the white settlers took over ninety percent of the country's land (Ntsebeza and Hall, 2007). Ntsebeza and Hall (2007) argue that this Act forced a number of people who were in the rural areas to leave for farms as well as urban areas in the quest for jobs. According to the 1913 Natives Land Act, African people were not allowed to purchase or own land outside of the seven percent of the land which was specifically reserved for them to occupy and use (Ntsebeza and Hall, 2007). As a result of these Native Land Acts, major food insecurity, landlessness, homelessness, and poverty became rife in South Africa. This also resulted into inefficient rural and urban land use patterns and a system of land administration which is fragmented (White Paper on South African Land Policy, 1997).

4.1.2 The Native Trust and Land Act 18 of 1936

The 1936 Native Land and Trust Act also worked as a mechanism to continue with the confinement and segregation of African people in “native reserves”. This Act made stipulations which suggested the expansion of the native reserves from about seven percent to thirteen percent. This, however, did not happen (Lahiff, 2007). The South African Native Trusts were

created in accordance with the prescripts of the Native Trust and Land Act, and the aim was to acquire and administer the land in the reserves. According to Lapping's analysis, the Act served to prohibit the natives from owning and/or buying land which was outside of their reserves, hence limiting their options within the native reserves parameters (Lapping, 1986).

The government obtained the right to cleanse what was referred to as 'black spots'. These were some small parcels of land which under the ownership of black people in what was categorised as 'white areas'. This cleansing meant the expropriation of these parcels of land and resettlement of those removed into the native reserves (de Wet, 1994: 362).

4.1.3 Group Areas Act 41 of 1950

The Group Areas Act is amongst the laws of apartheid which further enhanced segregation and separate development. The urban areas, according to this Act, were going to be divided into different racially segregated zones. This also meant that members of one race lives and work in a zone particularly allocated to them (Thompson, 1990). These Group Areas were therefore created for the "exclusive ownership and occupation of a designated group" (Christopher, 1994: 105). The Act set a clear tone for separate development – which then ascertained the entrenched rural poverty amongst those who lived in the countryside, specifically Africans. After the enactment of this Act, it then became a criminal offence for which one could be prosecuted if found to be living or owning land in an area designated for another race either than his/her (Dyzenhaus, 1991).

Those people and farmers who were landowners outside the reserves because they were somehow exempted from the original legislations both in 1913 and 1936, were later deprived their through the Group Areas Act. This happened through the evictions which were conducted from 1950, right after the enactment of the Group Areas Act (Rugege, 2004; Bosman, 2007).

4.1.4 The Abolition of Racially Based Land Measures Act of 1991

After the unbanning of the ANC and the release of Nelson Mandela, the government of President De Klerk had a task to put in place measures to remove many of the racially based laws which characterised the apartheid regime – many of those being the laws which facilitated land allocation, occupation and use rights. Amongst the laws which had to be repealed are the land laws discussed in the preceding paragraphs (Kloppers and Pienaar, 2014). In March 1991, a white paper on Land Reform was published and this facilitated the repeal of both the 1913 and 1936 Land Acts together with the Group Areas Act. From here onwards, the state enacted the Abolition of Racially Based Land Measures Act of 1991. This Act was promulgated to:

Repeal or amend certain laws so as to abolish certain restrictions based on race or membership of a specific population group on the acquisition of land and utilization of rights to land; to provide for the rationalization of phasing out of certain racially based institutions and statutory and regulatory systems repealed the majority of discriminatory land laws...

To achieve its aims, the Abolition of Racially Based Land Measures Act repealed the Natives Land Act of 1913 and other related laws. This is set out in section 1 of the Act. Section 11 of the Act repealed the Natives Trust and Land Act, while section 12 of the Act contained measures which had to be taken into cognizance during the phasing out of the South African Development Trust. It became crucial that transitional measures are put in place to facilitate the process of transferring land from the Trust to the state institutions established to take care of land transfers (Kloppers and Pienaar, 2014).

This move has been seen as a political response of the government to the calls for abolition of Land Acts made by anti-apartheid activists and movements (Letsoalo and Thupana, 2013). At the same time, this move is also seen as a government strategy to unilaterally implement reform

policies which would later give direction to the kind of land reform policies and strategies of restoring land to the dispossessed. In this way, the government paved a way to pre-empt the land reform policies which were later adopted for addressing the country's land question (Letsoalo and Thupana, 2013).

4.2 The Context of Land Reform in South Africa

The difficulty of dealing with the transition from one form of governance to the other is immeasurable. It is even worse if the transition is from an authoritarian regime to democracy. The 1994 democratic breakthrough is a huge milestone in South Africa's struggle for freedom. The ANC, after taking power, had an immediate responsibility to deliver on what it had promised the majority of the people. The majority of South Africans have always wanted to have access to both residential and productive land. The ANC was therefore expected to deliver on this front. At the same time, the same ANC was expected to uphold and adhere to the agreements reached during the negotiations at Convention for a Democratic South Africa (CODESA). This therefore represented a political dilemma for the ANC-led government as the interests of the previously disenfranchised clashed with those of the enfranchised. This situation presented the government with a need to come up with a land policy suitable for addressing the needs of South African in relation to land. However, it is worth noting that land reform is a volatile and challenging process even in the most stable countries (Huggins and Ochieng, 2005).

The present study therefore departs from a premise that the current land reform programme has failed to deliver on its targets, and in addressing such an issue, an alternative approach to land reform is necessary. The present study builds on the works of researchers and scholars such as Cousins (1997; 1999; 2013), Kirsten (1999), Deininger (1999), Adams and Howell (2001), Lahiff (2003), Twala and Selesho (2013), Du Toit (2013) just to name a few. According to

these authors, there is a need for a radical, but focused model of land reform which will accelerate the process of addressing the injustices that were created by the apartheid's racially skewed distributional order. As a result, addressing the land question, and many other issues embedded to it, has topped both the political and policy makers' agendas since the dawn of democracy in South Africa in 1994.

Land and agrarian reform have, for a very long time, remained in the margin of political debates in the African region. But much of the 1980s and 1990s saw a comeback of this issue on the policy agenda to an unprecedented extent since the "liberation struggles of the 1960s and early 1970s" (Lahiff, 2003). South African and to certain extent Namibian political parties and landless people in these countries have found resonance in the events which occurred in Zimbabwe with regards to addressing the land question. It may be argued that the latter is informed by the persistence of severe racial inequalities in land holding (Lahiff, 2003).

Lahiff (2003) thus argues that the question which should be asked is whether the Zimbabwean case is an exceptional one or an indication of tensions all over the region, and whether the growth in political significance of land in the region "is a product of changes in the regional or global economy, or a culmination of long running processes at a local level" (Lahiff, 2003). A response to this question could assist a great deal in the process of formulating an informed response to the challenges facing the African continent in general and the southern part of the continent in particular.

Even though there are conditions driving the quest for addressing the land question, there is a plethora of themes which can be identified as common or which provide a common context across the region for the politics of land (Lahiff, 2003). In Southern Africa, for example, the

effects of being settler colonies are still being felt in countries such as Namibia, Zimbabwe and South Africa. And these countries have to adopt a special approach of dealing with the issues of land facing their nations. The colonial history which is shared by many countries of the region carries the impoverishment of the rural people and dispossession which shapes both the discourses around the value of land use and patterns of land holding (Lahiff, 2003). It is only through addressing these disparities that more sustainable livelihoods could be obtained in the countryside.

The skewed land ownership distribution along racial lines is a well-known phenomenon in Southern Africa. This is also true, particularly for South Africa where the racial policies of apartheid determined who owned which land and where. The agricultural policies which were aimed at “food self-sufficiency” created a structure of agriculture dominated by mechanized farms which are owned by a small number of individuals and/or companies (Kirsten, 1999). The results of this history of distortion are the ownership of almost eighty percent (80%) of the country’s agricultural land by few individuals (Kirsten, 1999; Boudreaux, 2010).

Given this reality, Kirsten (1999) argues that from it emanate reasons sufficient to call for land reform. In addition, Kirsten argues that if land reform is implemented correctly, it can contribute to increased equity and efficiency, and in increased growth and poverty reduction (Kirsten, 1999). In 1994, the South African government adopted a Land Reform Programme which was aimed at redistributing 30% of the country’s agricultural land over a period of five years. But until 1999, that target was not reached and there were no signs of reaching it anytime soon (Kirsten, 1999).

There is both theoretical reasons and empirical evidence which suggest that land reform has the ability to provide equity and efficiency benefits. There is a huge body of research which suggests the existence of a “robustly negative relationship between farm size and productivity” (Deininger, 1999). Deininger (1999) argues that the latter is informed by the costs of supervision which is associated with employing hired labour. This will, according to Binswanger et al (1995), imply that the redistribution of land from large farms to small farms has a potential to increase productivity (Binswanger et al, 1995). In addition, benefits as insurance to smooth consumption inter-temporally is provided by land ownership. And improved access to credit market is associated with that (Deininger, 1999). A higher aggregate growth could therefore be attained through enabling the poor to undertake indivisible productive investments or even preventing them from depleting their asset base. Cross-country regressions, on aggregate, confirm the “poverty-reducing and growth enhancing impact of a better distribution of productive assets” (Deininger, 1999).

Despite the point which is articulated in the latter paragraph, the actual experience with land reform has in more than a single case failed to meet the expectations or the targets which have been set. Hence the issue of land remains an issue which is highly debated and contested in many countries. Zimbabwe, Namibia, Malawi, Brazil, El Salvador and the Philippine are some of the countries which are spending sizeable amount of time and resources for the purpose of addressing the land question (Deininger, 1999). For success, a mechanism desired is one that would be able to create and provide efficiency and equity enhancing redistribution of assets which in return would be able to bring increase in the overall investment at a cost that is as good as other kinds of government interventions (Deininger, 1999).

South Africa's land reform programme is founded on three pillars: "(1) market-assisted redistribution programme; (2) restitution to the people who were dispossessed by racially discriminatory legislations and/or practices; and (3) tenure reform programme aimed at creating tenure security within a variety of tenure systems" (Cousins, 1997). Both the tenure reform and restitution results from the enactment of new legislations which creates the basis for claims to resources and land, hence they are 'right-based' (Cousins, 1997). The market-led land reform approach has proven to fail as it never assisted to meet the required targets. The population on the ground is becoming less patient, and frankly, the waiting has been too long.

The slow pace of land redistribution has led to the widespread of dissatisfaction with the approach the state is using. Many political bodies, because of dissatisfaction they have with the 'willing-seller, willing-buyer' approach; have made calls for the scrapping of the property clause in the constitution; hoping that expropriation of land will be much easier. Cousins (2013) argue that it is however not clear whether the constraints on land acquisition and transfer are caused by the property clause and that its scrapping will fast track land acquisition. Plans to pass a new expropriation law which is consistent with the provisions of the constitution by the government are under way. This law is expected to allow valuations to take into cognizance a number of factors either than market value of the land. "The current use of property, the history of its acquisition and use, the extent of direct state investment and subsidy in the acquisition and beneficial capital improvement of the property, and the purpose of expropriation" (Cousins, 2013: 13). Reading from these efforts, it shows that the government is starting to realize that the 'willing seller-willing buyer' is not going to help in reaching its targeted goals. But its efforts also paint a picture of a strategy to create a 'black commercial class' of farmers. This therefore can be construed as suggesting that rural poverty and inequality will remain relatively the same unless a new approach is adopted.

4.3 South Africa's Land Reform Programme: 1994-2014

In South Africa, as in many countries in the world, land has always been a sensitive issue. Questions of land ownership, distribution and use still arouse strong emotions and result in heated debate. Our history of conquest and dispossession, of forced removals and racially skewed distribution of land resources has left a complex and difficult legacy. “Derek Hanekom, 1996”

As a response to the disproportionate distribution of land in the country, the government of South Africa came up with the land reform programme which amongst other things aimed at effectively addressing:

- The inequities embedded in the distribution of land ownership;
- The immediate need for secured tenure for all persons;
- The need for sustainable and productive use of land;
- The need for rapidly realising land to allow development to commence;
- The urgent need to record and register all property rights; and
- The need to establish an effective administration of public land (Department of Land Affairs, 1996: i).

For South African land reform, the task was more than just changing land relations as a way of redressing past injustices regarding access to land, but it also had to foster stability in the country and reconcile the nation. Economic growth, improved household welfare and poverty eradication were also to be realized through the implementation of the land reform programme (Department of Land Affairs, 1996).

As indicated in the preceding section, South Africa's land reform programme is based on three pillars which seek to address different aspects of lives of the previously disadvantaged people.

Among the tasks of these different pillars is to ensure access to land by the landless, restore land rights of those who had been affected by dispossession, and provide secured tenure for all including farmworkers (Kirsten, 1996; Cousins, 1997). However, the success of land reform cannot not only be measured by the number of people who have access and have secure rights to land. But the productivity of that land and its contribution to sustainable rural livelihoods is equally important as a measure of success.

Acknowledging this fact, the Department of Land Affairs, in its Green Paper on South African Land Policy, asserted the importance of providing ‘support services, infrastructural and development programmes’ in an effort to improve the quality of life, especially of those in the countryside (Department of Land Affairs, 1996:1). This therefore meant that particular attention needed to be paid to post-settlement support such as infrastructure development, education/capacity building programmes in order to help beneficiaries used the land productively.

The government has always accepted that the successful implementation of land reform programmes need cooperative partnerships between the state, private sector and non-governmental organizations (NGO’s). The cooperation of these stakeholders, in the view of the state, can assist in the implementation of a programme which will contribute to stability, reconciliation, development and growth in a way that is both equitable as well as sustainable (Department of Land Affairs, 1996). South Africa’s land reform programme therefore aimed at immensely contributing to economic development through providing households with an opportunity to engage in productive land use while at the same time encouraging greater investment for increase in employment opportunities (Department of Land Affairs, 1996).

There is a number of principles which underpins the South African land reform programme. Amongst those principles, it’s the quest for social justice. It is therefore continuously argued

that since land is a basic human need, addressing the prevalent landlessness should always be the government's priority. The country's land reform programme had initially been pro-poor people, and acknowledged the need for identifying and prioritizing the poor people so as to afford them land and allow them to contribute to income and food security. The state was therefore to prioritize the existing labour tenants, evicted people, women and landless farmworkers. The major aim here was to help those communities or people who cannot enter the land market on their own. Consequently, the finances injected to the programme had to prioritize access to land/land market by those with little equity (Department of Land Affairs, 1996).

In its implementation of the land reform programme, South Africa used the willing buyer-willing seller approach as a method of redistributing land. This approach was viewed by many of those who contribute to the land reform literature as a model that will reduce political contestation to the implementation of land reform in the country. Binswanger (1996) and Kirsten and van Zyl (1999) are among those who had believed that the willing buyer-willing seller approach will increase land reform's political sustainability. According to Kirsten and van Zyl (1999), market-led land reform and expropriation with compensation at a market value has a series of advantages. Amongst those advantages is that: "a) a more poorly organized coalition of beneficiaries may be able to will at the legislative stage; b) the annual budget process for funding the grants can rely on a broader and more focussed coalition of supporters; and c) market prices can be influenced by policies which eliminates the privilege of the large scale sector" (Kirsten and van Zyl, 1999: 328).

The willing buyer-willing seller approach has however not assisted the government in meeting its set targets of redistributing 30% of land by 1999. This approach, according to Ntsebeza and Hall (2007: 87), has inherent limitations as demonstrated, with particular reference, to "grant based land purchases". The argument advanced by these authors is that the failure of

government to intervene in the markets has negatively hampered land reform. Their argument is based on the fact that even in areas where land reform has taken place, the structure of structural holdings is more or less intact. Because of this, Ntsebeza and Hall (2007) believes that there are very few options offered by this approach to poor applicants.

4.3.1 Land Redistribution Programme

The aim of land redistribution is the reallocation of land to landless and dispossessed people. This, like the other aspects of South African land reform programme, finds expression in the Constitution of the Republic. Section 25 (5) of the Constitution states that: ‘the state must take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis (The Constitution of the Republic of South Africa, 1996). This section of the Constitution therefore gave powers to the state to do, within its available resources all that will help create conditions that will allow the landless to have access to land. The South African state is, as a result of this section of the Constitution, expected to put in place legislations and other institutions ‘to foster conditions which enable citizens to gain access to land’.

Although access to land is among the group of other socio-economic rights which are found in the Bill of Rights, there is nothing explicitly suggesting that everyone has the right to own land (Jacobs *et al*, 2003). There are also no international human rights instruments which provides for a direct right to accessing land. However, there are some fundamental human rights from which the right to access land can be derived. From the prescriptions of Article 17 of Universal Declaration of Human Rights, it is stated that ‘everyone has a right to own property’ and that such a right should be encroached arbitrarily by anyone. This includes the rights to food and housing (General Assembly Resolution 217A, 1948). One can therefore reasonably conclude

that the right to access land can be inferred from this. People need land for them to have houses, they also need land for them to be able plant food to sustain their livelihoods.

The majority of rural inhabitants rely on land for them to be able to provide shelter and food for their families, but without land, this is impossible. Land therefore is not only valuable in relation to market crops and food, but it is also important for other non-commodity resources which it makes available to the rural poor. Firewood, grazing land, medical herbs and craft materials are among the many resources which land makes available to the rural population (Walker, 2003). Consequently, access to land is very crucial for the creation and enhancing the sustainability of rural livelihoods. It should therefore not be viewed as important for business only, but also as of paramount importance in enhancing the lives of the rural inhabitants.

The state, in response to the challenges of landlessness, may choose to purchase or expropriate land owned by private bodies/individuals for redistribution to the landless. It may also opt for redistributing state-owned land and avail subsidies to those who want to purchase land. As part of meeting its obligations, the state may also facilitate access to credit under terms which will be favourable to people (Lahiff and Rugege, 2002). Property rights are protected against arbitrary action by the state in section 25, Ss (1), (2), (3) and (4) of the Constitution. However, the same Constitution is explicit in that property rights are neither inalienable nor absolute. As a result, private property may be expropriated by the state in terms of law of general application “for public purpose or in the public interest”. According to the Constitution, however, expropriation is subject to a just and equitable compensation (Constitution of the Republic of South Africa, 1996).

The major aim of land redistribution is to try and redress the racial imbalances in landholding which emanated from the previous regimes’ distributional orders. Legally, redistribution is founded on the provisions of the Provision of Certain Land for Settlement Act 126 of 1993.

This Act was later amended in 1998 to be known as Provision of Land and Assistance Act (Tshuma, 2012). According to Oettle *et al* (1998), the major objective of land redistribution is to provide land for both residential and productive purposes to the poor people so that they can improve their livelihoods. As a result, Lahiff (2007) held that among the targeted population, are those who are interested in accessing land for agricultural production. These would be labour tenants, farms workers and emerging farmers. But other part of this land would be given to the rural and urban poor for residential purposes. In Sibanda's view, land redistribution catered for those people who are interested in commonage schemes, group production and farm worker equity (Sibanda, 2001).

Notwithstanding that the intended beneficiaries of land redistribution were poor, acquisition of land for redistribution relied on the willing buyer-willing seller approach. This meant that those who are in possession of land have to be willing to sell their land to intended beneficiaries who, in turn, must also be willing to buy such land at a market price. At a face value, this approach seem wonderful, but literature has shown that purchasing land has been difficult since its market value exceeded its productive value. Tshuma (2012: 1971) argues that this was due to “input and product subsidies granted to white commercial farmers during the apartheid era”. This therefore allowed white commercial farmers to get more through, even when they produced less, because of the government subsidies which were provide to them. Consequently, the land prices were pushed up by these grants regardless of the land's production levels.

As a strategy to facilitate purchasing of land by disadvantaged buyers, the South African government adopted the World Bank's recommendations – that of making cash grants available to disadvantaged buyers (Lyne and Darroch, 2003). These cash grants, as pointed out by Thoko Didiza (2006), were set up and allocated under the guidance of the Provision of Land and Assistance Act which allowed the prospective beneficiaries to access grants through two programmes:

- The Settlement and Land Acquisition Grant (SLAG), and
- Land Redistribution for Agricultural Development (LRAD).

4.3.1.1 The Settlement and Land Acquisition Grant (SLAG)

From 1995 to 1999, the government made the Settlement and Land Acquisition Grant (SLAG) available to poor households to allow them to buy land. Each household which benefited from this grant was given R16 000, and because this money was not enough for the purchase of land, these households often put together their grants in order to be able to have enough for purchasing land (Hall, 2004; Boudreaux, 2010; Tshuma, 2012). According to Didiza (2006), this grant was structured in a way that allowed the initiation of different projects. SLAG covered projects such as the group and individual production, group settlements, on and off farm settlements as well as farm-worker equity schemes.

The Ministry of Agriculture and Land Affairs, by the end of year 2000, had approved about 484 projects. These projects took about 780 407 ha which was transferred to at least 55 383 households through the SLAG system (Turner and Ibsen, 2000). Although this might sound like a great success, the reality is that the land transferred from 1994 to 1997 was less than 1.2 %. This amount of land transferred was way too low than the set target of redistributing 30% of the agricultural land by 1999 (Tshuma, 2012).

This model of redistributing land was criticized, amongst other things, for being ‘very slow to get started with SLAG projects and for being a very poor buyer of land with long delays and uncertainties’ which led to owner who had initially been willing to sell their to withdraw their offers. The government was also criticized for the size/amount of grants which were made available through this programme (Boudreaux, 2010). According to Hall (2004: 25), this programme was also criticized for reproducing overcrowding as it did not link the ‘acquisition of land to support and resources’ to allow beneficiaries to generate sustainable livelihoods out

of it. Because the beneficiaries of this programme were poor and unable to access credit market, it became highly impossible for them to buy the much needed agricultural inputs for their land. As a result of lack or total absence of other financial support from the state, NGOs and other financial institutions, beneficiaries of the SLAG programme could transcend to commercial farming (Boudreaux, 2010).

After the 1999 elections, the SLAG programme was suspended because of its 'lengthy project cycles, excessive bureaucracy and reliance on outside consultants to formulate project plans without real participation by beneficiaries themselves, over-centralization of the decision making process, and low levels of complementary support services' (Tshuma, 2012: 1971). As a response to criticism regarding SLAG, the government announced that there is a new policy direction to be pursued. The government, again, confirmed its target of redistributing 30% of the agricultural land, only that this time the target was to span over a period of 15 year [from 2000 to 2015]... and the way in which this target will be obtained was through the establishment of black/African class of commercial farmers (Hall, 2004; Ntsebeza and Hall, 2007).

4.3.1.2 Land Redistribution for Agricultural Development (LRAD) Programme

The Land Redistribution for Agricultural Development (LRAD) programme was designed, unlike the SLAG, to cater for beneficiaries with capital/savings to invest in their farms. Hall (2004) notes that the government preferred those with agricultural diplomas. This somehow excluded some people who would have otherwise been interested in applying for grants through this programme. The size of the grant a beneficiary (prospective) would receive relied on the amount of capital which the beneficiary (prospective) could inject into the farm. The amount which beneficiaries needed to contribute for the cost of land varied from R5000 up to R400 000

and, depending on the amount of this contribution, beneficiaries became eligible for grants starting from R20 000 up to R100 000 (Hall, 2004; Tshuma, 2012).

As it has been indicated above, the SLAG system was means tested, in that it had a certain income level which measured the eligibility of beneficiaries. LRAD, unlike its predecessor, offered grants based on a sliding scale depending on how much each beneficiary is going to inject into the farm (Ntsebeza and Hall, 2007: 90). Projects and grants under LRAD differed from province to province, and sometimes within provinces. In KwaZulu-Natal, for example, majority of projects under the LRAD system are grouped towards the ‘top of the sliding scale, involving substantial capital contributions from the applicants themselves as well as loan finance’. The same could not be said about other provinces though as many projects at a national level, remained at the bottom of the scale as a result of applicants failure to commit financial resources (Ntsebeza and Hall, 2007: 91).

Land redistribution in South Africa is facing a rather colossal challenge in its attempts to achieve greater equity in the ownership of land and also in the improvement of the rural livelihoods. Land redistribution is still largely affected by the discretionary means with which grants for purchasing land in an open market are provided to beneficiaries. Lahiff (2008) argued that there is a worrying trend wherein the state purchase land without necessarily knowing those who are to benefit from such land. He further argued that this has a potential to change the policy direction from a demand driven to a supply driven approach. Resulting from this would be a situation where beneficiaries are not involved in the decision making process regarding the purchased land or even in ‘the post-purchase planning for the land’. This may lead, as argued by Lahiff (2008: 3), to a statist approach where the selection of beneficiaries and the implementation of projects will solely be in the hands of the state.

Both the mid-term review (Department of Land Affairs, 1997a) and the Review of the Land Reform Programme (Department of Land Affairs, 1999), has pointed out at how important is the provision of support after the transfer of land to the general success of the land redistribution programme. However, almost all the key actors in the programme have not been able to provide such support to beneficiaries. The White Paper on Land Policy states that, among others, complimentary development support services which should be provided to beneficiaries include farm credit, agricultural inputs and to equip beneficiaries on how to sustainably and productively use the land (Department of Land Affairs, 1997a). In 2008, there were no institutions which were specifically tasked to provide post-settlement support to beneficiaries of land redistribution, and there are no clear efforts of funding the provision of such assistance (Lahiff, 2008).

LRAD as a system of redistributing land, has met a lot of criticism for the requirements that the beneficiaries had to meet before getting grants. Largely, this programme is criticised for doing little to nothing in an attempt to provide support to very poor rural inhabitants. Instead of supporting the rural poor, the programme is seen as focusing on assisting black persons with large financial bases. These are the people who are more likely to become commercial farmers (Boudreaux, 2010). This has been a clear indication of a shift in government's policy direction from a pro-poor focus to the creation of black commercial farmers. Lahiff (2006) argued that this shift in government's redistribution policy indicates the government's commitment to deracializing the country's commercial farming instead of racially restructuring the agricultural sector.

4.3.2 Land Restitution

The goal of the restitution policy is to restore land and provide other restitutionary remedies to the people dispossessed by racially discriminatory

legislation and practice, in such a way as to provide support to the vital process of reconciliation, reconstruction and development... (Department of Land Affairs, 1996: 34).

Land restitution programme aims at providing restitution of land rights to people and communities who were dispossessed of their rights to land after the enactment of the 1913 Land Act in June 1913. The African population (major victims of dispossession), because of the forceful removals which were set up to facilitate racial segregation and separate development, suffered a lot and faced many difficulties in the overcrowded Bantustans. It therefore follows that the current land issues cannot be addressed without the issues of historical dispossession being addressed. At the end of apartheid, remedies to this situation became more important than ever.

The 1993 interim Constitution, the 1996 Constitution and the Restitution of Land Rights Act of 1994 (as amended in 1997) provides a legal basis for land restitution. Resulting from the Restitution of Land Rights Act is the establishment of the Commission on the Restitution of Land Rights (CRLR). A special court, Land Claims Court, a court equivalent to the High Courts was also established to deal with land related claims (Lahiff, 2001). There are three broad classifications of relief provisions made by the Act to the claimants: the land under claim being restored; allocation of alternative land, and/or financially compensating the claimants. According to Lahiff (2001), there is also special access to government development projects given to claimants.

All restitution claims are against the state and not the individuals or groupings who owns the land. As per government target, all restitution claims were supposed to be filed by the end of December, 1998. All these cases were then expected to be resolved by 2008, but this did not happen as this deadline passed with many cases still to be resolved. There were about 80 000

claims lodged for both urban and rural land claims. In March 2009, of all the lodged claims, 4 296 cases were still not resolved and the majority of these cases were those made over rural land (Boudreaux, 2010: 15).

It is a widely known fact that the process of land restitution in South Africa started at a very slow pace (Lyne and Darroch, 2004). Among the things that contributed to this slow progress is the 'time consuming' nature of these claims, their cost, as well as the difficulty on part of government to process tens of thousands of claims (Boudreaux, 2010). The ANC, in a Land Reform Policy Discussion Document, identified the following as the major factors which hindered the fast and smooth processing of restitution cases:

- Exorbitant land prices and protracted negotiations to settle claims;
- Complexities of settling rural land claims in the absence of documented evidence;
- Fraudulent claims;
- Non-disclosure by claimants; and
- Competing claims on the same piece of property (ANC, 2012).

This remains the major challenge regarding the restitution of rights to the dispossessed. A challenge which the government still find difficult to resolve. The state, as a response to the very slow process of finalising claims, adopted to take an administrative route of resolving the matter. A route which moved away from the use of court as was initially adopted. This move saw a dramatic increase in settling claims between 2001 and 2002. Within only one year, 18 000 claims were settled. Parallel to this was the drop on the number of households per claim (Hall, 2004). On one hand, majority of the settled claims over the past has been those of individual households, particularly in the urban areas. These claims have been settled through cash payments. On the other hand, there are very few rural claims which have been settled.

There is a bulk of rural land claims which have not yet been settled, and these are claims which involves large numbers of people and large tracts of land (CRLR, 2003b; Hall, 2004).

4.3.3 Land Tenure Reform

“The goal of government’s land tenure reform is to extend security of tenure to all South Africans under diverse forms of tenure...tenure reform, by clarifying and strengthening the rights of individuals, families, and groups to the land they occupy, will constitute a grant of real land rights to the rural and urban poor...”(Department of Land Affairs, 1996).

Adams *et al* (1999) describes land tenure reform as “planned change in the terms and conditions on which land is held, used and transacted” (1999: 9). The basic goal of tenure reform is to strengthen the rights of people to land and as a result, providing them with tenure security. Karol Boudreaux (2010) argues that land tenure reform is an attempt to “clarify and strengthen tenure rights of farm workers living on privately owned white farms as lessees and people living in former homelands”. Both Adams *et al* (1999) and Boudreaux (2010) in their articulation of what land tenure reform is, also make clear the intentions of what it seeks to achieve.

Improving and securing tenure rights is a constitutional requirement in South Africa, but the implementation of land tenure reform has been very slow. What seem to be the main achievement made regarding tenure reform is the enactment of laws whose aim is the creation of ‘statutory rights’ in land for different people in the different landholding categories. The enacted laws included the Extension of Security of Tenure Act (ESTA), 1997 (Act No. 62 of 1997), Land Reform (labour Tenants) Act, 1996 (Act No. 3 of 1996) and the Interim Protection of Informal Land Rights Act (IPILRA), 1996 (Act No.31 of 1996).

4.3.3.1 Extension of Security of Tenure Act (ESTA)

The Extension of Security of Tenure Act provides security of tenure to people who lives on farms which belong to others. This Act regulates the eviction of people in farms. The main aim of ESTA is to protect people who lives on farmland from eviction and also to regulate and facilitate the conduction of legal evictions – in accordance with the law and the Constitution (Pepeteka, 2013). In the ESTA, rights and duties of both the landowners and farm dwellers as well as the legal procedures which are to be followed when carrying out an eviction are set out. It is, however, worth noting that the success of the legislation in curbing illegal evictions has been very minimal. A survey (referred to in Pepeteka) indicates that the illegal evictions which occurred between 1994 and 2004 were of high magnitude. Over two million farm dwellers (the majority of whom were women and children) have been displaced during the latter mentioned period (Pepeteka, 2013).

Despite the laws put in place, illegal evictions still continue to take place and this is an indication that the justice system is failing the people in that it is not punishing those who break the law regarding illegal evictions. There is a need therefore, to tighten up the Acts regulating evictions so as to ensure that there are no loopholes which can be exploited by those breaking the law (Rugege, 2004).

4.3.3.2 Labour Tenants Act (LTA), 1996

Labour tenants and those who occupy and/or use land resulting from their association with labour tenants are protected by the Labour Tenants Act. The procedural rights given to labour tenants are the same as those given to other land occupiers which are granted in terms of ESTA. The LTA however, is different from ESTA in that beyond regulating evictions, it also create an opportunity (although limited) for labour tenants and those who are close to them to acquire land. These people can therefore claim ownership of the land they are occupying and using.

This Act, as it is the case with ESTA, has not been effective in providing the much needed and necessary support for labour tenants (Pepeteka, 2013). The government has, however, been engaging in a review process so that a strategy to close the gaps in both the LTA and ESTA could be devised.

4.3.3.3 Communal Tenure

In 2004, the government passed the Communal Land Rights Act - CLaRA (Act No. 11 of 2004). The aim of this Act is to give communal land inhabitants a right to become owners of the land they are occupying – either as communities, households or even individuals. This therefore mean that the people will be able to own the land rather than merely being permitted to occupy it – as it is the case currently where people are given permission to occupy (PTO). The Constitutional Court ruling (in *Tongoane and Others v Minister of Agriculture and Land Affairs and Others*) declared CLaRA as invalid, and this decision was based on procedural grounds. As a result of this ruling, the people who live in communal areas are still only protected by the Interim Protection of Informal Land Rights Act (IPILRA) (Rugege, 2004).

The provision of secured land tenure has been faced with a plethora of challenges. Among these are the lack/absence of legal representation for farm dwellers; the role-players' limited knowledge of the legislation; incompliance with the legislation; and the absence of a monitoring system for monitoring evictions. In an attempt to respond to some of these challenges, the Department of Rural Development and Land Reform (DRDLR) has developed a Land Rights Management Facility (LRMF). The LRMF is designed to assist with the protection of tenure rights for those who live in farms. This is done in conjunction with the Department of Justice (DoJ) and other government agencies. The key focus areas of this facility is the provision of legal advice and representation to farm dwellers; provision of mediation services where necessary; and monitoring the evictions (Pepeteka, 2013).

4.4 Conclusion

This chapter dealt with the history of South Africa's land question, how the country got to where it is right now in terms of landholding patterns. In doing this, the chapter explored and unpacked some of the key laws and legislations which facilitated the creation of what is now the country's landholding pattern. The impact of such landholding to the livelihoods of the African people, mostly the inhabitants in the countryside, has also been briefly discussed. The chapter then discussed the different pillars of land reform (Land Redistribution, Land Restitution and Land Tenure Reform). These were discussed separately, looking at how each has fared since 1994 and how each had and is continuously affecting the lives of the people as well as their access to land.

The discussions on the impact of the 1913 Land Act, the 1936 Native Trust and Land Act and other related laws revealed how both the colonial and apartheid legislations shaped the lives of black people, and Africans in particular. These laws determined how the lives Africans develop and to what extent. The extent to which these laws impeded on the development of Africans who were squashed and continue to be in the homelands/bantustans has also been part of the discussions. The chapter further discussed the democratic government's efforts to redress the past injustices. Land reform is therefore unpacked in this regard. As has been indicated above, different pillars of land reform are discussed – their progress since the inception of the programme, successes as well as limitations. The next chapter is going to further tap into how land reform impacts on the livelihoods of rural inhabitants and the bearing it has on rural development.

CHAPTER FIVE

RURAL DEVELOPMENT REALITIES IN SOUTH AFRICA

5. Introduction:

The previous chapters (chapter 3 and chapter 4) have looked into the international and South African cases of land reform respectively. In these chapters, land reform programmes have been discussed extensively, pointing out successes and shortcomings of each case. The present chapter is going to deal with rural development realities in South Africa and the role of land and agrarian reform in such a development. This chapter, in pursuit of its purpose, will analyse and discuss data collected from both the fieldwork (interviews) and that which was collected from the desktop research (the analysis of already existing literature). On one hand, the integration of the data analysis (desktop and empirical) will assist in unpacking the complexities embedded on the issues surrounding the rural development realities in South Africa. On the other hand, this parallel use of information will allow one to draw valuable insights from both existing literature and current experiences of those who are stakeholders in the rural development processes.

5.1 The legacy of poverty and under-development

South Africa's rural poverty and underdevelopment are an epitome of the ruthless colonial and apartheid policies. Many of the stakeholders in the rural development realm agree that apartheid's separate development gave birth to what is seen as rural poverty and under-development today. As a result of separate development, the segregated South Africa was divided into three types of social, economic, and political administrative spaces. These spaces were: the major urban areas preserved for white people; fertile commercial farmland and small rural towns associated with the farmlands were also preserved for white people; and the barren

homelands which were reserved for African people (Ngomane, 2012). Consequently, the homelands experienced the under-utilisation and/or unsustainable use of Natural Resources (NR). The rural inhabitants also had to deal with poor access to both social and economic infrastructure as well as the poor government services.

The current rural livelihoods are characterized by both continuities of the past as well as more contemporary changes. These rural livelihoods are also influenced by recently occurred developments – the expansion of state social assistance and the ascendancy of supermarket retail. In 2011, the NISS study showed that about 96% of rural inhabitants identified supermarkets as their source of food supply (Ngomane, 2012). More than half of households in the former homelands rely on social grants for their livelihoods, but these grants are not used in a strategic way that would facilitate the sustainability of the rural economy. Rather these grants are spent largely on big formal capital – which then create and facilitate a vicious cycle of rural poverty and inequality (Ngomane, 2012).

The racialized land dispossession and underdevelopment has been the main driver of the decline in African smallholder agriculture for the most part of the twentieth century. This racialized dispossession and underdevelopment was used to facilitate the availability of African cheap labour for the industrial capitalism (Neves *et al*, 2013). From this, emanated the embeddedness nature of rural poverty that we seek to alleviate today.

The widespread and persistence of poverty in South Africa is disproportionately rural. May *et al* (2000), held that 72% of South Africa's poor people are those living in the rural areas. Consequently, the poorest provinces are those which incorporate large proportions of former homelands/Bantustans: KwaZulu-Natal, Limpopo and the Eastern Cape (Aliber, 2003). These former homelands account for about 43% of the country's population (Nobel and Wright, 2012). Notwithstanding this, the relative proportion of the poor who lives in the countryside

has been reduced by the urban migration. Leibbrandt *et al* (2010), on the other hand, held that there has been a decrease in the proportion of the rural poor from ‘62% in 1996’ to ‘56% in 2001. This, as suggested by Cousins (2007), is influenced by the fact that the provision of government grants has risen. Otherwise, many of its recipients would be living below poverty line.

5.2 The Reconstruction and Development Programme (RDP)

South Africa’s first democratically elected government, in 1994, inherited a country withered by extreme levels of poverty. The high level of poverty was accompanied by worsening unemployment levels and unimaginable income inequalities. The Reconstruction and Development Programme (RDP)¹ introduced an integrated socio-economic policy framework. The aim of this policy framework included the eradication of the legacies of the past – through redressing inequalities and building a vibrant society (Kloppers and Pienaar, 2014). The RDP acknowledged the pervasive nature of poverty in the country and how it affected the millions of South African, especially those living in rural areas. The RDP identified a number of issues which needed to be resolved in order to redress extreme poverty and deprivation. Among these issues, the provision of land to the landless and homes to those who do not have adequate housing – with access to safe drinking water and sanitation. It is through RDP that the first democratic government realized and recognised the importance of meeting basic human needs, including human resource development (Kloppers and Pienaar, 2014).

As a poverty reduction strategy, the programme identified four pillars which were to facilitate the provision of basic needs to the poor. These pillars were:

¹ The RDP is an integrated, coherent socio-economic policy framework introduced in 1994 to redress past injustice which created a racially distorted the country’s income distribution.

- The creation of opportunities for all South Africans that will develop them to their full potential;
- Boost production and increase household income through job creation, improving conditions of employment, increasing productivity and efficiency;
- Improving people's living conditions through creating easy access to basic health care, physical and social services, as well as education and training for the rural inhabitants; and
- Establishing a system of social security and other forms of safety nets to protect the vulnerable people (the poor, the disabled, the elderly and children).

In the RDP, land was recognised as the most important basic need for the rural inhabitants – a need that is a consequent of years of discriminate policies and laws. From this understanding, the creation of a comprehensive land reform policy became necessary for addressing the issues of rampant poverty, inequality of income distribution and landlessness (Kloppers and Pienaar, 2014). The first initiatives of rural development emanated from the RDP – central to it was rural poverty alleviation through the provision of basic human needs including land. Human resource development including adult education was also identified as part of what needs to be prioritised in order to achieve poverty reduction and self-sustaining communities.

5.3 Rural dilemma: Poverty and disease in rural areas

There is a plethora of challenges facing the rural inhabitants in South Africa and elsewhere in the world. Pervasive rural poverty, feminization of rural areas (men leave for urban areas to look for better opportunities), feminization of rural agriculture as well as feminization of poverty² (women are the ones who work the land to derive livelihood and they are the ones

² Feminization of poverty refers to the increase in the relative levels of poverty among women/female headed households (Pheko, 2011).

who are highly stricken by poverty in the rural areas) and disease are among the challenges people in the countryside have to grapple with.

5.3.1 Feminization of poverty:

In any given society, the disadvantaged position is based on class, race and gender relations – the women’s access to social resources and opportunities is therefore defined by these relations. It is therefore important to explore the effects that these relations have on different aspects of women’s life in general and rural women in particular. In this context, class should be understood and conceptualised as “social relations premised on access to resources as well as the production, exchange, distribution and consumption of goods and services” on one hand (Kehler, 2001: 43). On the other hand, ‘gender’ should be understood to be inclusive of social roles and attitudes as well as expectations as they are the factors that describe social and cultural beliefs in relation to women and men interactions in society. Gender can therefore be understood to cover both “sexual division of labour and cultural definitions and ascriptions concerning femininity and masculinity” (Bradley, 1998: 22).

Individuals’ socio-economic standing in society, beside class and gender, is also defined by other factors such as race and ethnicity. A lot of work has been written regarding how the term ‘race’ is simplified, in most cases, to racists physiology – while ethnicity refers to the complex nature of social, economic, political as well as cultural influences that define ethnic identities. According to Epstein (1998: 51), ethnicity should be “regarded as a set of processes through which relational differences between groups are constructed and held in place...they will differ over time and in relation to socio-economic and political change, and will also carry varying salience for different people at different times. Ethnic groups do not, therefore, depend on ties, which go back into the far distant...Ethnic groups are formed and exist through economic, political and cultural practices and material relations of power...there are many differences

within any ethnic group, alongside lines of gender, religion, language, caste or class". Therefore, it can be logically argued that race and gender are relational concepts that define social, economic as well as political roles and functions in society. These concepts are bound to change in relation to changing times and conditions that define them.

Women's position in any given society is determined by both their access and role in paid employment and "the status accorded to their reproductive and domestic role" (Hakim, 1996: 5). However, the inequality that women experience emanates from the gendered-based definition of their social roles and responsibilities. Kehler (2001: 44) argues that in the prevailing cultural and social norms, women are regarded as "less valuable members of society, which is not reflected in the attitudes and behaviours they experience daily". Women's social primary role, as defined by society and culture, is caregiving and caretaking, whilst men's role is seen to be that of a breadwinner. In conjunction with this division of responsibilities within social structures, there is a belief which portrays women's contribution to the sustainability of the family as less important than that of men.

In the South African context, the above is a clear indication of why African rural women are the poorest and why their experience of poverty and inequality is different to that of men. The above context also clearly indicates why the change in socio-economic status of society has a different impact on rural women. The lack of African rural women's access to basic services and resources is interlinked with the unequal access to family resources – including land and livestock (Kehler, 2001). This therefore explains why African rural women are not only the poorest of the poor in society, but also in their very own families. This further explains why the level and kind of poverty they experience is different to that of their male counterparts. This, according to Kehler (2001) translates to a situation where the African rural women are not only burdened by the multiple roles concerning both their productive and reproductive

responsibilities, but also having to deal with subjugation and discrimination both inside and outside their homes.

In short, if access to resources and opportunities continue being determined by race, class, and gender-roles, women will continue to carry the burden of poverty inequality. Or, as Geisler and Hansen (1994: 96) put it “...as long as men control productive resources (land, labour, tools, credit, and housing), women’s prospects are likely to differ from men’s, the more so under condition of economic pressure”. To overturn the situation, there is an urgent need to effect policies related to gender equality and poverty alleviation. These policies have to recognize that women have multiple roles in society – including the social, economic and other informal contributions to the growth of society in their localities and to that of the country as a whole. It is only then that the cycle of poverty ravaging rural women could be broken, and their socio-economic empowerment be realized.

5.3.2 Feminization of rural Agriculture³

Since the invention of agriculture, rural women have always been involved in the agricultural production. The type and magnitude of their involvement in agricultural production has varied widely overtime in different regions of the world. It is however only in the last few decades where the role of women in agriculture became more evident. This is, in part, a result of an attempt to collect more accurate data which measures the activities of women in rural areas. As men usually migrate to the urban areas for employment opportunities, women shoulder the burden of ensuring that the household survives (FAO, 1999). Although on farm employment decreased in the 1990s, the proportion of women in this sector increased – particularly in the

³ Feminization of agriculture is a trend which sees an increase in women participation in agricultural labour force, particularly in the developing world – whether as independent producers, as unremunerated family workers, or as agricultural wage workers.

developing countries. This is therefore the trend which is regarded as the ‘feminization of agriculture’.

According to Katz (2003: 33-35), feminization of agriculture refers to “women’s increased participation in the agricultural labour force, whether as independent producers, as unremunerated family workers, or as agricultural wage workers”. Women’s role on the farms is not only in the field and pastures, but they also work in the agricultural processing and packaging plants. Women therefore participate in agriculture for different purposes and expecting different outcomes. There are those who are independent producers – they either produce for household consumption or for selling. At times they do both as some only sell the surplus.

The following section looks at how rural-urban migration occurs as well as how it affects or influences household income. It is in that section where the role of women, as minders of the household, while men have gone for job-hunting in the urban areas is further explored.

5.3.3 Rural-urban migration in South Africa

Migration is quite prevalent in South Africa, both as historical experience and contemporary activity. South Africa’s spatial development system still reflects the apartheid’s system of “rural areas (almost only black people), commercial farming areas (largely white ownership and black or coloured workers), spatially divided towns and cities, peri-urban shack settlements” (Atkinson, 2014: 38). Under this kind of setting, migration has always been a key component of the labour system, as African people from the rural areas continuously attempted to break through to urban economy. These attempts, for many of them, have been a success as they have been able to join the ranks of professionals and middle class. There are still many other rural inhabitants who still attempt to escape rural poverty through migrating to urban areas. Notwithstanding the high levels of migration to urban areas, many of those who migrate

still keep their rural homes as safety nets – others keep them so that they can return back after retirement (Atkinson, 2014). This therefore mean that migration is not a one-way route since there are those who move from urban to rural areas and vice versa.

There is a key question regarding migration, and that is: Why do people migrate? The most obvious and simple answer is that they migrate in search of better job opportunities. There are however ‘new’ migration patterns. Many people now migrate mainly as an attempt to better access government services. These new migration patterns also open up new opportunities for groups of people who have been trapped in the past – particularly women, who may wish to flee patriarchal system in the countryside. Others may well migrate just because there are others who are migrating – many young people migrate so that they can experience the city life (Atkinson, 2014). Motives for migration therefore vary pure desperation to rational job-hunting, from seeking personal empowerment to upward social mobility, from concerns about government’s service delivery to pure desire for better education and training. This picture of migration therefore does not allow for simple generalization regarding why people decide to move from one place to the other.

There seem to be a correlation between purpose of migration – search for jobs against search for a better lifestyle or government services, and nature of migration taking place – temporary or permanent. Collinson *et al* (2007) argued that the decision for permanent migration may be influenced by migrants getting married or divorced ...and some migrate because they want to take out their families from the countryside in a quest for easy and better access to services. However, the ones who migrate for job-seeking follow a temporary migration pattern – and these migrants may go back to the rural areas if they so wish if the prospects of employment improve there. What is clear from these patterns of migration is that those who seek and obtain immovable assets such as ‘land and infrastructure’ are interested in permanent migration (Atkinson, 2014).

Generally, the migration issue is extremely complex in that although there is a strong rural-urban migration pattern, other patterns of migration do exist and there is a possibility of them increasing. What seem to be the major causal factor influencing the existence of the different patterns of migration is the weak formal economy. As a result of the weaknesses in the formal economy, there are not enough jobs which would attract rural inhabitants who seek jobs. In effect, as argued by Atkinson (2014: 42), the country's weak economy maintains the existing complex spatial patterns.

5.3.4 Migration, poverty and disease in rural areas

The poor households are the ones which are highly affected by disease in the rural communities as accessing basic health services is difficult. Rural-urban migration is amongst the many factors that contribute to diseases, and therefore poverty in the countryside. According to Rehle and Shisana (2003) and Singh (2005) as quoted in Atkinson (2014), South Africa is supposedly having the largest number of people living with the HIV/AIDS epidemic in the world. Singh (2005: 28) cited a report by the Red Cross which declared that HIV/AIDS in Southern Africa has reached "unprecedented disaster that conventional interventions can no longer contain". South Africa, in 2004, had about 21.5% people infected by HIV, notwithstanding sampling issues related to this issue. A survey conducted in 2003 predicted that by 2010, at least 4.96 million people would have died from this pandemic (Rehle and Shisana, 2003).

Collison (2007: 82) contends that HIV/AIDS is a 'disease of mobility', and this result from high levels of migration which leads people to having multiple sexual partners at both ends of the cycle of migration. The people who are particularly largely vulnerable and affected by this are those who live quasi-urban lives in the peri-urban informal settlements. Since the migrants maintain households both in the rural areas and in urban squatters, they tend to have multiple sexual partners and therefore expose themselves to many sexually transmitted diseases

including HIV/AIDS (Singh, 2005). Many of these sexually transmitted diseases have then followed such patterns of circular migration from the urban to rural areas. Migrant women on the other hand, tend to engage in transactional sex as means of survival in instances of unavailability of job opportunities (Singh, 2005).

The diseases mentioned (including Tuberculosis – TB) above usually lead to gruesome form or reverse migration as many people return to rural areas after falling sick in cities and urban towns. Their families then have to look after them. This, to a large extent, places a huge burden on rural households. In South Africa, a phenomenon of “returning home to die” has been observed repeatedly as getting sick often encourage people to go back home (Singh, 2005: 39). Equally, HIV and TB infection may also cause people to move from the rural areas to urban areas as medication to these diseases is readily available in the nearby towns. In deep rural areas, access to basic healthcare and medication needed for persons infected by HIV and TB is not easy (Fatti *et al*, 2010). Many rural households are negatively affected by the spread of diseases amongst the migrant labour as they heavily rely of it for more household income. The death of a breadwinner has imaginable effects on the livelihoods of those remaining behind.

The government, through rural infrastructure development, has sorted to mitigate the effects of diseases in the countryside – and perhaps increase life expectancy of both those who live in the rural and urban areas. Table 3 below is a table depicting government’s Medium Term Strategic Framework on Health Care.

HEALTH CARE – TARGETS FOR 2019		
IMPACT INDICATOR	BASELINE 2009	TARGET 2019
Total life expectancy at birth in years	56.5	63
Female life expectancy at birth in years	59	65.8
Male life expectancy at birth in years	54	60.2
Maternal mortality rate per 100 000 live births	304	< 100
Under-5 mortality rate per 1 000 live births	56	23
Neonatal mortality rate per 1 000 live births	-	6
Infant mortality rate per 1 000 live births	39	18
Child under 5 years diarrhoea fatality rate	-	< 2%
Child under 5 years severe acute malnutrition fatality rate	-	< 5%

Source: Mary Alexander (2015)

The above table shows a number of projections which the government seek to achieve through the improvement of and access to health care system.

5.4 Rural Development

“The rural development policy framework is premised on the effects of the land dispossession of land and systematic deprivation of land use rights, culture and social cohesion of rural black South Africa...” (Ngomane, 2012).

Rural development is defined in a number of ways, each capturing a different set of ideas of what is meant by ‘rural development’. But common amongst all of them is that they present rural development as a set of strategies that seek to better the lives of rural inhabitants. Chambers (1983:147) defined rural development as:

A strategy to enable specific group of people, poor rural women and men, to gain for themselves and their children more of what they want and need. It involves helping the poorest among those who seek livelihood in the rural areas to demand and control more of the benefits of development.

Madu (2003b) defines rural development as "...the improvement of the spatial and socio-economic environment of rural space, which leads to the enhancement of the individual's ability to care for his/her well-being". It is important that these definitions of what is meant by 'rural development' are understood within the context of South Africa's land and agrarian reform. The reason for this is that the development of the countryside is largely linked to agricultural activities which are seen as both means and strategy to alleviate rural poverty and create sustainable livelihoods for the rural inhabitants. In rural development, agriculture is then seen as one of the major economic bases for the majority of the rural inhabitants. As a result, extension services are therefore the main service delivery mechanisms for agricultural development. The extension services, emanating from their importance in agricultural development, have a great role to play in the implementation of the agricultural development initiatives in rural areas (Diale, 2011). Notwithstanding this, agricultural development strategies cannot on their own effectively respond to the challenges of poverty as well as food insecurity in the rural areas. There is therefore a need of transforming the rural areas into "vibrant, equitable and sustainable communities" and from this emanated the need for the creation of a broader "inter-sectoral comprehensive, integrated and sustainable rural development strategy at macro level" (Diale, 2011:1).

Figure 3: The three pronged rural development strategy focussing of agricultural development-related objectives.

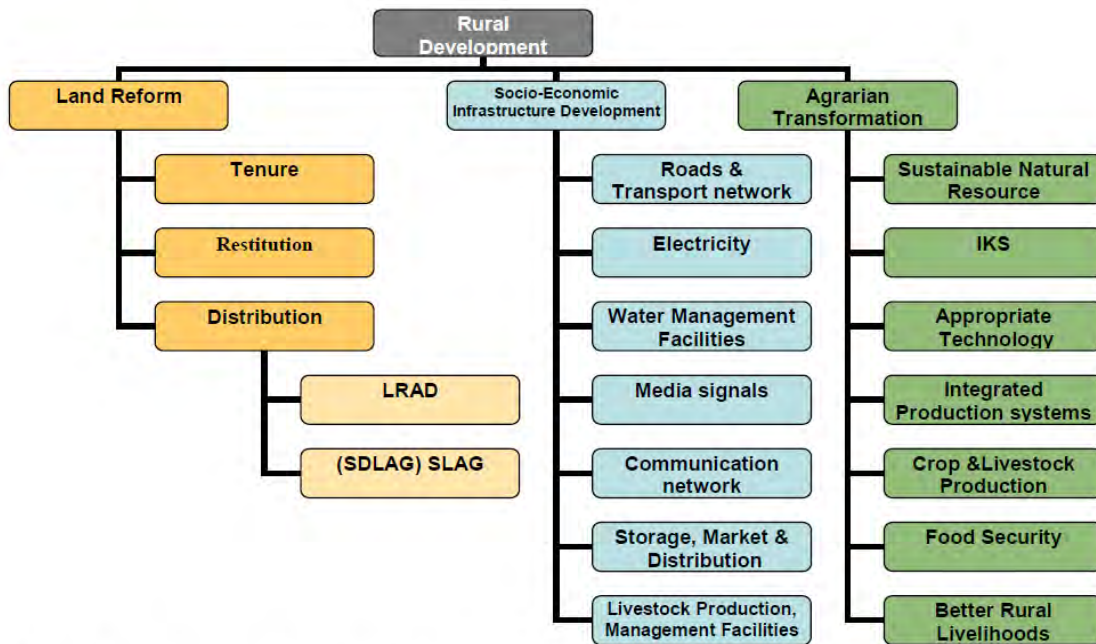


Figure 1: Rural development strategy (Ministry of Rural Development and Land Reform 2009)

The three pronged rural development strategy sees agrarian transformation as the major route to developing the countryside. However, agrarian transformation is directly linked to land reform and the availability and development of socio-economic infrastructure. There is certainly a need for rapid redistribution of land and more secure tenure systems for agrarian transformation to be realized. The state, in an effort to maximise the gains from land reform, has devised a series of rural development strategies. The following section explore such rural development strategies and their effects on rural inhabitants.

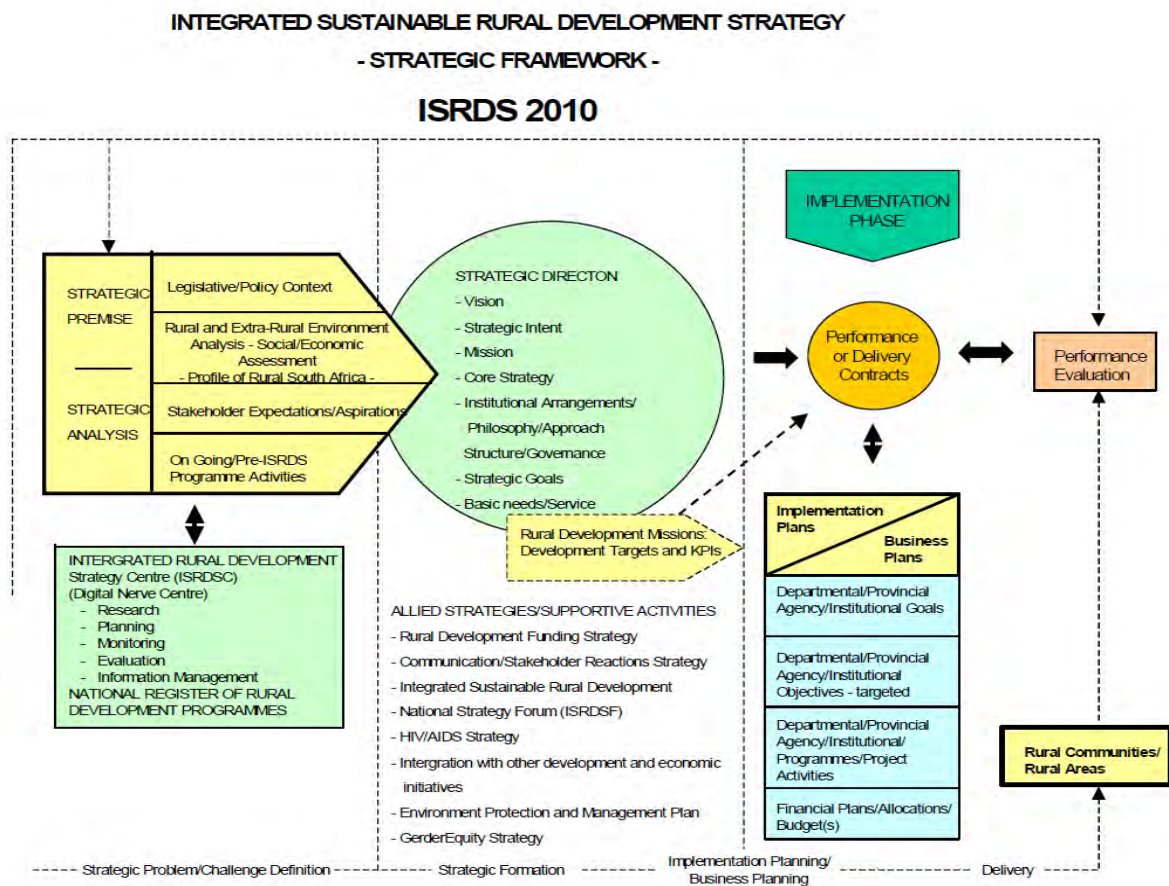
5.5 Rural Development Strategies:

5.5.1 The Integrated Sustainable Rural Development Strategy (ISRDS)

Following former President Mbeki’s State of the Nation Address in 1999, the cabinet confirmed the Integrated Sustainable Rural-Development Strategy (ISRDS) as a tool which should be used to tackle rural development. The launch of ISRDS was a “concerted effort to improve opportunities and well-being for the poor”, based on the experiences drawn from other

rural development programmes undertaken both in South Africa and internationally (RSA, 2000: 13). The objective for this strategy was to facilitate the transformation of the rural economy into a sector which is economically viable that will be able to make significant contributions to the country’s overall economic activity. In essence, the ISRDS was designed to attain “*socially cohesive and stable rural communities with viable institutions, sustainable economies and universal access to social amenities, able to attract and retain skilled and knowledgeable people, who are equipped to contribute to growth and development*” (RSA, 2000: iv). With the strongest emphasis on the poverty agenda, the ISRDS is perceived to draw a lot from the Sustainable Rural Livelihoods (SRL) approach.

Figure 4: ISRDS



The ISRDS evolved in 2001 to be known as the Integrated Sustainable Rural Development Programme (ISRDP). This programme, however, was not able to make the desired impact on rural areas – owing to a plethora of challenges including the absence of accountability as the political heads of the different departments involved were of equivalent seniority and did not want to account to a person of same level (Pepeteka, 2014). The inability to attain proper coordination and integration as well as the lack or absence of a clear definition of what is meant by rural development has also hindered the success of ISRDP. Resulting from this lack of clarity regarding what rural development entails, the ISRDP became a programme of any activity that occurred in the countryside. The ISRDP, as argued by Mayende (2010: 58), was vaguely defined from its inception. It was also “inadequately financed, poorly implemented and weakly coordinated”. Consequently, the programme degenerated into scattered and isolated projects which were unevenly implemented – and from this – potential of the programme to be sustainable was totally diminished (Mayende, 2010).

The newly established Ministry, the Department of Rural Development and Land Reform (DRDLR) was, in 2009, mandated by President Zuma to develop and implement the Comprehensive Rural Development Programme (CRDP) throughout South Africa. The proper implementation of this programme is expected to transform the rural areas into “vibrant, equitable and sustainable communities” (Pepeteka, 2014: 24). The thrust of the CRDP framework is therefore an “integrated programme of rural development, land reform and agrarian change” (DRDLR, 2009a). Minister Nkwinti in a 2010 budget speech argued that it is important that the DRDLR strategy be ‘agrarian transformation’ – to be interpreted to mean “a rapid and fundamental change in the relations (systems and patterns of ownership and control) of land, livestock, cropping and community”. The overarching objective of the strategy here is therefore the enhancement of social cohesion and development (Nkwinti, 2010).

5.5.2 The Comprehensive Rural Development Programme (CRDP)

The Comprehensive Rural Development Programme (CRDP) was introduced by President Zuma in 2009 together with the newly established Department of Rural Development and Land Reform. This programme, as indicated above, symbolizes an integrated programme to address issues pertaining to land reform, rural development as well as agrarian change (DRDLR, 2009). In his 2010 budget speech, Minister Nkwinti highlighted that the CRDP has set the department and the country on a new course of post-colonial reconstruction and development. In the Minister's view, this post-colonial reconstruction and development is achievable through a 'coordinated and broad based' agrarian transformation – and this agrarian transformation should focus on:

- Social mobilization and institution building targeted at building communities;
- Strategic investment in both old and new social, economic, ICT infrastructure and public amenities as well as facilities coordinated through Rural Infrastructure Development;
- A new land reform which is implemented in light of the reviewed Land Tenure System;
- “Rendering of professional and technical services as well as effective and sustainable resource management through the component of Geo-spatial Services, Technology Development and Disaster Management”.

Basically, DRDLR is committed to creating a “vibrant, equitable and sustainable rural communities”. The department's success in this front is then measured on its ability to deliver sustainable land reform, food security for everyone, rural development and creation of sustainable livelihoods, and job creation which is linked to skills training (DRDLR, 2010). The below figure, **Figure 5**, is a summary of DRDLR mandate.

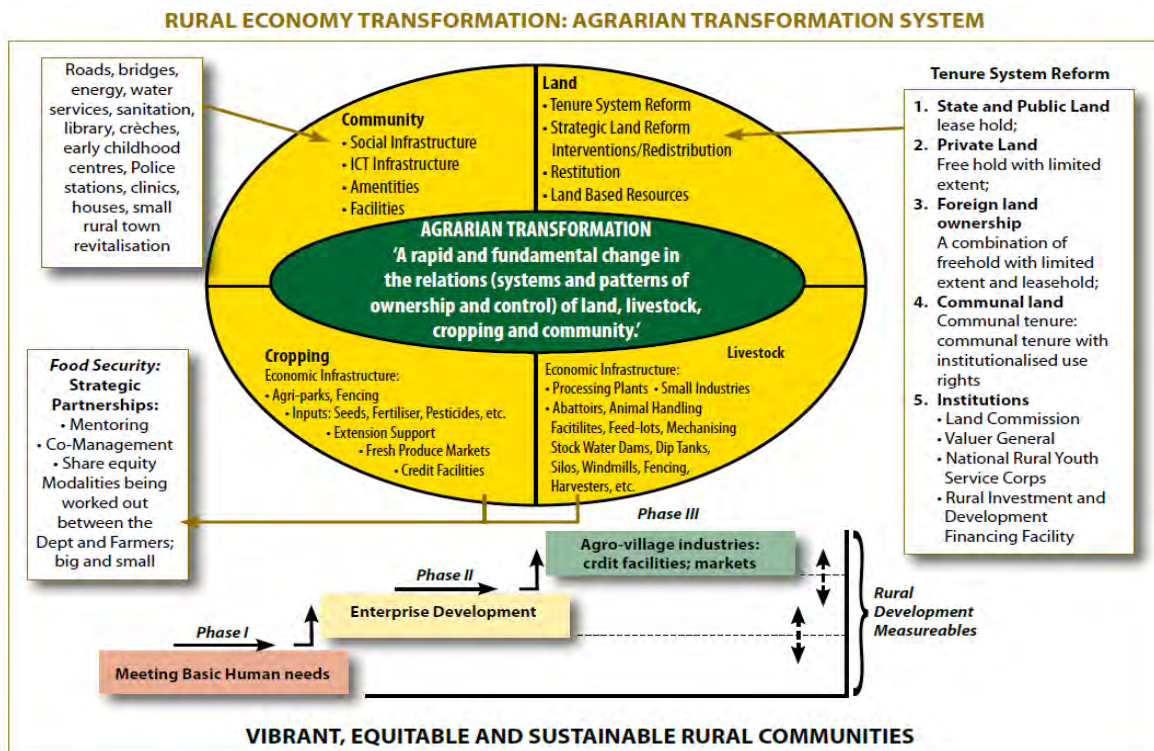


Figure 1. The Agrarian Transformation System

Source: DRDLR Strategic Plan 2015 – 2020

To achieve the intended agrarian transformation outcomes, all the components of the strategy are linked to the CRDP. The DRDLR (2013) has defined the different phases as follows:

- **First Phase- Meeting Basic Human Needs:** this phase deals with building the people as individuals, the household as well as the community. The main focus is therefore the provision of basic human needs such as social infrastructure and having improved access to basic services – services like decent housing, clean water, proper sanitation, education, energy, etc. It is argued that this phase will provide rural people/each rural household with improved quality of life and dignity.
- **Second Phase- Enterprise Development:** this is an entrepreneurial development stage and it deals with the establishment of enterprises. It includes different forms and sizes of business initiatives, cultural ware and artefact cooperatives as well as arts and crafts

initiatives. As part of the enterprise development, rural communities are encouraged to take part in cropping and livestock value chain development.

- Third Phase- Agro-Village industries and credit facilities: the focus of this phase is on the development of different forms and sizes of rural industries which are anchored by investments, rural enterprises, credit facilities and markets.

For these phases to be effectively implemented, there is a need to mobilise and organize rural inhabitants into functional groups to “effectively take charge of their own development, especially in identifying pressing needs of the community and perceived optimal ways to address these” (DRDLR, 2013: 12). In relation to this, the government has developed an employment creation model. This employment creation model select members of community to take part in the Extended Public Works Programme (EPWP) – and these employed persons are required to share half of their earnings with their households.

5.6 Rural Development, extension service and agricultural development

Rural communities are an environment in which economic development sector is highly dominated by agriculture. Many of the agricultural projects in these rural communities usually emanate from the ideas and dreams of farmers themselves. The purpose of their ideas is therefore, among other things, to transform their living conditions, improve food security and address the challenges in their farming systems (Hart *et al*, 2004). These projects, however, are in the main facilitated by the extension officers – and therein create a form of dependency on the part of farmers as they subsequently play a following role. This is one of the many challenges which should be eliminated to ensure sustainable projects – which in turn will help producing enough food for selling and for securing rural livelihoods.

The below table is an example of projects which were initiated by the Ingonyama Trust Board (ITB) for the people of KwaNtanzi, in Mshwathi Municipality. The ITB has initiated a number

of projects which are aimed at assisting and facilitating rural development with an intention to alleviate rural poverty. Working with LIMA (Rural Development Foundation), the ITB has assisted in coordinating the food safety nets for different rural communities in KwaZulu-Natal. The following table gives the profile of the cooperatives in kwaNtanzi, uMshwathi Municipality.

Table 4: Project profile

Type or form of cooperative	Main Function of the cooperative	Members of the cooperative	How the cooperative was formed
Agriculture	Produce carrots and spinach	15	Joint initiative (with ITB providing land)
Agriculture	Produces cabbage, carrots and beetroot	15	Joint initiative (with ITB providing land)
Agriculture	Produces green pepper, carrots, cabbage and spinach	20	Joint initiative (with ITB providing land)
Agriculture	Produces cabbage, spinach and green pepper	18	Joint initiative (with ITB providing land)
Agriculture	Produces soya beans, beetroot, spinach and cabbages	20	Government initiative

Source: Field interviews

The table above provides a summary of some of the cooperatives supported by the Ingonyama Trust Board and provides a clear indication of what is being produced by these cooperatives.

As it has been indicated above, the ITB works with LIMA and relies on it for the provision of seeds and extension services. The extension officers who are helping in these projects are satisfied by the way in which the projects help the rural communities, but what seem to be a

concern is the level with which the project members are dependent on them. During a rather informal dialogue, one extension officer said:

“I love doing what I do here and I am always available to help people who work in the projects that are under my watch. My concern though is that these people (members of different projects) do not appreciate the fact that I am only here to assist them with knowledge and training on how to maintain these projects so that they can maximise production and returns. They tend to behave like they are working for me instead...which is totally against what we seek to achieve with these projects”.

This therefore corresponds with Hart *et al* (2004) assertion that some farmers/cooperatives seem to take a back seat the moment extension service providers arrive. This dependency of projects on extension officers or service providers leaves a lot to be desired. Below are pictures taken from two projects in the KwaNtanzi area.



Photo by: Mthokozisi Zuma

The members of these cooperatives seem to have rather diverse understanding of their role in the project. These diverse understandings affect the success of the project in quite different

ways. When talking to some of the members of these cooperatives, it became clear that there are those who are not happy with the idea of a cooperative. The main argument for this position is that the different households have many members who are unemployed, who would otherwise benefit if the project is household based. Some members of the cooperative said “We have a lot of children at home, who are of the working age, but are not employed. And the earnings we get from the project are not enough for supporting our families. Yes, the project does help, but it is unable to provide our households with enough to live on”. What can be drawn from such comments is that some among the members of the cooperative strongly believe that these kind of projects would be highly beneficial if organized based on individual households as opposed to cooperatives including people from different households.

Equally, there are those members who are happy with the idea of cooperatives. These people argued that a cooperative is better than operating a household garden. In their view, a cooperative opens a space for different people with different set of skills to work in one project for the benefit of all. The other issue they raised was... “The children are always thinking of migrating to cities for employment opportunities...relying on them for the sustainability of the project may be detrimental to our progress and growth”.

It is, however, important to try and reconcile the different views that the different members of these cooperatives have and the impact of such views on the production as well as the project’s contribution to the sustainability of their livelihoods. On one hand, for households with many members, it may be easier to work on a project as a family. This will in return mean that the earnings from the project are grouped together for one household and will make meaningful impact on that household’s well-being. On the other hand, for the households with fewer members, having household based projects instead of cooperatives will have a negative impact as there would not be enough human capital available. These households may end up operating

on family garden scales – which would provide some food for the household, but will not be able to produce enough to sell and derive cash from their products.

Notwithstanding the divergent views on how the projects should be structured, it is important to note that the members of these projects are in agreement when it comes to the effects the projects have on them. Of the five sites one had a privilege to visit, there is consensus on the positive contribution the projects make in their lives. The members of these projects did indicate that their livelihoods have been secure since the beginning of the projects. For those who have other family members working elsewhere to bring in extra cash, have a better diversified portfolio of livelihood. The same, however, cannot be said about those who solely rely on the projects for survival.

5.7 Livelihood Diversification: a survival strategy

As it came out in the preceding section, diversified livelihood portfolios offer rural households better opportunities and strategies to cope with shocks. Ellis (2001: 15) defined rural livelihood diversification as “a process by which rural households construct an increasingly diverse portfolio of activities and assets in order to survive and improve their standard of living”. Sustainability and vulnerability represent two extreme ends in a scale of livelihood quality system. Chambers and Conway (1992) hold that sustainability is the household’s ability to “cope with and recover from stress and shock”, at the same time, maintaining or improving their capabilities and assets. So, the households with vulnerable livelihood system do not have enough assets and capabilities to create or even access them. As a result of their inability to access enough assets, these households are incapable of providing basic needs to their families. They also are not able to create surplus, which then make them unable to cope with crisis (Niehof, 2004).

Many rural households do not have access to enough assets for improvement of their lives. The disparities between capital assets to which the rural poor have access to, determines the sustainability and the vulnerability of each household. Those, for example, who have access to human capital – such as education, skills, knowledge – are in a better position than those who do not have an education and the skills to cope and survive shocks. Physical capital, however, is a challenge to most of the rural inhabitants. Notwithstanding this, those with better human and natural capital stand better chances to access financial capital. As a result, Cousins and Scoones (2010) argue that there is an urgent need for institutions such as land tenure and other policies to intervene and provide secure access to the land resource. Both the government and private sector have to invest in the development of infrastructure in the rural areas. But the government have a responsibility to attract investors for rural development. The investors would want to see potential for them to invest, hence the need for improved education, knowledge, skills and healthcare facilities. A combination of two or more of these assets is necessary for the creation of sustainable rural livelihoods.

The rural poor, from gaining access to productive assets can create and enhance their livelihood systems. These productive assets are linked to each other and the more assets available to a household, the better are their chances to cope with stress. In case of climate changes that negatively affect agriculture, having access to non-farm earnings would allow each household to have means to meet their basic needs. Having access to human capital on the other hand, give rural households more options for recovering from shocks and stress.

5.8 Conclusion

This chapter discussed the legacy of poverty and under-development in South Africa. This was done to create an understanding of what the rural development efforts seeks to reverse and correct while at the same time seeking to create “vibrant, equitable and sustainable rural

communities... and food security for all” (DRDLR, 2013: 9). The chapter proceeded to discussing the Reconstruction and Development Programme (RDP) in which the first rural development initiatives were envisaged. It is under this programme that land was recognised as central to redressing the injustices of the past and further developing the ‘new’ South Africa. This was then followed by the dilemmas engulfing rural development realities in the country. Under this discussion, the chapter explored the links between poverty and disease in rural areas; the effects of rural-urban migration; feminization of both rural poverty and agriculture and the consequent effects.

Towards the end, the chapter explored some of the government’s strategies for developing rural areas. In this segment of the chapter, Integrated Sustainable Rural Development Strategy (ISRDS) which later changed to Integrated Sustainable Rural Development Programme (ISRDP), was unpacked and discussed. This programme ended up degenerating into scattered small projects as a result of its inability to clearly define what is meant by ‘rural development’. With the introduction of a new ministry in 2009, the Department of Rural Development and Land Reform (DRDLR), the Comprehensive Rural Development Programme (CRDP) was launched by President Zuma. The agrarian transformation is at the centre of the mandate of the DRDLR. Agrarian transformation strategy outlines different phases of implementation: phase 1-dealing with activities aiming at meeting the basic human needs; phase 2- looking at activities which deals with the development of enterprises of different sizes and forms; and phase 3- which deals with the creation of agro-village industries, markets and rural credit facilities. The chapter then looked at rural development, extension service, and agricultural development. Under this segment, the effect of extension services on cooperatives is discussed. From the discussion, it appears that there are different perspectives regarding the organization of projects under cooperatives as opposed to organizing them around individual households. Lastly, the

chapter briefly looked at how diverse livelihood strategies can help the rural poor cope with shocks and stress.

CHAPTER SIX

LAND REFORM AS A SOURCE OF RURAL LIVELIHOOD

6. Introduction:

How can land and agrarian reform serve as a source of sustainable rural livelihoods? How can these reforms contribute to the improvement of the lives of those residing in the countryside? These are among many questions central to arguments that land reform can provide opportunities for poverty alleviation, especially in the rural areas. This is so despite some negative perceptions of land reform which emanated from the effects of Zimbabwe's fast track land reform of agricultural production. As has been highlighted in previous chapters, South Africa's unequal land distribution exist parallel to deep rural poverty. Therefore, reforming landholding patterns became an essential feature of government's efforts on poverty alleviation in the countryside. This position is informed by the understanding that access to land – agricultural land – contributes to household incomes and therefore contribute to improved rural livelihoods. This chapter explores the contributions (possible) of land and agrarian reform to enhanced rural livelihoods. This is viewed through the lenses of socio-economic development in the countryside.

6.1 Land reform and socio-economic development

The Third World economies have consistently seen persistent slow rural development notwithstanding a series of reforms instituted by governments to mitigate the problem. Brink *et al* (2005) identified some key indicators of progress towards poverty reduction in countries such Indonesia, Thailand and Malaysia. They further held that these countries have invested a lot in rural infrastructure in order to help land reform beneficiaries. Deininger *et al* (2007) on the other hand, points out some serious hindrances to the expansion of non-farm sector in Sri

Lanka. The study of these researchers argue that new peasant entrance is hindered by infrastructure constraints, but it does not however suggest that regional planning should be seen as a strategic tool of governance for the creation of effective collaborative networks intended at obtaining growth more speedily.

The use of land reform as a mechanism to mitigate the effects of rural poverty has created a lot of interest within the South African academic circles, and a lot of research has been undertaken to analyse the impact of various aspects of land reform – specifically land redistribution programme aimed at assisting those who neither have means nor materials to gain access to land. In the Southeast and Centre-west regions of Brazil, Silva and Del Grossi (2001) conducted a survey which revealed that households who depends solely on farm activities had lower income earnings than those who also rely on off-farm activities⁴. Studies conducted by Sparovek (2003) and Heredia *et al* (2006) on Brazil measure both the progress of settled households’ agricultural production and the quality of life of beneficiaries who were settled in the rural areas. However, a lack of systematic data on the real situation of peasants who live in the redistributed land has prevented the making of more comprehensive inferences regarding the overall impact of land redistribution on rural livelihoods.

Weideman (2004:29) believes that for land reform programmes to be effective, they need to be “designed and implemented with adequate input from the poor individuals/communities such programmes are intended to benefit.”⁵ The main argument that he propounds is therefore that land reform programmes should take into cognizance the views of the people such programmes aim at assisting, otherwise the programmes will not yield the desired outcomes. This, one may argue, is similar to the case of cooperatives discussed in chapter five. Their success is mainly

⁴ Activities outside of agriculture or agricultural production.

⁵ Weideman (2004) holds the view that land reform programmes fail mainly because they do not include the input of those they seek to uplift, and therefore fail to contribute to poverty alleviation.

driven by members' feeling of ownership. Thus an argument that people work and support poverty alleviation initiatives most when they are made part of the planning and implementation of such initiatives can be advanced.

6.2 Agriculture and (rural) poverty reduction

The contribution of agriculture to Gross Domestic Product (GDP), in both developing and developed countries, has been very important. As one of the world's leading development agencies, the World Bank has consistently viewed agriculture as a vital economic sector. Manona (2005) argue that a large aspect of the development discourse regarding agriculture has mainly focussed on commercial agriculture, at the expense of smallholder agriculture. This has been done in support of the view that agriculture is important, especially for developing countries. It is, however, important to note that the issues surrounding the scale of agriculture and the impact it has on households vary. Aliber (2005) contend that there is no consensus on whether agriculture is the appropriate method to rural poverty alleviation, notwithstanding the role agriculture play in the economies of developing countries.

There are different views regarding the importance of agriculture in both local and national economies in the developing regions. These views emanate from schools of thought which have a totally different take on agriculture and its role in development, particularly that of the countryside. The argument of the first school of thought is that, resulting from the fact that the majority of poor people reside in rural areas where agriculture is almost a character of every household, agriculture is therefore the most effective way of reducing poverty (Aliber, 2005). This school of thought appreciates the contribution that agriculture has towards reducing poverty in both the rural and urban areas. In South Africa, for example, agriculture's contribution to GDP remains low, but it is still seen as the most important activity in the mitigation of poverty in many rural households – mostly in the former homelands (Aliber,

2005). However, for some scholars in this school of thought, the emphasis should be on how much cash people have in hand rather than their ability to produce. Their argument is that if agricultural production remains at a subsistence level and not move to some form of commercialization, then cash in hand is the most important determinant of food security (Kirsten *et al*, 2004).

On the other hand, the second school of thought acknowledge agricultures ability to contribute to the reduction of poverty, but view non-farm activities as more important than on-farm activities (McIntosh and Vaughan, 1996; Aliber, 2005). While they do accept that agriculture is important, they emphasise its decline and its overall contribution to the rest of the economy. McIntosh and Vaughan (cited in Aliber, 2005:69) argued that:

“Agricultural growth is far less vital to the creation of livelihoods in South Africa for the simple reason that it makes up such a small part of the total economy, even though it provides some contribution to livelihoods for many people...”

This school of thought largely focusses on the migration of people from the collapsing land economies to areas where cash economies are more developed (Bekker, 2003).

As acknowledged by (Kepe, 1997; Cousins, 1999), the majority of rural inhabitants in South Africa derive their livelihood from both on-farm and off-farm activities. However, the fact that the contribution made by farming activities to household income has declined is also acknowledged. This has seen an increase in food imports and the widespread of poverty – which also changed in character (Bank, 2001; Manona 2001). Shackleton *et al* (2001), however, paint a more positive picture as they present evidence which shows that livestock

production, natural resources and cropping make significant contribution to the livelihoods of those who live in South Africa's communal areas.⁶

Existing within the second school of thought are two strands of scholars/thinking. The first strand represent both international and national thinking, advancing the de-agrarianization phenomenon.⁷ This phenomenon result from a series of issues including the declining of rural household food and basic needs self-sufficiency, a decline in agricultural labour in relation to non-agricultural labour in total national labour expenditure and a decline in agricultural output per capita in the national economy in relation to non-agricultural output. Because of the rising population density in rural areas, there is an increased pressure on the availability of land and related resources such as wood and water. These resources which would have been free, become scarce and therefore assume cash value (Bryceson, 1993). The second strand of thinking is that of scholars who argue on the basis of shifting agricultural practices. McAllister (1992) contend that shortage of land and population pressure started having a significant impact on arable land from the early 20th century and this led to major changes in cultivation practices. This is a time, according to McAllister (1992), in which many people started developing gardens closer to their homesteads, thereby ceasing cultivating the fields. Parallel to this, is the decline of livestock. Although levels of poverty are high in the former homelands, large tracts of land is not used. A large amount of the arable fields is now used for grazing (Ngcaba, 2002).

It is however important to note that while there is a decline in planting arable fields, there is an increase of household gardens. A study by Ngcaba (2002), conducted in the Eastern Cape, showed that many people prefer household gardens over arable fields because of the distance

⁶ Contribution both in terms of financial and socio-economic development.

⁷ De-agrarianization is a process of economic reorientation, occupational adjustment and spatial rearrangement of human settlement away from agrarian patterns (Bryceson, 1993).

between where they stay and the fields. Beside the issues of theft, the other reason was that household gardens had a lower production costs compared to large fields.

6.3 Current Status of Smallholder Agriculture in Africa

In the Sub-Saharan Africa, most households rely on smallholder agriculture for their livelihoods. In turn, most agricultural activities in Africa is conducted by the smallholder farmers. This remains the case, notwithstanding the urban population growth which has increased over decades. UN Food and Agriculture Organization (FAO) cited in Gillin (2014), indicated that about 58.8% of the workforce in the Sub-Sahara was in agriculture and that 63.6% of the total population is found on the countryside. Most rural women in Africa derive their livelihoods from smallholder agriculture. Although women make just above half the overall agricultural workforce, women are generally likely to work in agriculture than in any other sector (Gillon, 2014). Consequently, about two thirds of African women that are economically active are employed in agriculture. There is, therefore, a very small number of rural women employed in the wage labour market.

Many of these smallholder farms, the vast majority of crop farms, cover less than 5 hectares of land (Eastwood *et al*, 2010). Even though these farms are small, Gillon (2014) argue that their size must not be read to mean they are not important. As small as they are, these farms provide employment to some people and they are certainly a source of food and sustenance for many rural poor households. Most of the output from these smallholder farms is mainly for household consumption. The National Institute of Statistics in Rwanda conducted a household survey. This survey showed that “only half the grain production enters the market channels, the rest is consumed within the producing households” (Gillon, 2014:6). The same could be said in relation to the roots and tubers – only 30% of these are sold, the rest is consumed within the

producing households. This is not a situation peculiar to Rwanda, a similar pattern of production and consumption also exist in Uganda. In Uganda, about two thirds of the cooking banana (locally known as *matoke*) is consumed within the producing households (Gillon, 2014). According to Wiredu *et al* (2010), in northern Ghana, the households which produce maize consume about 80% of their output.

As indicated above, most of the African agriculture occur in smallholder systems. As a result, there is a very small number of farms which are able to provide employment to persons outside the producing households – except in large plantations where tea and other few export crops are produced (Gillon, 2014). Consequently, the majority of workers in Africa’s agricultural sector are self-employed – very few are employees. Even though there are relatively few countries which have reports regarding agricultural sector’s employment data, those that do have shown striking numbers. For example in Benin – between 2001 and 2010- employees formed only 1.2% of the agricultural workforce. Proportions of a similar nature were also observed in countries like Guinea, Ethiopia, Sierra Leone and Tanzania where there was less than 2% of the agricultural workforce who were employees (Gillon, 2014). From this data, Gillon (2014), draws a conclusion that such information shows the strength and dominance of smallholder modes of production “in all but a few countries” with large-scale producers of export crops. The exception to this rule, however, is seen in those countries which have a relatively low share of agricultural employment – compared to total employment. Thus in countries like Botswana, South Africa and Mauritius, large fraction of agricultural workforce consist of employees – with 11.2%; 59.1%; and 55.3% respectively (Gillon, 2014:6).

Most African smallholder farmers depend on agriculture for both sustenance and cash income. However, there is also a significant number of households that pursue both farming and non-

farm activities. The degree to which these households depend on agriculture for income and food varies from one country to another – and at times from one part of the same country to another. There are several benefits which agricultural households derive from non-farm employment. The availability of rural non-farm employment diversifies rural livelihood strategies, and therefore enhance their risk coping abilities. This form of employment provide rural inhabitants with means to manage seasonal fluctuations in the demand of agricultural labour, and provide cash to complement the sluggish income from farming (Haggblade *et al*, 2010). According to Smith (2003), the spatial and economic heterogeneity in rural non-farm employment is quite significant. The households in the remote rural areas dedicate most of their labour time to farming, and the ones who are engaged in rural non-farm employment are mostly those in close proximity to markets. The correlation between rural non-farm employment and the markets is, however, not monotonic. It may breakdown in events where members of households in close proximity to cities and markets sees an opportunity to plant and sell their produce to the urban consumers. In this case, these households may deem necessary the intensification and specialised production of high value agricultural outputs such as vegetables and fruits (Smith, 2003). However, even in these households, some members may still engage in non-farm employment while others are fulltime in farming.

6.4 The Context of Smallholder Agriculture in South Africa

Smallholder agriculture in South Africa, similar to many other African countries, is largely an activity taking place in rural areas of the former homelands. But this is not an exclusive activity of former homelands as it can also be found in townships, on commercial farms and even in cities. This form of agriculture is largely known for mainly producing staple food for household consumption, and there is very little of the produce which reach the local and other markets (Lahiff and Cousins, 2005). Production of this scale take place on different land – it can be a

garden, a demarcated field or open rangelands. This kind of production, as argued by Lahiff and Cousins (2005: 127), is highly “differentiated by race, class and gender, with large numbers of very poor black women producing mainly for household consumption”, while there is a smaller number of men producing on a larger scale.

Many smallholders do not consider themselves as farmers in the conventional sense of who and what a farmer is. A number of those farming in Bulwer, for example, engage in farming as a hobby or merely to supplement their earnings from non-farm activities. One respondent did indicate that she works her land because she does not want to just sit home and do nothing. In her words, Gogo Maphumulo (interview, 2016) said:

I cannot sit at home the whole day and do nothing, which is why I prefer ploughing the garden. On the other hand, the food from this garden supplement my monthly pension pay-outs. I do not buy cabbage and spinach from the supermarkets...at times, I do not even buy potatoes because I get them from my garden.

Her neighbour added (interview, 2016):

Working the garden helps us to avoid aging quickly, and it works as a form of exercise. We also need fresh vegetable – which do not always have money to buy. The solution then is to just plant them ourselves.

During the enquiry, it also came out clearly that many of the residents of this area (although there are those who sell their produce) do not see themselves as farmers. In the main, they also do not sell what they produce from their gardens. Instead, they share the food with neighbours for free.

According to Lahiff and Cousins (2005), both the producers and the external agencies keep few records of production and trade, as a result, both the ‘value and volume’ of production in

the smallholder agriculture documented in the literature may well be a small fraction of the actual output. A sizeable number of African people who have access to agricultural land are those who are still in the former homelands. Like in many other parts of the country, most of this land is not suitable for 'arable farming'. Most of the land in the former homelands is overcrowded and less developed (Lahiff and Cousins, 2005).

The people of Bergville argued that their inability to access land suitable for farming constrain their efforts to produce more food. A respondent representing this view said:

We are trying to maximise our products so that we can have more to sell to other community members. But the unavailability of land suitable for farming, and at times, the skills to farm certain products, hinder our efforts. The government need to assist us to get access to land, and maybe help us with the skills as well.

Therefore, this forms the basis for seeing land redistribution is seen as a vital pre-condition for improving productivity levels of the smallholders.

6.4.1 Socio-economic status of smallholder farmers

The majority of people who participate in smallholder agriculture are poor rural inhabitants who are mainly uneducated. These communities are largely overcrowded and mainly characterized by poorly developed infrastructure. This in turn, informs the sort of production these communities are able to engage in. Since many of these communities are located in the former homelands, they are led by traditional leaders. As has been acknowledged by Thamaga-Chitja and Morojele (2014), the land in rural areas of South Africa is communally held and is administered through and by Traditional Authorities (TA). These researchers argue however that the commercial value of the land in rural areas is diminished by the communal nature of

ownership under which the land is held in the former homelands. This, they argue, is basically informed by the neo-liberal character of South Africa's commercial farming sector which basically promote competition and individualism (Thamaga-Chitja and Morojele, 2014).

Most rural households in the country survive on multiple livelihood strategies. These strategies, as has been identified and argued in chapter 5, are inclusive of salaries and wages earned from both on-farm and off-farm activities; social grants as well as pension remittances. Regardless of these diverse livelihood strategies, agriculture remains central in providing food for the rural poor (Lahiff and Cousins, 2005; Thamaga-Chitja and Morojele, 2014). Hadebe (interview, 2016), however argued that agriculture is only as important as it is appreciated by the people it is supposed to support. In his exact words, Dr Hadebe when responding to the questions about land redistribution for agricultural development said:

I agree and accept that land reform is very important as a tool for social justice as well as an economic resource for the poor. But land is only an economic resource for those who believe they can derive livelihood from it. Over and above all, I believe that land reform should change people's lives for better and secure their livelihood. Therefore, redistributing land should contribute to both local and national food security. So, if people just want to have land for the sake of having it – the food security crisis the country is facing will not be solved.

In essence, Hadebe's argument is that if land is given to people who are not interested and willing to work it, it will not change their socio-economic status. The other point that he and other respondents such as Phakathi made, is that stakeholder participation is important if poverty alleviation strategies are to achieve their set goals and targets. Phakathi (interview,

2016) emphasized the point that stakeholder participation is/ should be central in projects which are aimed at developing rural areas – and therefore alleviating poverty.

While Phakathi agrees with most of Hadebe's sentiments, he however disagrees on giving land only to those interested in farming for food security purposes. In his view, whether land is used productively or not, it remains at the centre of securing human dignity for the many people who were dispossessed their land and “squashed in the former homelands”. During the interview, Phakathi argued that:

Land dispossessions dehumanised black people in general, but Africans in particular. The effects of dispossessions are chains today which retard the development of Africans, especially those living in former homelands. As a result, their development and they gaining feeling like human beings again rests on them getting access to land – land which has always defined African human life. Agriculture is important to developing both local and national economies, but it should not be seen as more important than just redistributing land as a way of restoring human dignity. If this is done, it will further exacerbate the already worse situation of mostly the rural poor and some of the peri-urban settlers.

There is both consensus and some disagreements among academics regarding distribution of land for the purposes of developing smallholder agriculture – and therefore developing local economies that will respond to local challenges. Generally though, most if not all, do agree that not every rural inhabitant is or should be a farmer.

6.5 Smallholder Agriculture: land size and efficiency

Evidence from around the world demonstrates that small, owner-operated farms typically produce more output per acre than large farms cultivated by means of wage labour or tenants...the relationship between farm size and total output in fifteen countries in the global South in all cases relatively smaller farms were more productive per unit area, by factor of two to ten times (Rosset, 1999 cited in Boyce *et al*, 2005:7).

There is an old-age academic debate on whether smallholder farms produce more per unit than large commercial farms. There is a lot of evidence, as pointed out in Boyce *et al* (2005), which suggest that smallholder farmers produce more per unit area. This, as continuously argued, is due to a number of reasons including smallholders' higher cultivation intensity; higher cropping intensity; and higher value crop mix which then lead to higher yields per acre. A number of scholars have come to a conclusion that an inverse relationship exist between the size of the farm and its productivity. These scholars argue that the cost of paying employees on large farms is high and farmers "can only afford to pay employees up to the point where their equal the return on their labour. On the other end, household members in smallholder farms do not necessarily get wages, and even where they do, they can work even in cases where their 'marginal products are below their wages'" (Manona, 2005: 36).

The cost of paying employees in large farms has also been raised as a challenge by a number of land reform beneficiaries. These beneficiaries now either use smaller pieces of land within the large farm and rent out the rest or have totally neglected farming and the land is lying fallow. A number of respondents attributed their failure to use the land to its full capacity to the lack of support after they received the land. Others argued that they have decided to reduce produce because they do not have markets to sell what they have produced. On the other hand,

those operating smaller – and largely family operated farms have been able to maximise productivity of their land. However, they also pointed out that they have challenges in accessing markets. As a result, they sell most of their produce on the side of the roads or from their homes.

Notwithstanding the above mentioned challenges, smallholders cultivate nearly all the land they have every year. The same cannot be said about the large farms. Boyce *et al* (2005) argue that the failure of large farms to cultivate all or more than half the land has been exploited by Landless Workers' Movement (MST, its constitution and role is explained and discussed in chapter 3) which simply occupy the unused land in Brazil. The smallholder farmers also tend to have a 'higher cropping intensity'. This means that they grow more crops in each year on a particular piece of land. Smallholder farmers also grow higher value crops and therefore more labour intensive compared to those which are grown on larger farms. For example, the cultivation of vegetables (cabbages, beetroot, carrots, spinach) requires more labour per hectare than the cultivation of grains. Equally, cultivation of vegetables yields greater value per hectare (Boyce *et al*, 2005; Gollin, 2014). This difference in productivity levels is largely caused by the 'fact' that smallholder farmers tend to apply more labour per hectare, and thereby getting higher output per labour unit.

Smallholder farmers tend to use mainly family labour than hired labour – thereby solving a series of issues surrounding incentives in the agricultural markets. Because of the type of labour used, smallholders do not face the costs of monitoring hired labour. The supply of labour in smallholder farms is somewhat flexible and this is seen as an advantage to these farmers. As a result of flexibility of labour, it can thus be mobilized with much ease whenever the need arise. This allows the family members to attend to other commitments, including non-farm

employment (Gollin, 2014). For example, the people who run chicken farms may take turns to feed chickens, thereby allowing them to engage in other activities. When talking to a chicken farmer in Impendle, near Underberg, he made clear the advantages the family farm gets from the flexibility of labour. During an interview with this farmer, he said:

Running a chicken farm from home has a number of advantages, including the fact that I and other members of the family can take turns in feeding and cleaning the chicken stalls. In between these times, we are able to do other things that needs us. The unemployed members of the family look after the chickens during the day – and others play their part after when coming back from work.

This interview paints a picture of how the smallholder, family operated farms are run and working. It also showed how smallholder farms benefit from the use of family labour.

The same cannot however be said about chicken farmers in KwaShange and Gezubuso areas in Pietermaritzburg. Cooperatives were established in an attempt to arrest rising poverty and unemployment levels in these areas. But the yields of those cooperatives did very little to help meeting the set goals (creating employment and therefore food security). These cooperatives, for them to function properly and produce as expected, a need for supervision became essential. This largely resulted from some members not fulfilling their obligations in the farms and some wanting to take chickens home for consumption instead of selling them. These cooperatives collapsed and others are in a verge to collapse due to a variety of reasons, including the one mentioned in the latter sentence. When engaging them, some members of these cooperatives indicated that they are willing to work, but only if there is an outside person who will monitor their work and facilitate the selling of their product. In one interview, a Mrs Ngcobo (pseudonym) said:

The project helped me and my family a lot. It provided me and my two children with jobs. These children have been battling to find employment. The problem that we are facing though is that not all members of the project are putting similar effort to making sure that it is as productive as it could be. And other members wants to take chickens home with them every evening when we are leaving the site. At the end, we battle with getting enough money to buy chicks and the feed. As a result, the project collapse.

This problem of non- cooperation between members of different projects as well as diverse intentions of participation in these projects negatively affect them and their success. This goes back to the argument advanced in chapter five which suggest that there is a serious need for making members of a cooperative to understand and appreciate the purpose of the project. They must feel ownership of the projects and safeguard them to ensure increased productivity and thereby securing their livelihoods. As Machete (2004) argued, not every rural inhabitant is or want to be a farmer. So, it is important to recognize this in the design of projects that are to alleviate poverty. Those interested in farming, should have farming projects; and those interested in other non-farm activities, should be provided with such opportunities.

6.5.1 Constraints to Smallholder Agriculture

There are a number of challenges that hamper the growth and effective contribution of smallholder farmers to food security. Amongst the challenges these smallholder farmers face, are those that are related to inability to access land, poor or absence of both physical and institutional infrastructure. Since a large number of smallholder farmers are located in the former homelands, the lack of properly developed infrastructure constraints their development. The lack or absence of properly developed roads hinders the farmers' ability to transport inputs,

engage in production and access valuable information (DAFF, 2012). In areas where infrastructure is poorly developed, like in rural areas/former homelands, markets for both agricultural inputs and outputs are often absent and not reliable to smallholder farmers. As a result of this, channels for acquiring agricultural resources change and market services become limited. A combination of absence of productive assets, lack of information and access to services impede on smallholder farmers' participation in 'potentially' lucrative markets (Nel and Davies, 1999; DAFF, 2012).

High transaction cost is also part of the major constraints to development and growth of smallholder farmers. This is mainly due to poorly developed infrastructure. Consequently, poorly developed road networks lead to unreliable distribution of produce. Smallholder Farmers, in response to this, may end up opting for growing food only enough for household consumption and reduce the production of perishable commodities – in turn, causing lower productivity of land in the countryside (Ellis, 1999; DAFF, 2012). The increase in the costs of transport negatively affect inputs as well as the strategies that farmers usually employ. What causes these high transaction costs, in most cases, is the lack of well-developed infrastructure and poor communication services in the deep rural areas. Transaction costs resulting from information inefficiency as well as institutional problem such as formal markets can be very high also. So, the lack of access to formal and reliable markets is among the major challenges for smallholder producers. As a result of the unreliability of markets, most farmers receive low prices for what they produce as they sell them mainly from their farms' gates and at times along the main roads. On the contrary, these farmers could get more for what they produce if they have access to formal and reliable markets (Nel and Davies, 1999; DAFF, 2012).

Human capital is significant in all its forms for the development of smallholder agriculture and rural people in general. Both formal education (academic) and practical workplace skills are a

necessary feature of a successful and sustainable smallholder farming. In many countries, education in the rural areas is under a lot of stress. The rising number of people puts more demand on availability of education, while on the other hand, this rise is coupled with rising costs of developing and updating education material (Ellis, 1999; Nel and Davies, 1999). The quality of education rural people receive and the availability of schools nearby remains a problem though. A number of respondents during this research did indicate that not having education has been a serious constraint to their progress. In their view, although access to information is difficult in the rural areas, not having an education makes it even more difficult. These respondents indicated that most of their children dropped out school because schools were too far from their homes. Automatically, this leads to a pool of young uneducated people whose chance in life is bleak. The majority of these young people, if not migrated to urban areas to seek employment, they get employed in the nearby farms – and others work in the household farms.

6.5.2 Development of Smallholder Agriculture through establishing cooperatives

The South African government has, over the years, made a series of interventions aimed at creating and developing smallholder agriculture. The success of these interventions has, however, been very limited. Lahiff and Cousins (2005: 128) argued that programmes such as the ISRDP have, in general, not taken serious land based livelihood strategies and particularly the smallholder agriculture. The government, through the Department of Agriculture in 2004, introduced the Comprehensive Agricultural Support Programme (CASP). CASP was created to provide support to a targeted group of land and agrarian reform beneficiaries. It emanated from a report by the Strauss Commission – this commission recommended that there should be financial subsidies provided to beneficiaries and that the state should adopt a series of activities

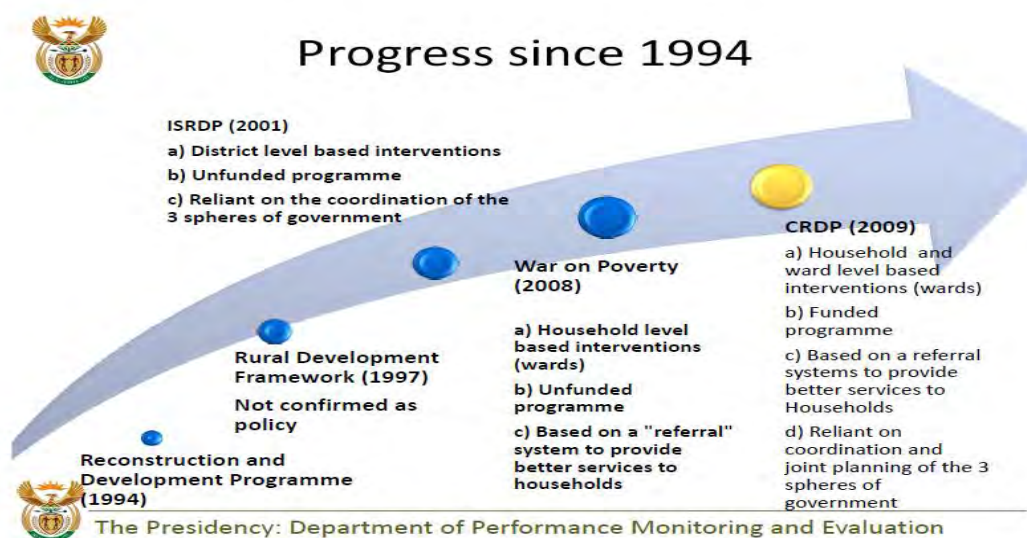
which will create “enabling conditions” for those land reform beneficiaries who need to access loans (DoA, 2004: 7).

The government realized that the provision of land and capital is not enough if beneficiaries are to run effective and profitable businesses in an environment which is highly competitive and unfavourable to smallholder agriculture. It therefore identified a number of areas in which support was needed. These areas of support are:

- Information and knowledge management;
- Technical and advisory support;
- Training and capacity building;
- Marketing and business development;
- Both on and off farm infrastructure and production inputs; and
- Financial assistance (DoA, 2004).

To this end, it has been a very bumpy road for both the government and beneficiaries of land reform regarding the provision of assistance. The below diagram shows some of the government efforts to deal with rural poverty and development.

Figure 6: Government’s progress since 1994



Source: Ngomane (2012)

The above diagram shows some of the government's efforts in attempts to implement land reform as well as rural development strategies. In 1994, the government came up with the Reconstruction and Development Programme (RDP). This is a policy framework which gave birth to a series of others since its conception. As seen on the diagram, a rural development framework was developed. This framework was intended to deal specifically with the issues pertaining to rural development. This framework, however, was never confirmed as a policy. In 2001, the government came up with the Integrated Sustainable Rural Development Programme (IRSDP). This programme introduced rural development strategies which were based on the district level. The challenge however is that this programme was not funded. As a result, it relied largely on the funds and coordination from different departments in the three spheres of government. Seeing the levels of poverty increasing, in 2008, the government introduced a strategy called 'War on Poverty'. The government of KwaZulu-Natal (KZN), after adopting this programme, reconfigured it to fit the needs of the province. It is now implemented in KZN as Operation Sukuma Sakhe (OSS). A more comprehensive approach then followed in 2009, the CRDP, and is explored and discussed in section 5.5.2 in chapter five.

The government has now, in its continuous efforts to alleviate poverty and reduce levels of unemployment, identified cooperatives as a central tool with which it can overcome the said challenges. Cooperatives are believed to have the ability to address the longstanding issues of inequality in rural communities and that they can accelerate both the empowerment and development of the previously disadvantaged (DAFF, 2012). This position is mainly informed by the fact that agriculture has been the main source of employment and income in the countryside – not only in South Africa, but also in other parts of the developing world. Cooperatives in the agricultural sector are seen as having the ability to enhance productivity of smallholder farmers.

DAFF (2012: 2) argued that because cooperatives are “voluntary, democratic and self-controlled business associations”, they provide institutional framework for local communities to attain control of productive assets from which they can derive livelihoods. Cooperatives in the agricultural sector are contributing to both food production and distribution – thereby supporting efforts to attain long term food security. It is through the cooperatives that the smallholder farmers can be able to secure land rights and have access to better market opportunities. The opportunities which they would have otherwise find difficult to access had they pursued them as individual entities. According to DAFF (2012), smallholder farmers can benefit immensely from being part of cooperatives. These benefits may include a sound bargaining power and sharing of resources – thereby leading to food security as well as poverty reduction for many people.

6.6 Conclusion

Chapter six has embarked on a journey to interrogate the impact of small-scale agriculture, particularly on rural livelihoods. In pursuance of this task, the chapter started by looking at how land reform relates with socio-economic development. From the discussions, it emanated that land reform is very important both as an economic resource and as a social justice redress. Weideman (2004) and many other authors have argued that for land reform programme or any other programme aimed at developing the countryside, should take into cognizance the views of rural inhabitants. In this way, they will be given space to state their needs and probably suggest how they think those needs could be served. It is also acknowledged that merely redistributing land to people without addressing the infrastructural constraints will not do any good. The absence of properly developed infrastructure hinders and limits the productivity level of new entrants in the agricultural sector.

While the agricultural sector's contribution to both local and national economies is low, it remains central in alleviating rural poverty in South Africa and in other parts of the African continent. Therefore, its development as a tool to create sustainable rural livelihoods is pertinent. Generally, the rural populations engage in smallholder agriculture, but not all of them see themselves as farmers. Most of the produce which comes out of the smallholder farms is for household consumption. There are a number of reasons for that, including that: agriculture is the only source of food and income for many households; the difficulty of accessing output markets; poor infrastructural development – leading to difficulty in accessing valuable information about farming and selling of the produce – just to name a few.

The South African government, in its attempts to develop the rural areas, has created and implemented a series of programmes and strategies since 1994. Included in these strategies is the development of smallholder farmers and the creation of cooperatives. However, what appear to be a shortcoming to many of these programmes is that they do not take the interests of the intended beneficiaries into account. The other problem is that there seem to be a general assumption from the state that all rural dwellers are interested in farming or in becoming farmers. As a result, the importance of off-farm activities which can contribute economically to the livelihoods of rural inhabitants are overlooked.

There is a plethora of challenges facing smallholder agriculture in South Africa. These, as indicated above, are largely connected to the problems of poor infrastructure development. Consequently, developing infrastructure is seen as a pre-requisite for successful and sustainable smallholder agriculture development. Through infrastructure development, smallholder farmers will have access to input and output markets; road networks and information. From the literature and interview information in this chapter, it is clear that there is a need to develop institutions which not only facilitate production, but also the availability of reliable markets to

smallholders. Agriculture can indeed assist in alleviating poverty, particularly in the rural areas. However, it should be seen as means to an end and not the end itself.

CHAPTER SEVEN

PROSPECTS AND CHALLENGES in SOUTH AFRICA

7. Introduction

Chapter six endeavoured to explore how land reform can be a source of sustainable rural livelihoods. In these efforts, the chapter dwelled much on how land reform influences socio-economic conditions of beneficiaries and thereby creating sustainable livelihoods for them. Amongst other things that the previous chapter explored is the status of smallholder agriculture in Africa and in South Africa. This was done to make comparison of how smallholders operate, what are their challenges and how farming contribute to their household livelihoods. The present chapter will explore challenges and prospects of land reform in efforts to alleviate rural poverty and develop the countryside. In doing this, the chapter will first look at the impact of land reform on agricultural sector – this will be followed by the analysis of the land reform’s impact on the rural livelihoods. From this point, the present chapter will then look at the effectiveness of the mechanisms the state employs in the implementation of the land reform programme. Lastly, the chapter will then explore the conditions necessary for the successful implementation of land reform in South Africa.

7.1 The impact of land reform on the agricultural sector

Finding means which are effective in poverty alleviation is what largely defines the development economics. To this end, a series of policy options have been implemented by many governments of the Third World. However, benefits of such efforts have been under serious scrutiny. On one hand, there are those who contend that political constraints impede on poor people’s access to benefits of these efforts such as the redistribution of land. On the other hand, there are those who argue that what undermines the benefits to the poor is the

“disincentive to generate income” (Besley and Burgess, 2000: 389). The improvement of the poor people’s asset base is seen as central to strategies aimed at alleviating poverty. Consequently, Besley and Burgess (2000) argue that in countries with poor agrarian economies, there is a need to improve the terms on which the poor people access the land resource. A similar argument is advanced proponents of theories such as the Sustainable Livelihood and Radical Political Economy (see more details in chapter two). Whether perceived or real, land reform does have impact on the agricultural sector. This impact may be viewed as positive and/or negative, depending on the person’s status in society as well as their ideological orientation.

There are several debates and positions regarding the impact of land reform on the agricultural sector. These revolves around the need and purpose of land reform programme in South Africa. Social Scientist often hold a different perspective from that of agricultural economists when considering what should land reform look like. It must be noted though that there is a general agreement regarding the importance of land and land reform. For most agricultural economists, land reform should only be implemented as long as it enhances the productivity of the agricultural sector. In their view, land reform tend to disturb production if no care is taken regarding its implications on agriculture. Mazibuko (Agricultural Economist: interview, 2016) argued that, although land reform is important for addressing past injustices, food security should be the priority. In her view, land reform is important and should be implemented only if it does not temper with the current agricultural operations. The dilemma emanating from this is: if land is to be redistributed, which land will be redistributed then if people think it will hinder the productivity of the existing commercial farming sector? In one way or the other, this calls for a balanced way of implementing land reform. While threading carefully in efforts not to disrupt the current production chains, it is also very important to acknowledge the fact that

the landless people are becoming impatient because of the long waiting for land. And land, as a form of natural capital (Cousins and Scoones, 2010), is central to their move out of poverty.

In Gumbi's view (interview, 2016), land reform can enhance productivity in the agricultural sector. He believes that large landholdings should be divided into smaller parcels in which there would be intense cultivation. In that way, Gumbi contends, there will be increased productivity since more land will be cultivated. At the same time, this will contribute to the government's efforts to address past injustices created by land dispossession and many other laws which segregated the majority of the African people. According to Gumbi, providing access to agricultural land to people in the rural areas will not only increase household food security, but it will also ensure that all agricultural land is used to its full capacity. While he acknowledges the importance of maximizing productivity for food security, Gumbi believes that such should not be done at the expense of rectifying the wrongs committed in the past – restoring and redistributing land rights to those who were dispossessed and the landless. The government on the other side, is trapped between providing land to the landless and the poor people and focusing on commercial agricultural development. Gumbi argued that the problem with the South African government (the ANC in particular) is that, before 1994 and the years later, their campaign has always been founded on their commitment to returning the land to the landless and the rural poor. This commitment, however, is faced with a lot of challenges including that of food shortage and increased unemployment rate (particularly amongst the rural and peri-urban youth).

The above are, but just a few of the views different academics hold regarding land reform and its impact on the agricultural sector. Zuma (interview, 2016), an Agricultural Scientist, believes that land reform can contribute immensely to the agricultural sector. During an interview, Zuma said:

Land reform is key to securing rural livelihoods for the rural poor and the previously disadvantaged. Where the rural people have been given agricultural land and provided with necessary support, their lives changed dramatically. I have worked with a number of people in smallholder projects. At first, it did not seem to be working. But these projects have now changed lives of those smallholder farmers. They get both food and cash from the projects they do. All that is needed is for the government to fast track the provision of land and post-land allocation support. In my view, dividing land into small manageable parcels will help a great deal in developing agriculture for food security, especially in the rural areas.

From this interview, one was able to get an understanding of how land reform can be used to positively impact on the country's agricultural sector. In Zuma's view, land reform is the main driver in developing agriculture in the countryside – thereby securing rural livelihoods. Zuma, however, did acknowledge that not all rural inhabitants are interested in agriculture as a source of livelihood. He indicated that there are those who were very reluctant about the success of agriculture and its contribution to their lives. This, Zuma argued, was informed by the lack of support from the government. This view is in line with that of some respondents which were interviewed in Bergville and Escort. These respondents argued that land reform is key to their success in agriculture. Some of the land reform beneficiaries indicated that without land reform, they would not have been able to access the land market – and would still be struggling. The majority of them indicated that their lives have changed for the better, ever since they received and started working their land. These are people who benefitted from land reform and are now farmers. They are, therefore, able to provide food not only for their families but also their communities and local supermarkets. In essence, these smallholder farmers are important contributors in the agricultural sector as well as the local economy.

It is equally important to note the concerns of those who believe that securing access to food is more important than accessing land. The problem with their concern, however, is that they narrowly view land reform through the lenses of food security. In this way, they end up disregarding the other important aspects of land reform. Social cohesion and the narrowing of the inequality gap between those with and those without land is largely reliant on land reform. As Besley and Burger (2000) indicated, access to land provide better livelihood options for the poor as they can derive cash and/or food from it.

7.2 The impact of land reform on rural livelihoods

Generally, land reform has been seen as very helpful by those who benefitted from it. Although there are couple of challenges regarding the pace of finalising redistribution and restoration of land rights to beneficiaries, rural inhabitants have seen positive change in their livelihoods. It needs to be noted that, even in this regard, there are diverse views as to how land reform impacts on the rural livelihoods. Those who have benefitted have a different set of views of how land reform impact their lives from those who are still waiting for their claims to be finalized. The bureaucrats, the academics (both social and agricultural scientists as well as agricultural economists) and many other stakeholders in land and agrarian reform have different sentiments on the impact of land reform on rural livelihoods. A number of scholars have also argued that land alone cannot help in the improvement of rural livelihoods – instead, the eye should be on a comprehensive rural development (CDE, 2008). This view is in line with the convictions of the proponents of Sustainable Livelihoods which also suggest that land alone will not really improve livelihoods of the rural and urban poor – but there is also a need for attending to other aspects in a holistic and integrative manner (Ellis, 2000; Shackleton *et al*, 2000).

As has been indicated in the latter paragraph, different stakeholders have different views about the impact of land reform on rural livelihoods. A number of land reform beneficiaries both in

the Mpumalanga (MP) and KwaZulu-Natal (KZN) provinces have indicated that their lives have been changed for better after benefiting from land reform. This, however, should not overshadow those who feel that land reform has not helped in developing their lives for better.

7.2.1 Satisfied land reform beneficiaries

There is a general appreciation that land reform has been very slow in South Africa. However, those who have benefitted from the programme seem convinced that indeed land reform has positively impacted on their livelihoods. While in Mpumalanga, the researcher visited a number of land reform beneficiaries. These people are actively engaged in agriculture – most of whom specialize in vegetable production. Mr Mabuza and Mr Mkhalihi told the researcher during the interview that:

Land reform has contributed immensely in the improvement of our live and those of other people around us. Ever since we received the farm, we have been planting for both household consumption and for selling to community members as well as some local supermarkets. A lot of things changed when we received the land. The only thing which we found to be a serious challenge was the lack of knowledge on farming. We only had indigenous knowledge of farming, we had never received any formal training. Maybe we can expand our production – but only if we get proper training. However, what seem to be a major challenge is that we do not have access to reliable markets. As a result, we do not have clear targets of how much we should produce and to whom we are to supply the produce.

These two gentlemen felt free to share their views with the researcher. Their openness assisted a great deal in an attempt to understand how land reform programme impacts on the rural livelihoods. In addition to the challenges of access to reliable markets that were said to be a

problem above, another respondent pointed out at the challenge of relocating from her home to the acquired farm. She indicated that she is not interested in permanently moving from her rural village and settle in the farm. So, this meant that she travels between the farm and home literally every day. As the interview process continued, the researcher realized that she is not the only one who does not want to relocate to the farm. But others stay in the farm house during the week and then move to their homes in villages on the weekends.

The problems faced by land reform beneficiaries in both MP and KZN are more or less the same. Principal among them is post-settlement support and access to reliable markets for the distribution of their produce. However, in KZN, some projects have received assistance to access market from the extension officer. In the projects done in uMswathi area, the extension officer has negotiated with Spar supermarket in the area so that the project can supply this supermarket with vegetables (cabbages, spinach and green peppers). This has assisted a great deal in ensuring that these people have a reliable market for their produce. Consequently, this is probably a way in which the absence or lack of access to reliable markets can be tackled. However, this should not be taken to mean that there are no other ways in which access to reliable markets by smallholder farmers could be improved.

7.2.2 Dissatisfied beneficiaries of land reform

Like in the implementation of any policy, there are always diverse and divergent views regarding its impact on those it intend to service. To this end, the same applies to the implementation of the land reform programme. A number of land reform beneficiaries who have been given large farms – as groups or individuals – have complained mainly about the lack of post-settlement support and training on how to manage large farms. They therefore are not able to deal with the management of these farms. As a result, the farms are unable to be productive. Below are some comments from these beneficiaries:

One was extremely excited when we were told that we are going to get a farm. The expectation was that we will be given all the necessary machinery for running a farm, but that was not the case. When we got there, we only had land and an old farm house. Beside the fact that we did not have formal training on how to run a farm, we did not get support to get the farm running.

What can be deducted from this is that the main reason for failure of these farms to be productive is the lack of post-settlement support. But this is not the only reason. A number of people have who were given farms had no interest in becoming farmers. This is in line with the information shown by Cousins and Aliber (2013) that there is merely 40% of land reform beneficiary projects which are still active. As a result, they wanted and some have already sold the farms back to previous owners. This, as argued by Dr Ngidi (informal interaction), is delaying the deracializing of the agricultural sector. Dr Ngidi even suggested that the government should maybe not allow land reform beneficiaries to sell the farms. Instead, they should be allocated to other people who are willing and able to work the land. The only visible limitation with Dr Ngidi's suggestion of allocating the land to those who are 'able and willing' to work the land is that it somehow remove from the state the responsibility to provide post-settlement support to beneficiaries. If the state, as has been widely claimed, intends to deracialize the agricultural sector, then it must fully commit itself in providing the necessary training to land reform beneficiaries.

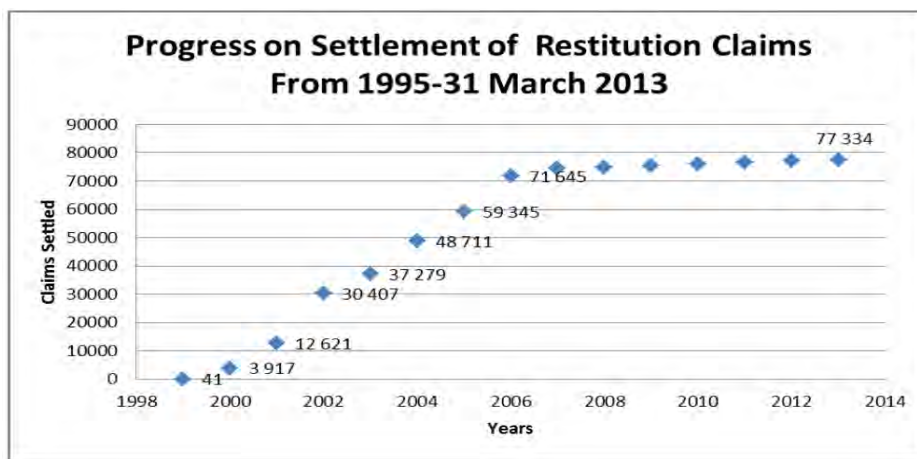
7.2.3 Prospective land reform beneficiaries⁸

There is a number of claims which the state has settled, but there is equally a huge number of those that are not yet settled. Pepeteka (2013) argued that there were about 77979 settled claims

⁸ Those who, by the standard of government, are eligible to benefit from land reform and those that the state is still processing their claims.

at the end of January 2013. This means that about 97% of the lodged claims were settled. The worrying issue though is that many of these claims were settled through cash payments instead of returning of the land (Pepeteka, 2013). Below is a graph showing the number of claims settled over the past years.

Figure: 7



Source: Pepeteka (2013)

Because there were fewer claims which were outstanding, the government in the financial year 2008/2009 decided to cut the budget for restitution. In making this decision, however, the fact that the outstanding claims were the more complex and expensive ones was not taken into cognizance. These included the claims over key national assets such as forestry and sugar plantations as well as the land on which the Kruger National Park is located. Since the budget was cut, the Land Claims Commission could not deliver on its commitments. Consequently, there were very few claims settled (Pepeteka, 2013).

As things stand, there are many claims which are not yet settled in Mkhomazana – a rural area near Underberg. The people in this area have been waiting for their claims to be settled for a number of years now. Some claimants had this to say:

We lodged our claims a long time ago, but we are not certain as to when they are going to be settled. People from the department told us that the main problem delaying our claims is that some are overlapping. Therefore their finalization is difficult.

The Duma clan (interviewed in 2015) is part of the claimants in the Mkhomazana area. Their claim covers a vast tract of land which include some commercial farms in the area. This has become a stumbling block towards the settlement of their claim. To this date, their claim is nowhere close to being settled – a member of the Duma clan told the researcher.

7.2.3.1 Monetary settlement of land claims

Like it has been indicated in the preceding paragraphs, most of the settled land claims have been settled through the paying of money to claimants. This is however criticized by many in the academic circles – mostly those who believe that land redistribution, restitution and tenure reform should be a tool to redress the past injustices and deracialize the landholding in South Africa. For example, Phakathi (interview, 2016) believes that there should be no claims which are settled through paying the beneficiaries. According to him, the monetary settlement of claims does not change beneficiaries' life for better. In his view:

Monetary settlement of claims should only occur in extra-ordinary circumstances. Circumstances such as in cases where the land claimed covers some of the national key areas like national parks and other tourism attraction sites. The other option is to give the claimants some shares on these national key areas. In this way, the beneficiaries will have ownership of meaningful economic assets. Simply giving money to land reform beneficiaries does not address long-term issues such as enduring inequalities and racially defined ownership of productive assets.

The view held by Phakathi is also held by many in other fields, such as agriculture (Agronomists and Agricultural Economists). As it has been argued by Khuzwayo (interview, 2016), most of the people who received monetary compensation for their loss, do not have any productive assets which will carry them through over the years. According to him, it is better to get productive assets (such as land) rather than taking money. This does make sense if one takes into cognizance the reality that those who take monetary compensation rarely invest such money. Therefore their livelihoods do not really change. The key question then is: what should be done to arrest the situation and ensure that land reform attain the desired outcomes? A response to this question might be a foundation to many of the unanswered questions regarding land reform and its impact in South Africa. Maybe the government should really consider stopping to pay cash for claims. Otherwise the landholding patterns will not be deracialized.

7.3 The effectiveness of state mechanisms in the implementation of land reform

Since 1994, the government has seen different pillars of land reform as a source of addressing the past injustices and redistributing productive assets for the development of the countryside. Cousins (2013) argues that land reform policy making has become *ad hoc* in a way. He further contends that the 1997 White Paper was both comprehensive and ambitious and that it projected a reasonable way forward. However, Cousins (2013), proceeds by pointing out that since then, the land reform policies have changed direction many times and have failed to clearly articulate the direction land reform is to take. Even before all this, during the negotiations, white farmers and industrialists lobbied for the protection of property rights. As these parties successfully negotiated for this, both the 1993 interim Constitution and the 1996 Constitution contained a 'property clause'. This clause guaranteed that existing property rights including agricultural land cannot be taken away from the present owners without their consent. Hall (2004) contends that this is what led to some commentators observing that the colonial 'land theft' is now protected and preserved by the democratic constitution.

South Africa, on the advice of the World Bank, adopted the market led approach to land reform – the willing buyer-willing seller approach. This approach meant that farm owners should be willing to sell their farms – and government buy from them at a market value. The World Bank’s argument for this approach was that the state should buy land and redistribute it to smallholder farmers. In turn, this was going to help in averting both political and social instability – while at the same time promoting rural development (Hall, 2004). As a result of this interaction between the World Bank and the African National Congress (ANC), a commitment to redistribute 30% of the agricultural land to the landless and the poor was made through the Reconstruction and Development Programme (RDP). This 30% redistribution of agricultural land was to happen over a period of five years. The World Bank advisors had suggested that it is possible to redistribute 30% of the land within this period. This meant that at least 6% of the land should be transacted each year (Aliber and Mokoena, 2002 cited in Hall, 2004).

7.3.1 The willing buyer-willing seller and the pace of land reform

The willing buyer-willing seller approach to land redistribution has been the main characteristic of South African land reform programme since its inception, more especially when it concerns land redistribution. This is contrary to what occurred in countries such as the Philippines and Brazil where market-led land reform emanated from ‘longer running’ state-led land reform (Lahiff, 2007). The Zimbabwean government, in the first 20 years of independence, also applied the willing buyer-willing seller approach as contained in the Lancaster House Agreement. This approach, however, did not yield the anticipated results. There was no and there is no reasonable evidence that suggest that the willing buyer-willing seller approach would yield different results from that of Zimbabwe in South Africa. Noting the continuous failure of the willing buyer-willing seller approach to reach its target, President Zuma proposed a solution which was to speed up the process of land redistribution. This process was to allow

the state to buy land at a 'fair productive value' as opposed to market value (Sebola and Tsheola, 2014).

The willing buyer-willing seller approach to redistributing land has always been at the centre of land redistribution in South Africa. In 2005, during the Land Summit, there was seriously opposing views regarding the success or failures of this approach. On the one hand, the landless people's movements, civil society and non-governmental organizations argued for the scrapping of this principle – arguing that it stagnates the process of land redistribution. On the other hand, there were large-scale commercial farmers who firmly believed that this principle should not be abandoned (Lahiff and Li, 2012), and that it works perfectly fine. The approach and conviction of commercial farmers in this regard reflects what Radical Political Economist see as an aim to secure conditions which favour capitalist accumulation by ensuring that the cost of labour is lowered and rules out a place for peasants by physically expelling them from the land and epistemologically removing them from history (McMichael, 2008).

Much greater debates about the effectiveness of the willing buyer-willing seller principle have dominated discussions of all those interested in the country's land question. A number of Political Scientists have also argued in favour of scrapping the principle, citing that it is responsible for the dismal performance in redistributing land.

The argument central to the call for scrapping the willing buyer-willing seller principle was that the large land owners only make available marginal land with less agricultural potential. And they sell this land at inflated prices which ended up being extremely costly to the government. In an interview with an official from the Department of Rural Development and Land Reform, it clearly transpired that the state realized that it cannot afford to buy the land at the market (inflated) prices imposed by land owners. This official indicated that they have engaged extensively within and between the departments regarding the costs of land.

Consequently, they reached a conclusion that this principle should be scrapped and new proposals be brought forward in efforts to speed up land redistribution. He also admitted that in their analysis, they realized that the landless and poor people were becoming more impatient by each day. As a result, the government had to be seen as doing something to address the ever slow pace of land reform. One, based on this interview, can construe the government sudden change of heart as merely a strategic political move to contain imminent revolt by the people.

7.3.2 Populist politics and land reform

Realizing what land mean to the people of South Africa, all political parties use land when canvassing votes. As levels of impatience grows among many landless South Africans in relation to the slow pace of land reform, “the ruling party is becoming concerned by the fertile ground that the emotive issue provides” for the populist Economic Freedom Fighter (EFF) (Luke, 2015: 4). This may be seen as what has pushed the ruling party to move for the scrapping of the willing buyer-willing seller principle. The EFF has continuously called for the expropriation of land owned by white farmers without compensation. A call which has proven to resonate with many of those who have run out of patience with the slow pace of land reform. This is a popular move which touches all the landless people at a time when youth unemployment is rife and service delivery is extremely poor – more especially in the countryside. According to Luke (2015), the ruling ANC might have realized that continuing with the policy while EFF is calling for expropriation without compensation will only hurt the party in elections.

The ANC outlined what it call a 50-50 policy in 2014 which it was considering introducing. There is, however, very little said about this proposal but it looks like a possible option that may be pursued. According to Luke (2015), this option may as well be flawed but it has the potential of providing a middle ground. The government, under this proposal, plans to buy half

of some farms (these farms are not identified though) and divide the land bought among the farm workers. The percentage of land each farm worker would get depends on the number of years the farm worker has spent on the property – that is, if the worker has worked in a property for 30 year, then he/she will get 30% percent share. The one who has worked for 25 years, would get 25% allocation of the land (Luke, 2015).

The more the ANC tries to come up with alternatives to the current mechanisms of implementing land reform, the more people want to closely examine its ‘real’ intentions. During the interviews, some respondents made it clear that they do not trust that the ANC government is really concerned about the slow pace of land reform, instead, they might be trying to counteract the calls made by the EFF. The EFF has grown to be seen as a real alternative to the ANC, more especially when it comes to addressing the land question. Other respondents pointed out to the possibility that the ANC might be in a political dilemma. A situation in which they do want to give land to the landless and the poor, and on the other hand, they do not want to upset the existing commercial farmers. According to Khuzwayo (interview, 2016), their fears are real since there is a real possibility that investors would be scared away should they intend to expropriate land without compensation as suggested by the EFF.

Other academics, such as Gumbi (interview, 2016), suggested that it is possible for the ANC government to expropriate land without compensation. His view is that the state should start by expropriating the land which lie fallow. In this way, the state will be hitting to birds with one stone. On one hand, it will be able to get land for redistribution almost at no cost. On the other hand, this may encourage large-scale farmers to either sell the land that is not used or cultivate it. Either way, the state will benefit because if the land is not used, it will be transferred to those who would use it. If it is cultivated, there will be more food available – thereby contributing to the country’s food security basket.

7.4 Conditions necessary for successful implementation of land reform

The slow pace of land reform in South Africa is acknowledged and accepted as a reality that the South African government have to deal with. Different quotas in society have diverse ideas regarding what should be done in order to address the failure of the land reform programme to attain its set targets. But there is general agreement on that something needs to be done, and done quickly before the issue gets out of hand. Pierre De Vos (2013) in an article titled *Willing buyer, willing seller works...if you have a lifetime to wait*, argued that there are few reasonable persons who would contend that the pace of redistribution in South African land reform is satisfactory. Resulting from this, is the need to come up with more viable options that will see a faster and efficient land reform in South Africa.

7.4.1 Expropriation of land for redistribution

The need for land reform and specifically land redistribution as means to addressing past injustices in South Africa is enshrined in the Constitution of the Republic. As a result, in instances like the one discussed above under the ‘willing buyer-willing seller’ section, relying on the market for redistribution of land become highly constrained. Therefore, the need for a renewed commitment and efforts for speeding up land acquisition for redistribution is necessary. Both New Institutional Economics, Radical Political Economy and Sustainable Livelihoods Approach acknowledge that unequal land distribution can constrain economic growth and that redistributive land reform is a key component of larger agrarian transformation (Rosset, 2006; Cousins and Scoones, 2009).

Section 25 of the Constitution⁹ outlines property rights and how expropriation of land could be undertaken and compensation paid.

⁹ Constitution of the Republic of South Africa, 1996

7.4.1.1 South African Constitution and land expropriation

Section 25 (2) of the Constitution outlines conditions under which expropriation should take place. Subsection 2 indicate that land can only be expropriated in terms of law of general application:

- (a) For public purpose or in the public interest; and
- (b) Subject to compensation, the amount of which and the time and manner of payment of which have either been agreed to by those affected or decided or approved by a court¹⁰.

The Constitution in subsection 3 further elaborates on how compensation should be determined and paid. In this effect, the Constitution states that compensation should take into account and reflect a balance of both the interest of the public and that of those affected (land owners). All relevant circumstances should therefore be taken into consideration including the following:

- (a) The current use of the property;
- (b) The history of the acquisition and use of the property;
- (c) The market value of the property;
- (d) The extent of direct state investment and subsidy in the acquisition and beneficial capital improvement of the property; and
- (e) The purpose of the expropriation.

This is then followed by a subsection which explains what ‘public interest’ entails and it argues that it includes the “nations commitment to land reform, and to reform to bring about equitable access to all South African’s natural resources...”¹¹ The Constitution therefore places a

¹⁰ Constitution of the Republic of South Africa, 1996 (s25), page 11

¹¹ Constitution of the Republic of South Africa, 1996 (s25, ss4), page 11

responsibility on the state to take “reasonable legislative and other measures” to ensure successful implementation of land reform.

There is a series of debates which have emanated around different prescripts of the Constitution regarding expropriation and compensation to be paid to those who own the land. Some quotas in South Africa have propounded, persistently, that the Constitution does not require the state to buy land at the market value. This is a result of the different interpretation different people give to these constitutional prescripts. It is therefore worth noting that there is no prescript of the Constitution which stipulates that land should be bought at a market price if the buying of the land is for land reform purposes. This fact has led to many commentators observing that the failure of government to expropriate land is merely informed by the lack of political will.

A number of respondents in this research argued that there is lack of political will on the part of the ruling ANC and its government to fully implement the land reform programme. They further argued that this is reflected on the amount of budget allocated for the purpose of implementing land reform. Notwithstanding this, there also those who advanced an argument which suggest that even if the government want to add more money to the implementation of land reform, it is not possible given the state of the economy in South Africa. One observable trend though is that the responses from the landless people, NGOs and some academics tend to follow a similar direction. The same cannot be said though about government officials. Most of those who hold the view that there is a lack of political will on the part of government are the landless (for obvious subjective reasons), NGOs and academics. The responses from government officials mainly attempted to portray a more positive picture which seek to show how much committed the government is in the speedy implementation of land reform.

In relation to what is said in the previous paragraph, one respondent (a government official) observed that:

Although the pace of land reform is extremely slow, the government remain committed to successfully implementing land reform. As government, we understand the importance of land to our people. We also understand that they are becoming impatient as a result of the slow pace of land reform – and that is understandable. But the people should give us more time – the issue of land reform is complicated. The government is in processes of employing more radical means for acquiring and redistributing land.

Form the above extract, one can reasonably deduct that the government is indeed aware that the landless people have become impatient at the slow pace of land reform. One even observed that if nothing changes on the government strategies, there is imminent possibility of illegal land occupations. This, the respondent argued, would be a direct result of the snail pace with which the land reform has fared. In passing, some respondents (government officials), did touch on the possible government's fear to expropriate land. Expropriation if not critically thought through, they argued, might scare away investors and discourage commercial farmers.

From this, it can thus be deducted that the government is finding itself in a dilemma where the landless people (as promised in a number of the ruling party's manifestos) are expecting the state to speed up the provision of land and other economic assets on one hand, and the fear of chasing away investors and discouraging the existing commercial farmers on the other. This dilemma is real, and the government has to find ways of gaining confidence of both the investors/potential investors and the existing commercial farmers, while delivering land and other economic resources to the previously disadvantaged in an acceptable pace. During the interviews, it became an observable trend that most if not all landless people and academics believe that the solution to the slow progress in land reform is expropriation. Most of these people acknowledge that the state cannot afford to buy land at the market prices as was prescribed by the 'willing buyer-willing seller' principle.

7.5 Expropriation of land: is South Africa becoming another Zimbabwe?

In Zimbabwe, the slow pace of land reform led to rural unrest. Land invasions in Zimbabwe started when it became apparent that relying on land market to redistribute land was unlikely to perform satisfactory task any time soon. The situation in South Africa regarding the failure of market to speedily allow the state to acquire land for redistribution is no better than that of her neighbours, Zimbabwe (Lahiff and Cousins, 2001). Generally, there is agreement among academics that the land invasions in Zimbabwe were a direct result of slow redistribution of land and other economic assets. This, they argue, is not too far a reality for South Africa if the land reform programme does not pick up the required speed.

The ordinary¹² landless people are, to a certain extent, not worried about how things turned out in Zimbabwe. All they want is land – no matter how they get access to that land. Impatience is written all over their comments. Some, when asked if they intend to illegally occupy land in response to the slow pace of land reform said:

We have been waiting far too long and the government is not doing anything.

We are tired of waiting and if nothing is done, we may have to take things into our own hands. We cannot live like this – we are squashed in crowded areas and in shacks. The government should do something, and do it now.

Another respondent, echoing similar sentiments to those above said:

Because of our patience, the government seem to have forgotten that we really need this land. Without it, we remain sub-humans in our own country.

By the way, we are too tired of this waiting. In fact, we have now seen that

¹² Ordinary is used to define rural and urban unemployed people who seek land – either through redistribution or restitution. The reason for this distinction is that those who are employed and live in the urban areas do not really want to illegally occupy the unused land. Instead, although not satisfied, are prepared to wait for the government to provide land to them.

the government is playing games with us. And we cannot play along. We will occupy the unused land.

This is a clear indication of how people feel about the pace of land reform and what they think is the possible solution to their plight of landlessness. However, some academics and government officials have observed that the consequences of illegal land occupation is not desirable – and should not even be explored. Further to that, they argued that the government need to do something very quick to prevent such occupations from taking place. Another respondent said:

As a result of this long wait for access to land, the landless people might end up thinking that illegal land occupation is the only solution to their plight. The unfortunate thing is that many landless and poor people have lost confidence in government. The government officials always tell them that there is not enough money to meet their demands, but people can see loads of money being misused in projects like the Nkandla upgrade. And the never ending bail-outs of State Owned Enterprises (SOE) does not help the government in any way.

It is an interesting observation that this respondent made because there are many landless people who have argued that the government cannot say that there is no money, when there is so much that was wasted, for example, in Nkandla and that which is always pumped into the SOEs. This realization by many people leads to them losing confidence on the state and becoming more impatient by each day.

Generally, there is fear amongst academics that if the state is not doing enough, South Africa might be heading the Zimbabwean way. An interesting observation though was made by Phakathi (interview, 2016) regarding whether South Africa is going the Zimbabwean route or

not. His perspective on this matter is interesting in that it does not only look at land occupations *per se*, but he also look at other conditions which contributed to agricultural ‘failure’ of the fast track land reform. He propounded that:

When looking at the issue of land in Zimbabwe, it is important to look at it holistically. It is highly difficult to clearly understand their challenges if you only look at one issue separately when it is interlinked with others. The drop in agricultural production mainly resulted from the change in weather, more than from the failure of the reform’s beneficiaries to use the land productively. On the issue of land occupations, however, people might end up organizing themselves around the idea and occupy the land. This may lead to many undesirable ends... In my view, if people feel that the government is not doing what they expect from it, they must just vote it out. South Africa has a reliable voting system – unlike Zimbabwe.

Under a democratic system like the one in South Africa, it is argued that there is no need for illegally occupying land. Instead, the people should just vote out the government that is not delivering on their needs. This came out more often from the interviews with professionals (academics and government officials) than when the researcher engaged with the ordinary people.

7.6 Prospects of land reform in South Africa

Rural poverty, in the main, emanate from an unequal agrarian structure. Consequently, key to its alleviation is the transformation of agrarian structure through redistribution of productive assets. There is a series of perspectives regarding the redistribution of productive assets and its overall contribution to rural development and poverty alleviation. According to Radical Political Economy (RPE), land reforms which are redistributive in nature, plays a critical role

in ‘broader’ agrarian reform aimed at restructuring class relations in the former homelands (Rosset, 2006). This theory argues that peasants should be seen as both beneficiaries and agents of change if land and agrarian reforms are to yield the desired outcomes. The same could be used in South Africa. As argued in chapter five, the beneficiaries and prospective beneficiaries have to proactively engage with the programmes that are aimed at improving their lives. However, they should not only be expected to participate only at the implementation stage of the programmes. Their inclusion from the onset is a necessary aspect for successful programme formulation and implementation.

Access to productive assets is central to the improvement of the lives of those who live in the countryside. According to Sustainable Livelihoods (SL) Framework, securing access to productive assets reduces vulnerability of the rural poor people. As a result, tenure reforms and others that facilitate ‘greater equity’ in land distribution are seen as key to poverty reduction (DFID, 2007). In the case of South Africa, the strengthening of tenure security measures is key to ensuring improved and sustainable livelihoods. This has a potential of improving the lives of those residing in the countryside as well as those living on farms. Sustainable livelihood approach brings attention to “bear on the inherent potential of people in terms of their skills, social networks, access to physical and financial resources, and ability to influence core institutions” (Serrat, 2008: 1). This approach organize factors that both constrain and enhance livelihood opportunities. As outlined in chapter two, the poor have to make trade-offs and choices from a set of livelihood assets. These are inclusive of human capital (health, education, skills and knowledge etc.); social capital (network connections, mechanisms for participation in decision making, shared values and behaviours, etc.); natural capital (land and produce, wild food], wild food, etc.); physical capital (infrastructure – transport, roads, secure shelter and buildings, etc.); financial capital (credit, debt, savings, remittances, wages, etc.). These assets may help the rural people to navigate through the vulnerability contexts (Serrat, 2008).

Notwithstanding the above, livelihood strategies are also dependant on and transformed by the “environment of structures and processes”. These structures are inclusive of both private and public organizations that deals with the setting and implementing of policies and legislations, and perform all other functions that have to do with livelihoods. The processes on the other hand is inclusive of regulations, laws, operational arrangements, policies, societal norms and practices (Serrat, 2008, 3). As has been observed by New Institutional Economists, structures which determine policies cannot on their own be effective. Appropriate institutions for policy implementation needs to be set up. According to New Institutional Economics (NIE), institutions assume a more central role in efforts to distribute assets (Kherallah and Kirsten, 2002). In the case of the present study, new institutions should be put in place in order to mitigate high transaction costs and imperfect information. If these are sorted, then distribution of the land resource will be much easier. According to Cousins and Scoones (2009), high levels of inequality in distribution of land constrains economic growth. As a result, effective land redistribution is seen as a solution. To achieve this, the proponents of the NIE argue that land reform needs to be market oriented and focus on transforming the existing economic entities (credit provision, technological innovation, security, marketing, etc.) which perform endogenous function with new effective institutional arrangements (Cousins and Scoones, 2009).

For land reform to be feasible, it has to find a ‘power compatible’ path. A number of commentators argue that there is a need for a new wave of land reform. This, it is argued, should replace past approaches to production – that is cooperatives/collective forms of production. In the place of these past forms of production, efficient small-scale farmers should be empowered through appropriate rural development policies (Cousins and Scoones, 2009). Cooperatives, as has been argued and presented in chapter five, have too many challenges but could work if they are properly organized. Small-scale farmers indeed are seen as the future

and a tool for rural development. However, this is only possible in instances where appropriate institutions are put in place, and access to productive assets is provided to the rural poor. Institutions focussing on post-settlement support are thus vital determinants of success or failure of land reform and rural development initiatives.

7.7 Conclusion

Chapter has endeavoured to look at some of the challenges land reform is facing in South Africa and its prospects thereof. In efforts to achieve this task, the chapter started by looking at how land reform has impacted on the South Africa's agricultural sector. A series of respondents were interviewed in this regard in order to get their perspectives and at times, to get their lived experiences. This has been done with all the other subsection in this chapter. So, after looking at how land reform influence or impact the agricultural sector, a closer analysis of how it impact on the lives of those residing in rural areas. In this subsection, a diverse set of views came out from the respondents. There are those beneficiaries who, although still believe the state can still do more, are happy that they benefitted from land reform. They even indicated that without the state intervention, they would still be landless and struggling. On the other hand, there are those who are beneficiaries of land reform, but are not happy. The main source of their dissatisfaction is related to the poor post-settlement support provided by the state. A number of these people have even opted to sell or rent out the land because they do not have the means to work it.

The prospective¹³ beneficiaries on the other end are much more concerned about the slow pace of land reform and the settlement of their claims. A series of reasons influencing the delays in the settlement of claims popped out during the interviews. They range from the government's inability to acquire and redistribute land more speedily – to inability to effectively solve the

¹³ Those people who are waiting for the resolution and settlement of their claims.

challenge of overlapping claims over one piece of land. On other issue which was raised mostly by academics is that of paying money for the majority of the restitution claims. In this case, monetary settlement of land restitution claims is seen be problematic in two ways. First, it does not solve the challenge of deracializing the country's landholding patterns. Secondly, the beneficiaries do not invest the monies received to earn interests from it – as a result, beneficiaries' lives do not change for the better. And this defeats the very goal of land reform.

The chapter also looked at the mechanisms used by the state in implementing land reform – specifically the 'willing buyer-willing seller' principle. Drawing from both literature and the interviews, it became clear that the majority of the people are unhappy about the progress made thus far. The only group which seem to be happy with the principle are the established commercial farmers. The case of these farmers is a subjective one though - they might be comfortable with the willing buyer-willing seller principle because they know it does not threaten their ownership of agricultural land.

The chapter then looked at how populist politics has affected people's perceptions of the shortcomings of the willing buyer-willing seller principle. This endeavour showed that, for examples, the calls by the EFF to expropriate land without compensation does resonate with the landless people in the main. This part is tied to the subsection which explored the necessary conditions for successful implementation of land reform. It appears, for the state to successfully implement land reform, it should do as mandated by the Constitution of the Republic and expropriate the land. Of course, with the necessary compensation. On the other end, there are fears that South Africa might just turn out to be like Zimbabwe – the disgruntled landless people might just decide to illegally occupying vacant land. This, as some respondents argued, might happen in South Africa in the immediate future if the government does not do anything to speed up land reform and even regain the confidence of the people.

CHAPTER EIGHT

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

8. Introduction

The discussions about the racially skewed land ownership and the need for land reform are a very emotive issue, not only in South Africa – but also in other parts of the world. Hence, all those who are engaging on the matter should take the necessary care to avoid haphazardness in responding to challenges created by decades of dispossession. This thesis has (as set out in chapter one) assessed successes, challenges and prospects of land reform in South Africa. This was done through the evaluation of the effectiveness of the implementation of land reform and looking at conditions necessary for the effective implementation of land reform. The thesis also, under different sections, discussed the legacy of poverty and under-development in the country and how land reform can contribute in reducing the increasing inequality and poverty in the countryside. The land tenure system was examined in chapter four, but its effects have been integrated into chapter five and permeate through to chapter six as well. The present chapter (chapter eight) is the culmination of the entire thesis. It provides summaries, further discussions and interpretations of data used in this study. This allows the researcher to draw conclusions and to make recommendations regarding the issues which came out throughout the study.

8.1 Summary

In an effort to obtain answers to the study's key questions and attend to its main objectives, this study discovered some interesting information. Some of this information may be taken or has been taken for granted, but this study has found it to be important. There has been a general assumption that every person, Africans in particular, wants land. Or more specifically, that

every rural inhabitant wants to become a farmer. But this study has found this not to be the case. Interestingly, the study found that farming is not a priority for many rural people. In fact, not all of them are interested in becoming farmers. Instead, they are seeking alternative employment. This, on one hand, poses some serious question about who wants the land, and for what purpose. On the other hand, the main question is: how is the government going to identify those who want the land and are committed to working it from those who simply want land for settlement. And at times, from those who simply want job opportunities outside the agricultural industry. The determination of responses to these questions is very important in that it would provide some insights on how land reform can be used to positively transform the lives of the rural inhabitants, while redistributing productive assets to them.

The other interesting finding that this study uncovered is the confusion caused by rural-urban migration on the implementation of land reform. Here, emanate the questions about who would work the land if the majority of those residing in the countryside migrate to the urban areas. However, this realization is important in that it helps (although not entirely) in identifying people who are interested in farming. This study also found that even within the group of those interested in farming, not all of them are interested in commercial farming. For others, they engage in farming as a hobby and others engage in farming to complement the off-farm earnings. This finding then directly links to the call and importance of diversified livelihood portfolios. A diverse livelihood portfolio sustains and provide strategies to cope with shocks such as droughts, floods, and other challenges resulting from the climate change and at times from political developments, and economic melt-down.

The assumption that all rural inhabitants want to become farmers, or that they want land has led to government giving land to people who are not at all interested in farming. During the interviews, there are people who are part of agricultural cooperatives set up by the government who clearly indicated that they have never been interested in farming. And this is reflected in

the way their projects failed. For example, the cooperative which engaged in poultry farming in KwaShange and KwaGezubuso, in Vulindlela, collapsed because of the same reason. This then negatively affect those who have genuine interests in farming. So, the continuous quest for finding a solution to the government's ability and capacity to identify those interested in farming is vital.

Land reform projects, especially the large commercial farms have failed, owing to different but at times linked reasons. This study has found that the inadequate provision of post-settlement support is a huge problem. But might not be the main problem. As identified in the preceding paragraph, the lack of farming interest also contribute to the failure of land reform projects. This is in addition to the lack of knowledge and skills on how to farm. It also adds to the challenges posed by the lack of or poorly developed infrastructure. The beneficiaries of these commercial farms end up either renting out the land or selling it back to the previous owners. And this defeats the purpose of land reform – that of redistributing land to address the skewed landownership patterns.

The South African government has identified the creation and/or revival of smallholder agriculture as its main tool for rural development. Central to its efforts, is the integration of land reform in rural development strategies for poverty alleviation. The government is currently facilitating the creation of cooperatives in which the smallholder farmers will be grouped together – and assisted in those groups. There are identifiable advantages of this arrangement. Amongst them, is the negotiating power that they may have when looking for markets for their produce. This arrangement may also help the smallholder farmers to gain access to credit more easily as they will group their resource to use as a collateral when approaching financial institutions. For all this to materialize, the government should invest more on developing rural infrastructure such as roads, transport, ICT, communication, etc.

The unhappiness and dissatisfaction about the pace of land reform, though known, was striking. This finding was interesting because from it, the researcher was able to get insights of what people thought is the solution to the slow pace of land reform. In the main, respondents were largely concerned about the redistribution programme. Although there were others who were also concerned about the time taken in settling restitution claims. Mostly, those concerns about the pace of settling restitution claims were the prospective beneficiaries – people who have filed their claims. For redistribution programme, it became easy to point out at the unavailability of land as a stumbling block. But for the restitution programme, there were more complex issues. The issues ranged from failure to reach settlements to the difficulty of resolving overlapping claims. This is one problem that the state has not yet found a solution to.

The influence of populist politics also came out very vividly during the interviews. However, not many of the respondents knew exactly what they were going to do with the land should they be given it. This then goes back to the argument in chapter two that suggest that people who pursue land reform should be ideologically clear. In this way, it is argued that they will have a better appreciation of what access to land mean – not only to them, but also to the entire population. This study, in chapter seven, found a number of challenges and prospects of land reform. Some of those challenges have already been mentioned above. But most interesting is the prospects because they demand commitment not only from the government, but also from the entire citizenry for land reform to be a success.

8.1.1 Conceptual and theoretical underpinnings of land and agrarian transformation

Chapter two of the study outlined and discussed the theories which informed the foundational basis of and guided the study. In this regard, the New Institutional Economics (NIE), the Radical Political Economy (RPE), and the Sustainable Livelihoods (SL) Framework were discussed and explored in relation to the present study. The NIE helped in understanding the

importance and effect of institutions in relation to economic performance, efficiency and distribution. This theory contends that real markets are often absent because of inadequate information or high transaction costs. The theory further argues that sharecropping or rural money markets reduces the risks associated with high transaction costs and imperfect information. The NIE, dismisses the neo-classical economics theory which suggest/assume that there is existence of perfect information. Lipton (1993) argue that property rights are rural institutions with the potential to reduce transaction costs. The new institutionalist paradigm acknowledges the importance of power relations and structures. According to Lipton (1993), this is informed by the fact that coalitions or groups may from time to time attempt to use or change their property rights and resources to their advantage. Whilst the NIE recognises the important of institutions, it is however argued that not all institutional changes are good and beneficial. Kherallah and Kirsten (2002) argue that institutions, by influencing transaction costs and the possibilities of coordination, they may well either serve to facilitate or retard economic growth.

The second theory that chapter two explored is RPE. This theory helps in theorizing the contemporary forms of radical agrarian populism (McMichael, 2008; Rosset *et al*, 2006 cited in Cousins and Scoones, 2009). It actually did the same for this study. According to radical populists, rural poverty is a result of unequal agrarian structure. They then emphasise that the working class and the peasants are oppressed and exploited by the powerful land-owners and the interests of agri-businesses. For RPE, redistributive land reforms are central to the larger agrarian transformation agenda which intend to restructure class relations in the countryside (Rosset, 2006). This theory evaluates the success of land reform through its ability to create productive smallholder farmers who in turn secure livelihoods of the rural poor. According to the proponents of this theory, land reform should promote broad-based and inclusive local, regional as well as national economic development. This economic development should benefit

the majority of the population that use farming methods that are ecologically sustainable (Cousins and Scoones, 1999). In this way, this works as an incentive for conserving and sustaining ecology.

The third theory which guided this study is the SL framework. This framework assisted a great deal in formulating an understanding of rural livelihoods and opportunities to better those livelihoods. The SL framework/approach is a way of critically thinking about the scope, objectives and priorities for development. Guided by this approach to understanding livelihoods, the importance of institutions and policies is key to how the poor and vulnerable live their lives (Serrat, 2008). This approach stresses the importance of reducing the “vulnerability of the rural poor by securing their access to productive assets and resources (tenure reform)...” (Cousins and Scoones, 2009: 9). Central to this approach is the multiple and diverse livelihoods that brings together a series of capabilities, assets and activities in efforts to shake-off risks and cope with stress and shocks. These shocks are inclusive of drought, disease, and loss of employment (Chambers and Conway, 1992). The other key concept in this approach is the classification of capital assets (including social relationships) into human, social, natural, physical and financial assets (Serrat, 2008).

Vulnerability, in the context of the present study, refers to the inability to secure wellbeing of individuals, households and communities in line with the changing external environment. Serrat (2008) argue that the concept of vulnerability capture more clearly the movement of the people in and out of poverty better than poverty line measurements. The rural communities, specifically in KwaZulu-Natal and the Eastern Cape, have access to very few capital assets. Since these areas are largely made up of former homelands, the levels of infrastructural development and access to education are very low. This therefore means that they have very little room for choosing trade-offs regarding the productive assets available to them.

8.1.2 Revisiting land reform

Land and agrarian reform has been at the centre of the struggles for liberation and economic development for a number of decades. In chapter three of this study, literature on land reforms around the world was undertaken. This review took into cognizance both international and continental case studies. This was done with the aim to extract some lessons which could be of assistance to South Africa in her endeavour to transform and reform land relations – more especially for the development of the countryside. It is however important to note that the context within which these reforms are different, and this is because of the different conditions under which the dispossessions took place. Chapter four specifically review South Africa's land reform and its implementation since its inception.

8.1.2.1 International experiences and lessons for South Africa

In agricultural economies, land remain the most important asset. It is believed that rural inhabitants will be able to feed themselves and their families if they are given access to arable land. The irony in this though, is that the world's poorest people live in the countryside. In efforts to address the land question, countries employ different strategies. This largely depends on each country's history, preferences and available resources. However, this does not deny the fact that there are many common elements in the different approaches to land and agrarian reform used by these countries. It is worth noting that land and agrarian reform has grown in importance in the last two decades. Its ability to redress past injustices while providing productive assets for rural development has made it favourable to many who seek to alleviate rural poverty. Different strategies are implemented though to attain each country's desired outcomes.

Concerns for justice and rural poverty alleviation led to the development of a number of laws in Brazil around the 1800s. These laws were introduced in efforts to reform both land and

agrarian relations in the countryside. The right to land possession was first outlined in the 1850 Land Statute. This right to land was/is only recognized only if the land in question is used productively. Through this land statute, the Brazilian state was empowered to expropriate and redistribute unused land. After this, a plethora of constitutional amendments took place – and many commentators argued that such amendments created more problems than solutions because they diluted property rights (Simmons *et al*, 2009). Chapter III of Brazil’s Constitution for expropriation of large landholdings that are unable to fulfil social function¹⁴ and/or those considered unproductive.

A productive farm is defined as one which effectively use at least 80% of the acreage; a farm that respects both the environment and labour standards. A farm in which its productive use is beneficial to both farmers and workers (Boyce *et al*, 2005). South Africa can certainly learn a lesson from the Brazilian experience. There are many farms which lie fallow, especially in KwaZulu-Natal. This therefore mean that there is unused land in a country where there is a huge number of people who are longing for access to land. There are many other farms who use less than 60% and at times less than 50% of their acreage. South Africa should consider following the Brazilian route regarding the amount of land used productively. Like in Brazil, land which is not put into ‘effective use’ so as to ‘fulfil its social function’, should be expropriated and redistributed to landless people.

Another lesson that could be extracted from the Brazilian experience is that of social movements and their role in facilitating acquiring and redistribution of land. For example, after legislations regarding the principle of ‘effective use’ of land are enacted, the Landless People’s Movement could play a role similar to that of MST in Brazil. An active social movement might not only serve as a catalyst in acquiring land for redistribution, but also a body that will provide

¹⁴ Social function of land, as defined in Brazil’s Constitution, is the use of land productively and to its full capacity. In that way, land is seen as fulfilling its social function.

legal representation to the landless people – exactly like MST does in Brazil. In South Africa, there have been many evictions conducted by the government in favour of private landowners and at times in protecting government land. The absence of powerful social movements open space for such evictions to take place without being contested as many of those who occupy land ‘illegally’ are unemployed and cannot afford legal representation. Even if they do afford legal representations, there are no laws in the country which support the expropriation of under-utilised land.

Just like Brazil, the Philippines is characterised by high levels of inequalities in land ownership patterns. Huge tracts of land are owned and controlled by a few political elite. In response to this, the Philippines developed a series of agrarian reform programmes which kept on changing over time. These programmes were/are aimed at transforming land relations and provide access to fertile land to landless and poor people. Most of the fertile land in the Philippines is owned by numerous corporations, both local and foreign. These corporations are protected by the governments ‘liberal free market’ policies. A case more similar to that of South Africa – where liberal free market provides protection to large landowners.

A number of agricultural policies in the Philippines prioritise commodity producers which are largely export oriented. This sector also, is dominated by large-scale producers (Tilley, 2007). This as well, resemble what has been the case in South Africa for a very long time. The Philippines though, through its perpetual development of programmes aimed at transforming land relation, came up with a Comprehensive Agrarian Reform Programme. The programme subjected all farms and land – both privately and publicly owned – to reforms (redistributive and securing of tenure). There were a number of efforts put in place by the government in an attempt to respond to shortage of land for redistribution. The government acquired land in one of the three following ways:

- Operation Land Transfer (OLT) – under this method, the state directly purchased tenanted land at a market value and allocated it to tenants;
- Voluntary Land Transfer (VLT) – this emanated from a policy promoted by the World Bank. Here, the landless people negotiated directly with landowners, and without state support. The land under this method was/is purchased at market related prices; and
- In case where both the above methods fail, the state may purchase land at a price that is below the market value.

The Department of Agrarian Reform (DAR) focusses on land reform for the purposes of alleviating poverty and providing food security. The intention is more similar to that of DRDLR and DAFF in South Africa. The difference is that DAR, through CARP, integrates beneficiary development activities with land acquisition and redistribution from the onset (Bravo, 2001). The lesson that South Africa can learn from projects like CARP is the importance of providing post-settlement support. But most importantly, to integrate it to the overall programme. South Africa can also benefit a lot from integrating beneficiary development into the broader acquisition and redistribution project. Most land reform projects in South Africa failed because of inadequate post-settlement support and under-preparedness of beneficiaries. They lacked skills and many other capital assets which would have enabled them to better work the land. So, integrating beneficiary development from the onset would minimize the number of land reform projects failing. In fact, there should be ongoing support for land reform beneficiaries until they are able to stand on their own. This might be viewed as overly relying on the state, but the state should properly equip beneficiaries to maximize their chances of success.

8.1.2.2 African experiences and lessons for South Africa

In chapter three of this thesis, land tenure issues and sustainable land use in Mozambique were explored – alongside land and agrarian reform in Zimbabwe as well as land redistribution in

Namibia. It was important for this study to review literature on land issues from these countries in an attempt to find solutions to the problems South Africa is faced with regarding land reform. These programmes are discussed at length in chapter three and there are some lessons which South Africa can learn from them. In this section, the focus will only be on the lessons that South Africa can learn from these countries.

Rights over land in Mozambique have dramatically changed in the past two decades. Consequently, national legal and regulatory framework which had governed land use rights fell short in providing security of tenure to both smallholder and large commercial interests. As indicated in chapter three, Mozambique developed and adopted new land policy in 1995 – followed by a new land law in 1997. Under the new land law, Mozambique maintained that land remains property of the state. As a result, companies, communities and individuals only gain access to land use rights (leases). Secondly, the new land law stipulated that land use rights can be transferred, but cannot be sold or mortgaged.

The Mozambican land policy was designed, consciously, to positively impact on the livelihoods of those who live in the countryside. This policy has dual objectives – the first, is to create conditions for development and growth of local communities and promote investment in rural areas through the involvement of the private sector. Secondly, the policy maintains the concept that land belongs to the state, despite a strong lobby for land to be fully privatized (Tilley, 2007). Through the established laws and policies, the local people are empowered to participate in the management of land and natural resources, including the allocation of land rights to investors or potential investors. When private sector seek rights to use land, the local community should be consulted – they can choose whether they want to keep their rights or to accept the terms coming with investors and relinquish their rights to them (Turner, 2010; Odhiambo, 2015).

However, there are challenges with this arrangement too. This is caused by the fact that the local people have legal rights over the land, but they are not aware of how to exercise them (Locke, 2014). Consequently, local communities allow their representatives to pressure them into agreeing with deals they do not even understand. Consultations with local communities should be a platform for engaging on land rights and use in the locality, but they end up being reduced to merely land sales (Odhiambo, 2015).

Despite the shortcomings caused by the representatives of the local communities, there are more positives that can be drawn from the Mozambican experience. South Africa can strengthen community participation in land deals which take place within their localities. Much of South Africa's countryside – particularly the former homelands- is in under the control of traditional authorities. These authorities have administrative powers to manage the rural land and resources. The decisions about who stays where and for how long are taken by the Chiefs and the Kings. There is very little that the communities can say or do in relation to the land they occupy in these former homelands. South Africa should then consider legislating laws which will require the consultation of local communities whenever external investors seek to use the land or extract resources from their locality. In this way, the local communities will be part of determining their future. And this will, in one way or the other, provide them with and strengthen their security of tenure. This will also facilitate the processes of beneficiation in favour of the local communities.

Transforming land relations, as argued in chapter three, was at the centre of Zimbabwe's struggle for liberation. Hence efforts to transform land and agrarian question in Zimbabwe has a very long history – so much that it became normal. Different sets of policies and laws have been applied over time. But the events which took place between 1999 and 2000 brought back the Zimbabwean land and agrarian reform to the international stage (Rutherford, 2004). Following this was the radical fast track land resettlement which was initiated by government

after the 2000 general elections. Many commentators argue that this was a response to the long standing issue of racially skewed land ownership. Land grab, they further argue, was a direct response to the slow pace of land reform (Kinsey, 2004).

The Zimbabwean government has, over the years, been constrained by the existence of the Lancaster House Agreement. This agreement tied the Zimbabwean government to a willing buyer-willing seller approach for the first ten years of their independence. The possibility of significant land redistribution was therefore ruled out (Palmer, 1990). The masses of the people of Zimbabwe kept on calling for land redistribution. An immediate response to the slow pace of land reform was necessary, hence the Fast Track Land Reform Programme (FTLRP). This programme which saw massive land occupations, is viewed by many commentators as a disaster that should not have happened. However, what they seem to ignore is the fact that the FTLRP took place during the time when sanctions of Zimbabwe had led to economic melt-down in the country. The weather conditions and these un-favouring economic climate contributed a lot to what is seen as failure of the FTLRP.

The history of Zimbabwe is more or less the same as that of Zimbabwe, although South Africa became independent much later. But there are some of the lessons South Africa can learn from Zimbabwe and modify them to fit the conditions of the country. The delay in South Africa's land redistribution has a great potential of replicating itself. Some of the respondents to this research did suggest that the Zimbabwean way is what South Africa should do. However, some of these respondents did not seem to fully appreciate the consequences of following the Zimbabwean route. Many of them were agitated by the delay in the redistribution of land and the insecurity of tenure in the farms on which they reside. This except is an example of this agitation:

All I want is a piece of land, ‘anginandaba nokunye’ (I do not care about other things). Even if it means we fight to get access to land, we are prepared to do so. Me and my fellows are ready, even if the government say we should take land tomorrow... we are ready.

The few minutes I spent with these respondents showed me how frustrated landless people are. It also showed me that they are prepared to do what ever it takes to get access to land. The other thing that came out of these interviews is that many in the peri-urban areas and informal settlements do not want farms, but they need a residential area. This is a very important thing to observe. It gives an insight about what people want. This leads to a series of questions...questions such as: does the state really know who wants the land and for what? Establishing the real reason why people want land might be of great help. It might contribute in reducing failing land reform projects. If the state is able to establish this before giving land to people, it will be in a position to determine whether people want land for settlement or for farming. The latter point is directly linked to the next part of this section of the study.

Namibia, like Mozambique and Zimbabwe promised that they will redistribute land so that the poor majority also benefit from this important resource. Namibia conducted a national consultation on land question. This consultation culminated into the National Conference on Land Reform and Land Question, a conference which was held in Windhoek in 1991(Adams, 2000). The conference took a number of resolutions, including that the government should appoint a Technical Committee on Commercial Farmland (TCCF) tasked with the responsibility to look into and recommend to government on matters relating to the following issues:

- The posture of the government regarding under-utilized land;
- The position of the state regarding land owned by absentees;

- The method with which the state could acquire land allocate commercial land (Werner, 1999).

These are but some of the issues the TCCF had to advise the state on. The willing buyer-willing seller approach to land redistribution was tried out in Namibia, but did not yield results which are different from those of Zimbabwe and South Africa. If the government fast track the implementation of land reform, the landless and the poor people would be happy. But the same cannot be said about the donors, who are also important stakeholders in the successful implementation of reform policies. As Adams (2000) noted, the overarching rationale for donor assistance to land reform would be to support more equitable redistribution of land and power and avoid agrarian conflict which could disrupt the rest of the economy. The major dilemma for the government is that equitable redistribution of the economy and power cannot happen on terms which are acceptable to both parties – the landless or prospective beneficiaries and the landowners. A similar dilemma is facing the South African government. As a result, it should find a way to thread carefully when addressing this matter.

The slow pace of the willing buyer-willing seller forced the government to come up with new ways of acquiring land for resettlement. Among these was the proposal to penalize, through tax, those farmers who fail to use land productively. Thus forcing them to sell the land to the state, and this meant that more land would be available for resettlement (Garcia, 2004). More amendments to the Commercial Land Reform Act were effected. These amendments allowed the state to expropriate land for ‘public interest’, and subjected to payment of ‘just compensation’. On the other hand, traditional authorities were replaced by land boards on the management and distribution of land in the communal areas. This was done through the promulgation of the Communal Land Reform Act. Commentators argue that this was done to provide a democratic procedure for transferring land in communal areas. In turn, this was going

to increase security of tenure for peasants living in those regions (Garcia, 2004; Odendaal, 2011).

Scholars such as Mahmood Mamdani (1996) in his work titled *Subjects and Citizens* and Lungisile Ntsebeza (2005) in his work *Democracy Compromised* speaks at length about the authority of traditional leaders in a democratic society. These scholars have written convincingly about the way in which the rural populace remain subjects and not citizens in a democratic South Africa. At the advent of democracy in 1994, rural communities thought that land administration would be transferred to the newly democratically elected leadership. This was probably influenced by the fact that “control over land was the cardinal issue in rural struggles” (Ntsebeza, 2005: 15). However, this did not happen and to this date, land is still administered by and through the tribal/traditional authorities. South Africa can learn on the move made by Namibia regarding the administration of rural land. It would probably make more sense, taking into account democratic precepts, to take away the powers of administering rural land from the chiefs and kings and give it to democratically elected leadership. This, as argued in the case of Namibia, would increase tenure security for the rural inhabitants.

8.2 Land Reform, Rural Development and Poverty Alleviation

This section of chapter eight further assesses, interprets and makes recommendations regarding the form and process of land reform in South Africa. The chapter will however focus the discussion only on salient issues. Issues that cut across the different aspects of land reform in a broader context. These include themes such as poverty alleviation, market-led land reform (Willing buyer-willing seller), provision of post-settlement support to beneficiaries, and beneficiary participation as well as their socio-economic status. These themes are interrelated and they sometimes overlap.

8.2.1 Land Reform and Poverty Alleviation

Land reform implementation in South Africa has not made significant impact on poverty alleviation. There are two main reasons for this. The first one is that many aspects of the land reform programme did not reach the poorest in South African society. Secondly, even those who were reached by the different aspects of land reform programmes were not able to derive livelihoods that would see them out of poverty. This largely result from the lack or absence of post-settlement support. As per the intentions of the Restitution Programme, for example, restoration of land targeted those who had previously owned properties. The key implication of this is that land is effectively restored to men and not women. This is so even though evidence show that women are the ones who largely reside in the rural areas and a more impoverished sector of society. In addition to this, there is no evidence pointing to the success or ability of beneficiaries of land restitution to generate income from the restored land. Many other concerns have been with regard to financial compensation instead of restoring land rights. This defeats, as argued in chapter seven, the purpose of restoring rights over land and the general purpose of the entire land reform programme. There has been very little contributed by this aspect of land reform in addressing issues of structural poverty in South Africa.

Land redistribution on the other hand, has done ‘comparatively little’ in efforts to address the structural rural and urban poverty in the country. South Africa has redistributed relatively low amounts of land compared to other countries engaging in land reform programmes, and based on the targets set by the government. There is diverse evidence on the impact that land redistribution has on beneficiaries. There are those whose lives changed for the better after receiving land. On the opposite end, there are also those who have been impoverished by their participation in land redistribution. This is largely a consequence of the absence of post-settlement support provided to beneficiaries.

The security of tenure reform has, like the restitution and redistribution programmes, done little to alleviate rural poverty. Weidenman (2004) and Ntsebeza (2005) argue that this failure is seen in that the tenure of rural population is not secured as they can only access land through traditional authorities. Notwithstanding, the truth is that many poor people continuously gain access to land through traditional land tenure system. There is both increased impoverishment and social differentiation which has a negative impact on women – and therefore the communities at large as women are mainly the minders of rural households. Failure to address this problem has continuously contributed to hindering economic development and further maintained unequal access to land, and further contributed to low levels of agricultural productions. Consequently, the inability of women to access rural land further exacerbate rural poverty because many rural households are headed by women.

The Land Reform (Labour Tenants) Act 3 of 1996, the Extension of Security of Land Tenure Act 62 of 1997 have been put in place to deal with matters affecting labour tenants. However, these laws have contributed little to the alleviation of poverty and the improvement of both living and working conditions for farmworkers. According to a number of commentators, these laws have perpetrated poverty through its contribution to farm evictions, loss of jobs, and the destruction of farm-dweller houses. Unless something drastic is done, the poor, uneducated and disempowered farm worker will continue to be poor. Equity schemes do have a potential to pull out farmworkers from impoverishment. However, their success in this regard will continue to be minimal if the government does not strictly enforce these Acts and other related legislations.

8.2.2 Land Reform and Rural Development

Rural poverty in South Africa is an epitome of the ruthless nature of both colonial and apartheid policies. These policies, as discussed at length in chapter five, created and shaped what became

South Africa's countryside. Policies which enforced separate development ensured that the rural areas are not only poor in terms of resources but also regarding infrastructure. Twenty Two years later, access to properly developed infrastructure remains a dream to many in the rural areas. All this is directly linked to the colonial and apartheid policies.

When taking power in 1994, the democratically elected government hit the ground by introducing the Reconstruction and Development Programme (RDP). A number of developmental programmes were then developed based on the vision of RDP. There are, however, many other issues which affect the life of those living in rural areas. These include the feminization of poverty, feminization of rural agriculture, rural-urban migration, and the connection between migration, poverty and disease. All these affect rural development, individually and collectively.

Many rural households are without a father, and are headed by women. The women are the ones who care for the children and many of them work on the local farms and supermarkets. They do not get paid enough to take care of their families. In response to this, many of them engage in farming as a way of supplementing the wages they receive from their employment. As discussed in the above section regarding tenure security, women find it difficult to get access to land in the rural areas. This is caused by the social differentiation most of the rural communities ascribe to. Land in the rural areas is the main source of food and income for many people. And women form a great number of those residing in rural areas. However, they are the ones who are denied access to land, the most important and readily available resource. More often than not, men migrate to the urban areas and cities to look for employment. This therefore leaves women alone in the former homelands, having to fight poverty with little or no means.

Equally, rural agriculture has been feminized both because of social differentiation and the fact that they are largely the ones left at home to look after the family. These women work family

gardens and at times, the fields. Many of them though have now neglected working the fields because they are sometimes too far from their homes. As a result, they opted to work family gardens from which they produce food for consumption and in other instances, for selling to other community members. So, a large number of people who participate in rural agriculture are women.

Men and young children often move to urban areas, looking for better job opportunities. This movement, as Atkinson (2014) noted, is not one sided. There has been a rising number of people who are now migrating from urban areas to the former homelands. It has been observed that people migrate for different reasons. There are those who move to urban areas for purposes of job seeking, others move for purposes of seeking better education. On the other hand, there are those who move back to the former homelands because they have accumulated enough money – and they want to return to rural areas and start their own businesses. But others move back to rural areas because of sickness. They go back to seek care from their wives and mothers. This becomes a huge problem for the wives because there is constrained or no infrastructure (such as health facilities and roads).

In response to the rural development dilemma, the government had put in place a number of policies aimed at alleviating rural poverty. Some of these policies and strategies have already failed, but some are still being implemented and their impact is visible. A number of these rural development programmes rely on the availability of land for them to be successful. The government has identified smallholder agriculture as a method of tackling rural poverty. Smallholder agriculture has proven that it can make a huge impact on rural poverty alleviation and the development of the local economy. But this requires a lot of support from the state. The lack of this support, as argued in chapter six and seven, is the main cause of failing land reform projects. The other issue which one managed to pick up was that not every rural

inhabitant wants to be a farmer. Because the government did not really take this into consideration, many projects failed.

The slow pace of land reform, particularly the redistribution programme, has hindered government's effort to make arable land available. This has caused many in different sectors of society to call for expropriation of land. This is a call prominent among the landless and populist political groupings. The call for expropriation does make sense, but the bigger and important question is how should the state go about in doing that? Different opinions and views regarding this has been solicited during this research. There are also many other lessons which South Africa could learn both from international and continental case studies discussed in chapter three and the preceding sections of this chapter.

Post-settlement support, or lack thereof, has been at the centre of the problems and challenges facing land reform beneficiaries. The absence of post-settlement support led to the failure of many projects. Many respondents did indicate that when they were given farms, there was no machinery nor skills necessary for running a productive farm provided to them. This has been identified as another shortcoming of the land reform programme. As a result, correcting this and providing concrete support to land reform beneficiaries is central to success of these projects. They will in turn, contribute to establishing and enhancing local economies while at the same time alleviating rural poverty.

The other important finding that the study established is the impact of the lack or absence of beneficiary participation in the development and implementation of the policies and strategies aimed at rural development and poverty alleviation. During the interviews, it became clear that beneficiaries are not consulted in order to establish their needs. In the absence of this consultation, the government come up with strategies that do not necessarily help the rural people – strategies which do not respond directly to challenges faced by the local people.

8.3 Recommendations

The study investigated the role of land reform in transforming local economies. In this regard, the study investigated political dilemmas and rural development realities in South Africa. After engaging literature and primary information from interviews, the study makes the following recommendations:

- In response to the outcry about the slow pace of land reform – the state should use both the market-led approach and expropriation to acquire land for redistribution. Regarding expropriation, the state should expropriate the unused and under-utilised land as a starting point. In this regard, South Africa will have to put in place laws which allows the expropriation of unused lands.
- Access to markets – many of the land reform beneficiaries, particularly the smallholder farmers have argued that they cannot access markets. As a result, they end up selling their produce on the road sides and from their homes. A response to this should be a legislation compelling local schools to buy from these local smallholder farmers. In addition to that, local supermarkets should be given incentives so that they can open market for the local producers. However, there should be systems in place that will monitor the demands of each area and the suitability of land to produce the foods that are on demand. In a case where vegetables, for example, cannot be produced for whatever reason, that area should be seen as a market for those who are able to produce vegetables. And those who are engaged in poultry farming should be able to supply the local needs for chicken.
- Beneficiary post-settlement support – this study has found that the inadequate post-settlement support contribute a great deal to the failure of land reform projects. As a result of this inadequate provision of post-settlement support, land reform has failed in

transforming the lives of many beneficiaries. In response to this challenge, this study recommends that support to beneficiaries should not just begin after the land has been handed over to them. Instead, they should be trained and given necessary skills to work the land from the onset. In this case, the government should recruit unemployed graduates who studied agriculture to provide continuous training and skilling to beneficiaries.

- Beneficiary participation in programme formulation and implementation – this is another aspect which came out profoundly from the interviews. The argument on this is that if people are not included in the formulation of programmes – even if they are aimed at helping them – tend not to support those programmes. The beneficiaries do not feel ownership of the projects, hence they do not feel obligated to ensure that the projects are a success. This has badly affected many cooperatives which were set up to boost job opportunities in the countryside and townships. The response to this then is the involvement of people in both project planning and implementation.
- Extension services – this aspect of beneficiary support increases the chances of projects becoming successful. It came out in chapter five that extension officers are useful in assisting beneficiaries. However, in providing these services, the extension officers must guard against over-reliance of beneficiaries on them. One way to fight this would be the inclusion of beneficiaries in the planning stages of the projects and make them aware that the projects are theirs, and the extension officer is there to help them.

The government has always worked on the assumption that all those who want land, want it for farming. Overtime though, it became clear that not all land reform beneficiaries are interested in farming. The central question then is: how is government supposed to identify people who will be committed to farming and grow enough surplus to deal with food insecurity

in the rural areas – and maybe contribute to the country’s food basket? This study therefore makes the following recommendations:

- There should be a separate process for applying for agricultural land, and another for applying for residential area. The government has to therefore divide the available land for the two purpose. This will then allow the government to have a rough picture of the number of people interested in farming and that of those who merely want land for settlement.
- Those who say they want to become farmers should generate and produce viable business plans. From the viability of these business plans, the government can then select those who will be prioritised in terms of receiving the already constrained resources. The assessment of business plans should take place before land is given to people.
- However, this may well exclude the previously disadvantaged and illiterate in that drawing up business plans require knowledge and certain level of skills. The government may then have to conduct workshops in which people could be trained on how to draw business plans. This, however, does not solve the challenges of the illiterate ‘would be’ farmers.
- The government, in responding to the above challenges, should invest in drastically improving human capital.

The study acknowledge that there might be a challenge regarding the number of available personnel to assist in performing the task at hand. The state then need to attend to this problem. The challenge could be solved by recruiting unemployed graduates from all relevant disciplines (Public Policy, Social Policy, Agriculture, Political Science, Economics, Management and Accounting, etc.) to help facilitate the coordination and establishment of successful small to

medium farms. Government's benefits from using this strategy are twofold: (1) it will have access to enough trained personnel to help with land reform projects; and (2) the government will be offering jobs to many unemployed graduates.

8. 4 Contribution to new knowledge

Unlike other studies and reports which suggest that the state should continue with market-led approach and those which suggest demand-led land reform, the present study conclude that the state should expropriate land for land reform purposes. This study suggest that South Africa can learn from the strategies used by other countries in implementing land reform, in particular, acquiring land for this purpose. However, the study does not suggest that the market-led approach should be abandoned but it should be used together with expropriation. In tackling the issue of the slow pace of land reform, previous studies have looked at how the market-led approach could be made to work better. Conversely, this study holds that this method of acquiring land is not suitable for land reform purposes because land reforms require huge amounts of land in a given time.

Although there might be studies which deals with how smallholder agriculture can help in alleviating rural poverty, the present study goes further to suggest that it is important to include beneficiaries in the planning of the land reform projects. This inclusion, it is suggested, will help in identifying those interested in farming. In this way, giving farmland to people who are not interested in farming will be avoided. This study rejects the assumption that all rural inhabitants are interested in farming. In this regard, this study therefore suggest that the state should ensure, before giving land to people, that it only give farmland to those interested in farming. Others should be given land for settlement. During the interviews, it came out clear that not all people want to become farmers. As a result, they do not take care of the projects provided under land reform.

8.5 Suggestions for future research

This study provided insights into factors contributing to the inherent slow pace of land reform, and particularly land redistribution programme. It further provided insights on how land reform could be used to alleviate rural poverty as well as how tenure security of the rural inhabitants could be strengthened. This study was conducted in two provinces, Mpumalanga and Kwa-Zulu Natal. Future research should investigate land reform projects across the nine provinces of South Africa. Doing this will contribute to understanding further the commonalities and differences of the research area across South Africa. As a result, the scope of general findings and conclusions would be extended.

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