



**Land Redistribution Policy Governance in KwaZulu-Natal: A Case Study of Department of Rural  
Development and Land Reform in Pietermaritzburg**

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# COLLEGE OF HUMANITIES

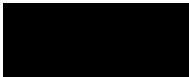
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## ACKNOWLEDGEMENT

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It is with a feeling of great accomplishment that I dedicate this dissertation to all my departed loved ones. I know that you were all with me in this journey.

# TABLE OF CONTENTS

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DECLARATION - PLAGIARISM.....	ii
ACKNOWLEDGEMENT .....	iii
TABLE OF CONTENTS .....	iv
LIST OF ACRONYMS.....	vii
LIST OF FIGURES .....	ix
LIST OF TABLES .....	ix
ABSTRACT.....	x
CHAPTER ONE: .....	1
OVERVIEW OF THE STUDY.....	1
1.1 INTRODUCTION .....	1
1.2 HISTORICAL BACKGROUND OF LAND REFORM POLICY IN SOUTH AFRICA .....	2
1.2.1 HISTORICISM OF LAND REFORM .....	2
1.3 POLICY AND LEGAL BACKGROUND OF LAND REFORM .....	5
1.3.1 WHITE PAPER ON LAND POLICY 1997 .....	5
1.3.2 GREEN PAPER 2011 ON LAND REFORM.....	6
1.4 CONTEXTUALIZING THE RESEARCH PROBLEM .....	7
1.5 SIGNIFICANCE OF THE STUDY.....	8
1.6 RESEARCH AIM .....	9
1.7 RESEARCH OBJECTIVES .....	9
1.8 RESEARCH QUESTIONS.....	9
1.9 OUTLINE OF CHAPTERS.....	12
1.10 SUMMARY .....	13
CHAPTER TWO: .....	14
LITERATURE REVIEW.....	14
2.1 INTRODUCTION .....	14
2.2 LAND REDISTRIBUTION ISSUES IN AFRICA .....	15
2.3 ORIGINS AND PATTERNS OF LAND REDISTRIBUTION IN SOUTH AFRICA .....	19
2.3.1 BRITISH COLONIAL LAND POLICIES.....	20
2.3.1.1 The Natives Land Act 27 of 1913.....	20
2.3.1.2 The Native Trust and Land Act 18 of 1936.....	21
2.3.1.3 The Group Areas Act of 1950.....	21
2.4 POLICY BASIS OF LAND REFORM IN SOUTH AFRICA .....	23
2.5 THE SOUTH AFRICAN LAND REFORM POLICY .....	26

2.5.1 LAND REDISTRIBUTION POLICY FRAMEWORK.....	27
2.6 LAND REDISTRIBUTION TOPOGRAPHY IN PIETERMARITZBURG.....	29
2.6.1 uMgungundlovu District Municipality .....	29
2.6.2 iLembe District Municipality .....	30
2.6.3 eThekweni Metropolitan District .....	30
2.7 LAND REDISTRIBUTION POLICY IMPLEMENTATION TO DATE.....	32
2.8 KEY POLICY ISSUE OF LAND REDISTRIBUTION IN SOUTH AFRICA .....	34
2.8.1 Land Acquisition.....	35
2.9 EMINENT THEME EMERGING FROM LITERATURE .....	37
2.10 SUMMARY .....	39
CHAPTER THREE: .....	40
CONCEPTUAL FRAMEWORK .....	40
3.1 INTRODUCTION .....	40
3.2 CONCEPTUAL FRAMEWORK .....	41
3.2.1 GOOD GOVERNANCE .....	41
3.2.1.1 Rule of Law .....	42
3.2.1.2 Responsiveness.....	43
3.2.1.3 Efficient and Effective Government.....	43
3.3 SUMMARY .....	44
CHAPTER FOUR:.....	45
RESEARCH METHODOLOGY .....	45
4.1 INTRODUCTION .....	45
4.2 RESEARCH APPROACH.....	46
4.3 RESEARCH DESIGN .....	47
4.4 RESEARCH PARADIGM.....	48
4.5 TARGET POPULATION.....	49
4.5.1 STAKEHOLDER MAP .....	49
4.6 SAMPLE FRAME .....	50
4.6.1 SNOWBALL SAMPLING METHOD.....	52
4.7 DATA COLLECTION .....	53
4.8 DATA SOURCES.....	54
4.8.1 PRIMARY DATA .....	54
4.8.2 SECONDARY DATA .....	55
4.8.2.1 INSTRUMENTS AND PROCEDURES.....	56
4.9 DATA ANALYSIS .....	57
4.10 RELIABILITY, VALIDITY AND ETHICAL CONSIDERATIONS .....	58

4.11 LIMITATIONS OF THE STUDY.....	59
4.12 SUMMARY .....	59
CHAPTER FIVE: .....	60
PRESENTATION AND ANALYSIS OF QUALITATIVE.....	60
RESULTS.....	60
5.1 INTRODUCTION .....	60
5.2 RESPONDENT’S BACKGROUND.....	61
5.2.1 GENDER DISTRIBUTION .....	61
5.3 FINDINGS ON THE LAND REDISTRIBUTION POLICY DESIGN AND ITS EFFECTIVENESS .....	62
5.4 FINDINGS ON POLICY IMPLEMENTATION AND GOOD GOVERNANCE .....	66
5.5 FINDINGS ON THE PACE OF LAND REDISTRIBUTION POLICY IN REFORMING LAND .....	75
5.6 FINDINGS ON ALTERNATIVE POLICY OPTIONS TO REFORM LAND.....	78
5.7. SUMMARY .....	81
CHAPTER SIX: .....	82
CONCLUSIONS AND RECOMMENDATIONS.....	82
6.1 INTRODUCTION .....	82
6.2 SUMMARY OF FINDINGS.....	82
6.3 RECOMMENDATIONS .....	85
6.4 CONCLUSION .....	86
REFERENCE LIST .....	88

## LIST OF ACRONYMS

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AFRA	Association of Rural Advancement Land Rights Advocacy
AIDS	Acquired Immunodeficiency Syndrome
ANC	African National Congress
ASGISA	Accelerated Shared Growth Initiative
AU	African Union
DCGTA	Department of Cooperate Governance and Traditional Affairs
DGCIS	Directorate General of Commercial Intelligence and Statistics
DLA	Department of Land Affairs
DoA	Department of Agriculture
DRDLR	Department of Rural Development and Land Reform
FCC	Financial and Fiscal Commission
GDP	Gross Domestic Products
GDP	Gross Domestic Product
IDP	Integrated Development Plant
LAA	Land Appointment Act
LIMA	Lima Rural Development
LRAD	Land Redistribution for Agricultural Development
LRP	Land Reform Programme
NLHA	Native Land Husbandry Act
NP	National Party

NVIVO	Computer-Assisted Qualitative Data Analysis Software
PLAS	Proactive Land Acquisition Strategy
RDP	Reconstruction Development Plan
RSA	Republic of South Africa
SADC	Southern African Development Community
SADT	South African Development Trust
SAHO	South African History Online
SAPOA	South African Property Owners Association
SLAG	Settlement/Land Acquisition Grant
Stats SA	Statistics South Africa
USA	United State of America

## **LIST OF FIGURES**

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Figure 1.1 The South African Land Reform Model/ Structure

Figure 1.2 uMgungundlovu District Municipality Map

Figure 2.2 Number of Agricultural Households by Province

Figure 4.1 Stakeholder involvement in the process of land reform, land redistribution Figure 5.1

Assessment of the effectiveness of the land redistribution policy

## **LIST OF TABLES**

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Table 2.1 Private land ownership in South Africa

Table 5.1 Gender Distribution

## ABSTRACT

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When the democratically elected government came into power in 1994, it sought to redress the issue of landlessness in South Africa. The aftermath of land dispossession executed under the apartheid system resulted in the existing unequal land access and ownership in South Africa. As a policy response, the democratic government introduced the land reform policy. However, since the advent of democracy, numerous studies have highlighted the failure of the government's efforts to rectify landlessness. Additionally, this pressing issue prompted the ongoing national land debate.

It was therefore imperative to conduct a policy study guided by "good governance" within the Social Science discipline to make an evidence-based policy contribution. The aim of this study was to explore whether there are policy impediments hindering land redistribution to respond to landlessness in KwaZulu-Natal, Pietermaritzburg. The research objectives were designed to investigate policy impediments hindering land redistribution, assess the proficiency and sufficiency of land redistribution, evaluate the policy implementation of land redistribution, and determine whether good governance was employed during policy implementation at the Department of Rural Development and Land Reform in Pietermaritzburg.

A qualitative research approach was employed which focused on the descriptive textual data rather than numerical. Semi-structured interviews were used to collect data. A snowball sampling technique ensured that land redistribution policy experts got interviewed. A thematic data analysis was employed which identified and examined patterns of themes found across data sets. The key findings of this study revealed land redistribution policy is not designed proficiently and it is not sufficient to redress landlessness. Consequently, the slow pace of reforming land in South Africa. The noted significant policy recommendations are that land expropriation with compensation and effective policy implementation are required to improve land policy responsiveness.

**Keywords:** land issues, good governance, responsiveness, land redistribution policy, effectiveness.

# **CHAPTER ONE:**

## **OVERVIEW OF THE STUDY**

### **1.1 INTRODUCTION**

The extent of the South African land dispossession, which was executed through the apartheid system, is regarded to be far greater than any experienced by countries in Africa. Indigenous people were stripped of their land rights and placed in confined native reserves by the European colonists (Lahiff, 2007). Discriminatory laws, such as the Natives Land Act No. 27 of 1913, restricted African land ownership to 7 percent and was after that adjusted to 13 percent through the Native Trust and Land Act No. 18 of 1936 (Lahiff, 2001). Evidently, land ownership disparities are founded on racial oppression and exploitation of colonial administrations in South Africa. This dissertation explores policy related impediments hindering the land redistribution programme to not respond efficiently in KwaZuluNatal, Pietermaritzburg.

As a result of land dispossession, the white minority gained ownership of 87 percent of the South African land (Lahiff, 2007; Buthelezi, 2007; Binswanger-Mkhize, 2014). Commercial black farmers were limited to only 12 percent of productive land, while white commercial farmers occupied the rest of the arable land (Bradstock, 2005; Fraser, 2008). The implementation of the discriminatory colonial laws by the National Party government during apartheid gave rise to the ongoing “land question” due to the existing uneven land distribution in South Africa.

The democratically elected government of 1994 introduced the Reconstruction and Development Programme (RDP) as a policy response to address the unequal land ownership and rural poverty in South Africa (RDP Policy, 1994). Anseeuw and Mathebula (2008) noted that when the democratic government came into power in 1994, approximately 87 million hectares of productive land were under white ownership. Consequently, the land reform programme (LRP) was constituted by the democratic government as a policy tool to redress historical racial imbalances and their implications on the previously oppressed population (Jacobs, Lahiff & Hall, 2003).

Boyce, Rosset, and Stanton (2005) defined land reform as “the reallocation of rights to establish a more equitable distribution of farmland and as a powerful strategy for promoting both economic development

and environmental quality”. Links (2011) also noted that land reform could better be explained as a measure put in place to redistribute property rights for the benefit of the previously disadvantaged groups, farm labourers and tenants. For the LRP to be successful in its responsiveness, the democratic government, upon its policy implementation process, needs to prioritize effectiveness and efficiency to attain optimum outcomes.

According to a study on land reform conducted by Semalulu (2004), the RDP policy recognized that most of the population could not afford to purchase land. Hence, through the RDP Policy, the state intervened by adopting the Land Reform Programme (LRP), which was to be spearheaded by the Department of Land Affairs. The RDP Policy Framework of 1994 outlined that land access for the poor should take precedence in prospects of an improved standard of living and economic growth. Moyo (2007) suggests that for many Africans, land is necessary for sustaining their livelihood; additionally, land can aid to development in sectors such as tourism, agriculture, mining, industry, and housing.

## **1.2 HISTORICAL BACKGROUND OF LAND REFORM POLICY IN SOUTH AFRICA**

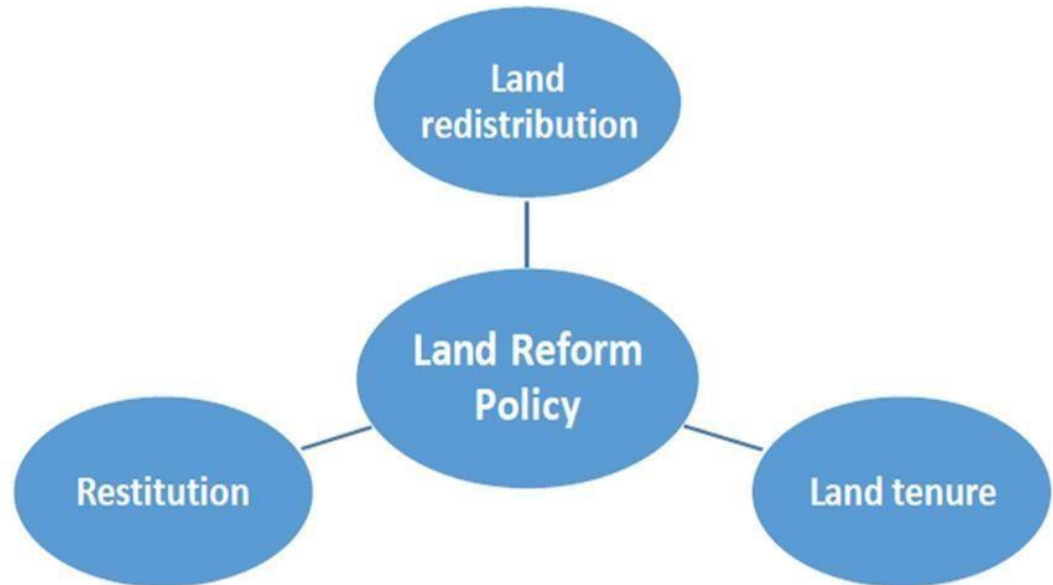
### **1.2.1 HISTORICISM OF LAND REFORM**

The history of the South African land reform dates to 1994, when the post-democratic government came into power. Land reform was established based on rectifying the injustices of apartheid that advocated for the dispossession of indigenous people of their land (Anseeuw & Mathebula, 2008). As observed by various scholars such as (Lahiff 2007; Buthelezi 2007; Binswanger-Mkhize 2014) on the implications of the South African land dispossession, 87 percent of the land was controlled by whites, leaving the black majority overcrowded at 13 percent.

The objectives of the land reform policy were to aid different measures of reforming land to the previously disadvantaged groups and address the aftermath of apartheid, such as poverty and unemployment (Jacobs, Lahiff & Hall, 2003). Mamphodo (2006) outlined that during the apartheid era, the minority were forced out of their land into overcrowded reserves, townships, and homelands through decentralization. He further stated that during this period, rural dwellers relied on subsistence farming for their livelihood due to limited access to industries and mines. Consequently, due to not having financial and agricultural support from the government, produce from subsistence farming in rural areas was poor (Mamphodo, 2006).

The South African land reform policy comprises land restitution, land redistribution and land tenure, as depicted in Figure 1.1 below, followed by a listed explanation of each policy.

**Figure 1.1 The South African Land Reform Model/ Structure**



Source: DoA (2001)

The South African land reform policy explained:

- *Restitution* deals with the restoration of land rights to claimants who are eligible to benefit through the programme, specifically those who were dispossessed of their land after 19 June 1913, their land can be in both urban and rural areas (Van den Brink, Thomas, Binswanger et al., 2006). Tom (2006) also suggested that land could either be restored under the land claim or claimants could opt to receive financial compensation or alternative land.
- *Redistribution* is aimed at changing the skewed land access resulting from forced removals of indigenous people from their land and being subjected to survive on limited land during apartheid. The government provided grants to eligible applicants which enabled them to purchase land through “willing-buyer-willing-seller” method (Shackleton, Shackleton & Cousins, 2002). Land acquired through this programme can be utilized for housing, agricultural development as well as nonagricultural enterprises (SAPOA, 2004). The programme has undergone various changes since

it was established in 1994 regarding land acquisition methods. For instance, Settlement/ Land Acquisition Grant (SLAG) was replaced by Land Redistribution for Agricultural Development (LRAD) (Sachikonye, 2003). Currently, the state is responsible for buying land which is leased to eligible applicants.

- *Tenure* policy prioritizes the provision of landholding rights to those who reside and work on state and privately-owned land (Wegerif, 2006). According to the World Bank (2007), tenure policy protects the rights of commercial farm workers and dwellers and legislation aimed at dealing with tenure issues on communal land.

Of the three land policies, the focal point for this study was the land redistribution leg of the LRP in KwaZulu-Natal. The case study was the Department of Rural Development and Land Reform, Pietermaritzburg. As mentioned, the land redistribution aims to enable land access to the victims of land dispossession in South Africa. This study explored the responsiveness of the land redistribution policy in Pietermaritzburg.

Dlamini (2016) suggested that the objective of land redistribution was to provide the designated groups and the poor with access to land for both residential and productive purposes. The accentuated measures by the democratic government under the land redistribution programme were to redistribute 30 percent of land back to the previously disadvantaged groups by the year 2014 (Binswanger – Mkhize, 2014).

Land redistribution was to be achieved through the market-based approach of the willing-buyer willingseller concept (World Bank 1994; DLA 1997; Hall, Jacobs, and Lahiff 2003). However, this method of acquiring land was criticized for not seeking to benefit the landless (Ntsebenza, 2007).

From the year 1994 the redistribution policy has undergone several shifts. After the failure of the willingbuyer-willing-seller land acquisition approach, eligible “poor” applicants were given a grant of R16 000 under the Settlement/Land Acquisition Grant (SLAG) (DLA, 1997). However, this method was criticized for “dumping” poor and unskilled beneficiaries on former commercial farms (Vink and Kirsten 2003). SLAG, after that, was replaced by Land Redistribution for

Agricultural Development (LRAD), which retained the market-based, “demand-led” approach of previous policies (DLA, 1997). Notably, even though the land redistribution policy went through changes, the willing-buyer-willing-seller as a method of acquiring land did not change.

Since the advent of democracy and the adoption of land reform, the government has been criticized for introducing land reforming measures that have not been effective in transferring land back to the indigenous people. The South African land reform, particularly the land redistribution leg of the reform, has been regarded as a failure to achieve its policy objectives of transferring 30 percent of land by 2014 to those removed from their rightful land during apartheid (FFC,2016).

Mahlangeni (2013) highlighted that in 2012, Minister Gugile Nkwinti proclaimed that since 1994, the democratic government has managed to transfer 7.95 million hectares of land back into black ownership, which amounts to 7.5 percent of land that was classified as white-owned. Most of the South African productive land is still under white ownership, indicating that reforming the existing land inequality should be an urgent priority for the democratic government (Walker, 2013). Kloppers and Pienaar (2014) also supported that apartheid discriminatory laws resulted in extreme land disparities in South Africa.

In addition to the failed attempt to redistribute 30 percent of land, it has been remarked that a large portion of the redistributed land remains unproductive or has not generated any profit for the beneficiaries (Deininger and May 2000; Lahiff and Cousins, 2005; Lahiff, 2007). Therefore, rural development and agrarian change through land reform has not been successful to date.

### **1.3 POLICY AND LEGAL BACKGROUND OF LAND REFORM**

#### **1.3.1 WHITE PAPER ON LAND POLICY 1997**

The White Paper on South African Land Policy of 1997, as set out by the Department of Land Affairs, advocated for a market-based approach to land acquisition, predominately the “willing-buyerwilling-seller” notion, which was dependent on the market exchanges. The white minority took control of most of the land through racially discriminative tactics and harsh approaches. Therefore, the democratic government, in reforming land back from white ownership, applied the willing-buyer-willing-seller approach to keep harmony between reconstructing the democratic country and attending to the major land issue (Department of Land Affairs, 1997).

The White Paper on South African Land Policy in 1997 had four main objectives (DLA, 1997):

- To address the implications of apartheid
- To facilitate stability and reconciliation
- To strengthen economic growth and
- Alleviate poverty and enhance household welfare.

To achieve the above-mentioned objectives of redressing the issue of land, two policies were employed as a structural guiding framework:

- Firstly, the Reconstruction Development Programme (RDP) as a policy framework was adopted in 1994 to aid comprehensive development in South Africa. The main objective of the RDP policy framework was to create a democratic nation striving development and economic growth for its citizens (Bailey, 2007). Land reform under the RDP was aimed at addressing the skewed land ownership resulting from forced removals of South Africans out of their land through apartheid racial policies (Kloppers & Pienaar, 2014: 692; Moyo & Mamobolo, 2014).
- Secondly, Section 25 of the South African Constitution (Act 108 of 1996) mandates the democratic government to efficiently implement land restitution, land tenure and land redistribution which are programmes under the land reform policy (De Villiers, 2008; Klopper, 2014, Alinko, 2019). The state needs to take suitable legislative and other measures fit to foster the provision of land access (RSA, 1996).

The objectives set out in the White Paper on Land Policy 1997 have not been successfully implemented because, evidently, landlessness, poverty and unemployment are still prevalent in rural South Africa.

### **1.3.2 GREEN PAPER 2011 ON LAND REFORM**

In 2011, the government published a brief 11 pages of a Green Paper, which sketched out new policy directions on land reform (Green Paper, 2011). Cousins (2013) argued that the government appears not to have any plans to expand the Green Paper because no public debates or discussions have been announced regarding the proposed policy approaches since then.

## **1.4 CONTEXTUALIZING THE RESEARCH PROBLEM**

When the democratic government came into power in 1994, one of its mandates was to redress the historical injustices brought upon by the apartheid system on the indigenous majority. One of the greatest aftermaths of apartheid is still apparent in many lives of South Africans, which resulted from land dispossession, denial of land access and forced removals from their rightful land.

Since the adoption of the LRP to rectify the unjust land removals under the apartheid rationale, the democratic government implemented land reform as an instrument for poverty alleviation in South Africa in 1994. Dlamini (2010) also supports that land reform was deemed suitable by the South African democratic government to decentralize the economy, which benefited the white minority, and to deal with the “capitalist agricultural system” controlled by the minority in South Africa. Dlamini further elaborates that under colonial rule, the interests of the white farmers were prioritized through controlled access to water resources and fertile soil for their optimum agricultural production, while the indigenous remained neglected on limited land.

The 1997 White Paper on South African Land Policy outlined the objectives of land redistribution policy as to enable land access to reduce poverty and increase economic growth, specifically for the previously disadvantaged South Africans (DLA, 1997). The policy further stipulates that economic development achieved through land redistribution could potentially increase employment opportunities. Hall (2007) attested that investments towards agriculture and economic development can indeed promote both land equity and optimal agricultural production.

The target set by the democratic government to transfer 30 percent of productive white commercial land to non-white beneficiaries by the year 2014 was an indication of the importance of land access and agricultural development for South Africans post-apartheid. However, to date, the government has not been successful in meeting its 30 percent land redistribution target, instead, 2014 was expanded to the year 2030 for the 30 percent target (National Planning Commission, 2013). The land reform measures have proven to be a challenge to implement over the years in South Africa.

During the 6th African National Congress (ANC) Policy Conference (2022), the South African President, Cyril Ramaphosa, stated that the ANC government has been experiencing several challenges in reforming land. He noted that the ANC government has also encountered setbacks in its efforts to amend Section 25

of the South African Constitution, which deals with property rights to ensure that land expropriation is among the critical responses used to give effect to land redistribution.

The land policy measures undertaken by the democratic government to reform land to the previously disadvantaged groups since 1994 have resulted in the ongoing South African land debate. Therefore, this study explored whether policy impediments contribute to the land redistribution not responding efficiently in KwaZulu-Natal, Pietermaritzburg. The research questions developed by the researcher to attain an understanding of this issue were as follows:

- Are there policy impediments hindering land redistribution to respond to the land issue?
- Is land redistribution policy designed proficiently to tackle the issue of land access, and is it sufficient to redress the land problem?
- Is the policy implemented efficiently to achieve its objectives?
- And has the government ensured good governance during the policy implementation process?

## **1.5 SIGNIFICANCE OF THE STUDY**

The study is significant because the issue of land access in South Africa is still an ongoing debate since the government introduced the land reform policy in 1994. Undoubtedly, land is an imperative resource for agricultural purposes as well as residential, as put forward by Dlamini (2016). The emphasis placed on reforming land over the years illustrates its significance, not only for improving the livelihoods of people but for South Africa's economic growth as well.

Gibson (2009) elucidated that South Africans consider the land issue an important historical injustice to them and their country, which needs rectification. The significance of reforming land in South Africa is characterized by two groups: those who were directly affected by the apartheid land policies who now seek restorative justice post-apartheid, and those who seek redistributive justice regardless of their historical circumstances: land for agricultural purposes or for residence (Gibson, 2009). That being the case, the success of land reform will benefit many South Africans for different reasons, as it has been observed that the poor responsiveness of the land policy since 1994 has resulted in national dissatisfaction.

As mentioned, the ANC government has resorted to exploring policy measures such as land expropriation to ensure that the land reform objective is accomplished. This was also emphasized by South Africa's

President Cyril Ramaphosa during the 2022 ANC Policy Conference. This study explored policy impediments, policy design and whether land redistribution policy is implemented efficiently by the government. The policy outcome of this investigation can be used for future policy designs and implementation, more especially because the issue of land access is in progress and plans to alleviate poverty and reduce inequality by 2030, as outlined in the National Development Plan, are still underway.

## **1.6 RESEARCH AIM**

With all the policy measures taken by the democratic government to redress the issue of skewed land ownership in South Africa, land access for the previously disadvantaged groups continues to be a problem almost 30 years into democracy. The aim of the study was to:

- Explore whether there are policy impediments hindering land redistribution to respond to the issue of land access in KwaZulu-Natal, Pietermaritzburg.

## **1.7 RESEARCH OBJECTIVES**

The following were the objectives of the study:

- To investigate policy impediments hindering land redistribution to respond to the issue of land access at the Department of Rural Development and Land Reform in Pietermaritzburg.
- To assess whether land redistribution policy is designed proficiently to tackle the issue of land access and whether it is sufficient to redress the land problem.
- To evaluate land redistribution implementation efficiency to achieve its land access objective.
- To determine whether the government ensured good governance during the policy implementation process.

## **1.8 RESEARCH QUESTIONS**

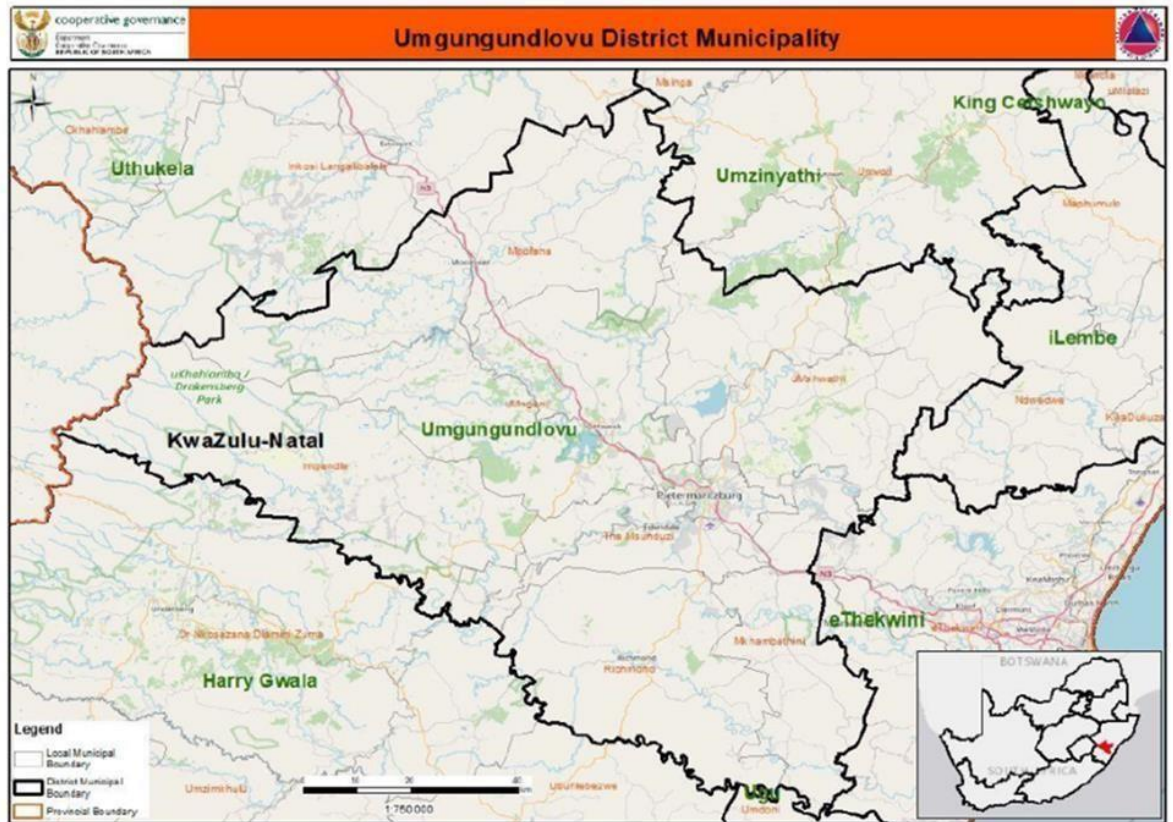
- Which policy features are hindering the land redistribution policy from responding to the issue of landlessness and how?
- What does the current pace of reforming land indicate about the redistributive policy in South Africa?

- How can the land redistribution policy be implemented efficiently to achieve its goals?
- How is good governance featured in the land redistribution policy implementation process?

The Department of Rural Development and Land Reform, in Pietermaritzburg as a case study is responsible for servicing these districts, uMgungundlovu District Municipality, iLembe District Municipality and eThekweni Municipality. To better understand the progression and responsiveness of the land redistribution policy in Pietermaritzburg, all the areas serviced by the Department of Rural Development and Land Reform in Pietermaritzburg were studied.

Figure 1.2 shows a map of uMgungundlovu District Municipality, boarded by iLembe District Municipality and eThekweni Metropolitan Municipality.

**Figure 1.2 uMgungundlovu District Municipality Map**



Source: uMgungundlovu District Official Website (2023)

This study employed an empirical approach to attain data to comprehend the progress and responsiveness of land redistribution policy in the above-mentioned areas serviced by the Department of Rural Development and Land Reform. A qualitative research method was applied which focused on the descriptive textual data. This method allowed for an in-depth exploration of land redistribution and unpacked it from a "multidimensional" approach. Semi-structured interviews were used to gather data from land redistribution policy experts to ensure the quality of data and appropriate contribution to existing literature on the subject matter being studied. Furthermore, a snowball sampling method was used to guarantee that all the relevant respondents were interviewed at the Department of Rural Development and Land Reform. Thematic analysis was utilized to examine qualitative data and the patterns prevalent in the data sets.

## **1.9 OUTLINE OF CHAPTERS**

Chapter One - Provides an introduction of the study, historical background, and legal framework of the land reform policy in South Africa. Contextualizing of the research problem and the significance of the study. Outlines the research aim, objectives, and questions of the study, followed by the outline of all the chapters and a summary of the entire chapter.

Chapter Two - Presents the literature reviewed regarding land redistribution issues in Africa, focusing on countries that depict different land dynamics such as Kenya, Rwanda, Uganda, Tanzania, Namibia, Zimbabwe, and Mozambique. This chapter details how land issues arise from land dispossession policies and narrows the literature to the South African land reform policy, particularly land redistribution policy, the policy background, impact, and current land redistribution pace in KwaZulu-Natal.

Chapter Three – Outlines a conceptual framework guiding the study which draws on theories of good governance. Three components of good governance were applied for the purpose of this study: the Rule of law, Responsiveness, Efficient and Effective government. This chapter details how and why good governance is appropriate for this study.

Chapter Four – This chapter describes the methods used to collect data. This study uses a qualitative research method and reasons for choosing this method are detailed. The case study, sample frame, data collection all show how and why only land redistribution policy experts were selected to be participants of this study. This chapter further presents thematic analysis and concludes with reliability, validity, ethical considerations. Limitations of the study are provided before the conclusion.

Chapter Five - This chapter analyses and interprets field data to ascertain whether there are policy impediments hindering land redistribution to respond to the issue of land access in KwaZulu-Natal, Pietermaritzburg. A qualitative analysis and interpretation of findings is employed with the purpose of responding to the primary research objectives presented in Chapter One.

Chapter Six - This final chapter sums up the entire study and reiterates the research problem and the purpose. It reaffirms the rationale of conducting this study; to investigate whether there are policy impediments contributing to land redistribution to not respond efficiently in KwaZulu-Natal, Pietermaritzburg.

## **1.10 SUMMARY**

When the apartheid system was dismantled in 1994, the new Constitution permitted for a liberal democracy and the government in power put emphasis on socio-economic rights and a clear mandate to rectify the injustices of apartheid (Hall, 2015). The government formulated the land reform programme as a policy tool to redress historical racial imbalances, and it comprised of land restitution, land redistribution and land tenure (Bangwayo-Skeete, Bezabih & Zikhali, 2010:319). Measures to restore land to those who unjustly lost their land rights since 1913 were spearheaded by the Department of Land Affairs (Department of Land Affairs, 1997).

The aftermath of apartheid led to a skewed land ownership in South Africa where the indigenous majority were left with a small portion of land to sustain their livelihood (Aliber & Cousins, 2013). Furthermore, apartheid created unequal distributions of income in South Africa, which are correlated with gender, race, and location (May, 2000). It's been documented that land reform could potentially bring about political stability that is required for a thriving economy. Therefore, the ongoing land debate illustrates the importance of reforming land in South Africa.

This study focused on land redistribution policy which is solely aimed at providing land access to the poor for both productive and residential uses. It prioritizes the marginalized emerging farmers, women, labour tenants, farm workers and the vulnerable poor. Land under land redistribution policy is acquired through different grants provided by the government (Lahiff, 2007). It has been raised by various authors that the policy has been slow in responding to the issue of landlessness in South Africa. The study therefore explored whether the slow pace redistributing land is policy related, specifically at the Department of Rural Development and Land Reform in Pietermaritzburg as a case study.

## **CHAPTER TWO: LITERATURE REVIEW**

### **2.1 INTRODUCTION**

This chapter introduces the literature reviewed regarding land redistribution from a global context, South Africa, and KwaZulu-Natal. It begins with presenting land redistribution issues by noting that land dispossession resulted in unequal land ownership and land access in several countries Africa. To properly depict the different land reform policy challenges across Africa, land cases from countries such as Zimbabwe, Kenya and Mozambique are explored in detail in this chapter. The arguments and literature provided indicate that land access is imperative in sustaining livelihoods of rural people and effective policy implementation is a key to rectifying the land issues in Africa.

This chapter then proceeds to unpack the origins and patterns of land redistribution in South Africa. Under this segment, land policies that permitted for the execution of land dispossession by colonial governments to indigenous South Africans are elaborated upon. The land policies listed in this section permits for a better understanding of the level of impact done by the discriminatory laws in South Africa. A section about policy basis of land redistribution then follows. This part discusses how land reform was supported before the advent of democracy and how land redistribution has been implemented post-apartheid. The land redistribution policy changes over time are also noted and presented.

This chapter ends with a descriptive account of land redistribution in Pietermaritzburg which is the study area. The three districts serviced by the Department of Rural Development and Land Reform; uMgungundlovu District Municipality, iLembe District Municipality and eThekweni Municipality are unpacked in terms of their topography. This is done to show how suitable this area is for land redistributive justice. The pace of land redistribution, key policy issues, eminent theme emerging from literature are elucidated before the chapter is concluded.

## **2.2 LAND REDISTRIBUTION ISSUES IN AFRICA**

The issue of land ownership in Africa results from land dispossession and contestation by white settlers (Byamugisha, 2014). When colonization ended in countries across Africa around the late 1950s to the 1990s, many countries undertook land reforms to redress colonial and post-independence land ownership inequalities by introducing progressive land-use policies (Habib & Padayachee, 2000). As noted in a study by Byamugisha (2014), these reform policies anticipated improved land rights for previously disadvantaged people through implementing reform programmes. Silkor and Muller (2009) state that these reform programmes sought to enhance the customary land rights of underprivileged groups. These countries' governments had a great responsibility to ensure the responsiveness of these programmes for human rights and land justice.

Land reform across the countries is not the same; the extent of land issues is used to guide the governments of land reform approaches that need to be employed (Pienaar, 2014). Therefore, definitions and approaches of land reform are adjustable, but in many cases, the core principle and process of reforming land is towards “any improvement to land tenure or agricultural organization” to benefit those who were previously disadvantaged (Pienaar, 2014).

The objective of land reform as also suggested by Hall (2008) was to ensure the provision of land access for disadvantaged people for agricultural purposes and for creating sustainable livelihoods.

The terms “land reform” and agrarian reform” have frequently been used by many scholars and states since the end of the colonial era. Odgaard (2006) on the issue of land ownership in Tanzania, states:

“The vital importance of land issues to social and economic development in Africa is unquestionable. The fact that land is becoming an increasingly scarce resource in many parts of the continent, and a more and more conflict-ridden resource, has implied that issues related to land rights and land conflicts now range high on the policy agendas both in African countries and among international donors”.

There are different types of land occupations in Africa, the most common being freehold or private titles, communal or traditional systems, squatting, and public land. Kagwanji (2009) asserts that in countries such as Kenya, Rwanda, Uganda, and Tanzania the issue of land ownership, use and access has been ongoing which is further exacerbated by limited land and resources between ethnic groups. He notes that gender,

class, religion, and ethnicity play a role in who accesses and owns land. External factors that also contribute to land access and ownership are economically related and have political dynamisms Kagwanji (2009).

As noted by Hutchison *et al.* (1991) cited in Rugege *et al.* (2007) power and decision-making influence the outcome of who owns and has control over land. They illustrate that ownership, like any rights, has two major components, firstly, the relationship which exists between a legal subject or a thing, which possess control over the subject matter or thing and secondly, possible rights and capacities over the subject or thing. They further assert that land ownership is an imperative factor to a country's economic development because it confers property rights and holds control over land assets, including natural resources located on that land. Additionally, ownerships define what land will be used for, who occupies it as well as transact land. This also includes final decisions of what land will be utilized for such as agricultural production and mining, residential and business development or what natural resources are used for.

Issues of land access and distribution have proven to be important in many cases around the African continent because it also depicts people's power in relation to the land. In the South African land context, there is a distinct disparity between poverty and inequality: poverty is mainly associated with individuals, households or communities who do not have sufficient resources for a sustainable livelihood and are therefore subjected to living conditions below what is socially acceptable, while inequality is defined as the uneven apportioned opportunities and resources amongst a social organization (Viljoen, 2006). Bob *et al.* (2008) also outlines that inequality is commonly a result of political, social, or economic dynamics which favour resources to be in control of certain people at the expense of others.

The Sub-Saharan Africa is characterized by vast majority of the black population with restricted land access, ownership, and interrelated natural resources, resulting in land conflict and vulnerability amongst the indigenous majority (Bogale *et al.*, 2006; Rugege *et al.*, 2007). Several studies have shown that land conflicts in Africa are triggered by changes in land use as well land access, however these factors are not always the root of land issues (Huggins *et al.*, 2005). It is further noted that the land issue is complex in nature and remains a contested issue between different stakeholders which includes white/ large scale farmers, traditional authorities, local communities, and institutions due to varying interests on land.

Byamugisha (2014) perceives that the historical grievances and the unresolved landlessness has contributed to the demand and urgency of land redistribution in Africa. Furthermore, land issues have resulted in the

demand for a comprehensive national policy as well as constitutional framework to guide the process of reforming land. Consequently, when countries in Africa gained their independence, governments introduced the land reform programmes intended to restore land back to its rightful owners, distribute land to increase land access in hopes of preventing poverty and create more opportunities for Africans, thus developing their economies.

The land reform policy has not been successful in Africa. In the case of Namibia, complaints have been increasing because the process of reforming land has been slow, while Zimbabwe's land reform remains as an example of what can happen if land reforms are not properly implemented (De Villars, 2008). Kariuki (2004) explains the similarities in the Zimbabwe's, South Africa and Kenya's land reform policies as being predominately informed by the market. The land policies of these three countries all share political compromise attained through negotiations for white farmers to sell the land back as part of reforming it to Africans. The failure of redistributing land using the willing-buyer-willing-seller approach in South Africa is connected to the financial support proposed through the negotiation process (Akech, 2010; Lahiff, 2007). From the beginning of the year 2000, Zimbabwe implemented a cohesive land reform to accelerate the process of reforming land due to the ruling party's manifesto which mandated for land acquisition. Nyandoro (2012) notes that permitting land grabs in Zimbabwe to reform land became more politically driven and those acts were perceived as unlawful and thus disrupted law and order in the country. Following the mobilization of land grabs in Zimbabwe, peace and stability on the issue of land was restored by looking for sustainable solutions to appeal for land use rights, "With the international community (led by the former colonial power, Britain, and the USA) advocating a Western-brokered solution to the land question, President Mugabe and other African leaders have pushed for a Zimbabwean-oriented or at least an African Union (AU) or Southern African Development Community (SADC)-led solution to the issue" (Nyandoro,2012).

According to Cassim (2012) land issues in Africa is further exacerbated by malfunctioning economies which threaten the stability of many countries such as Zimbabwe. The exploitation of land and natural resources in Zimbabwe resulted in uneven land access and affected land rights of indigenous people. Land acts contributed immensely to the insecure land rights in Zimbabwe, such land acts include the Land Appointment Act (LAA) of 1930 and the Native Land Husbandry Act (NLHA) 25 of 1950/51, which permitted for forced removals of African farmers from their rightful farmlands (Dande & Mujere, 2019). Nyandoro (2012) also support that these legislations further intensified farmland acquisition by white

settlers in Zimbabwe, consequently leaving the indigenous people with no natural resources such as water and continued conflict over land. Such laws result to an uproar and “land grabs” by smallholder peasants post-independence in Africa due to the continued issue of landlessness and its implication of the lives of indigenous people.

The International Crisis Group (2004) asserts that Zimbabwe and South Africa both have common land issue, which date back from the colonial period and characterized by white settlers. Both these cases evoke questions of politics, history, race, international diplomacy, and economic opportunities. Resolving the issues of landlessness in both these countries remains crucial in reducing the risk of conflicts and improving long-term sustainable economic prospects.

When Kenya gained its independence in 1963, the government set out to reform land. However, since then reforming land has not been successful which resulted in growing interest towards the land question (Binswanger-Mkhize, Bourguignon & Van Den Brink 2009). According to Manji (2014) the constitutionalizing of the land issue in Kenya, followed by its failure to resolve landlessness runs the risks of the constitution being seen as a failure because the constitution stipulates that all land in Kenya belongs to everyone, therefore everyone in Kenya should have access to land and benefit from it. BinswangerMkhize *et al.* (2009) notes that the continuous landlessness in Kenya is due to the failure of the first reform programme which focused on maintaining a stable economy after democracy. The reform was centred on economic efficiency and equity in expectations that land access to White Highlands for Africans will be increased, and social tension would be reduced.

Mozambique has 36 million hectares of fertile soil, about 5.7 million hectares is used for productive agricultural production. Mozambique has a total of 21.4 million population of that total, 14.3 million reside in rural areas and agricultural production in the rural areas is driven by labour of small holder farmers who work the 1.3 hectares of land by cultivating it (Batistella & Bolfe 2010, Clements & Fernandes 2013). The biggest sector in Mozambique is the agricultural sector, backed by an estimated 80 percent of the Mozambican population who are actively involved in this sector, most of the agricultural produce is either used in subsistence, placed in regional markets, provincial and national levels (Clements & Fernandes 2013). It is evident that Mozambique has an abundant arable land, however land is unequally distributed among households, land access is further worsened by village power relations and gender related issues.

This therefore questions Mozambique's land legislation principals, particularly its advocacy of the customary property arrangements and customary leader's power over the issue of reforming land (Silkor & Muller 2009).

It is evident that land patterns in Africa are characterized by unequal ownership and irregular redistribution. Ethiopia is no exception, Holden & Bezu (2016) notes that this country has attracted foreign investors, while the indigenous population, particularly the rural households have an increasing challenge of accessing land in the highlands of Ethiopia where most people are located. They further state that rural people are not allowed to buy land, smallholders can only rent out a portion of their land for a certain period. Gebeyehu (2011) also points out that the common land system in Ethiopia is communal land tenure where people possess communal rights based on clan, family, and other descent groups.

Moyo (2013) asserts that land access is imperative in sustaining livelihoods of rural people. He further outlines that for centuries women have utilized land for agricultural purposes as well as socio-economic reasons, mostly those situated in rural areas, which depicts the importance of land access for people. Seemingly, land reform in countries across Africa was established based on reforming land back to the previously disadvantaged groups during the colonial era to advance their socio-economic status (Mamphodo, 2006). The objectives of the land reforming in the South African context are the same as to those of other countries in Africa, however, it is not known whether the policy has been successful in meeting its goals (Mamphondo, 2006).

### **2.3 ORIGINS AND PATTERNS OF LAND REDISTRIBUTION IN SOUTH AFRICA**

The National Party government was responsible for introducing land policies in South Africa which did not favour indigenous development in the year 1948. The enforcement of apartheid laws such as the Native Land Act (1913), Native Trust and Land Act (1936), Trading and Occupation of Land Restriction (1943) and the Group Areas Act (1950) were amongst legislations used to force the majority of indigenous (Blacks, Indians, and Coloured's) people into Bantustans by the National Party government (SAHO, 2016). As a result of land dispossession, indigenous people lost their land rights and were limited to less productive land.

According to (Adams, 1995) roughly over 3.5 million blacks in both urban and rural settings lost their property rights during the period of evictions. The minority European settlers oppressed indigenous people

and took control of their land, rendering them landless and impoverished. Consequently, several blacks were forced to work at white commercial farms as cheap laborers (Clark and Worger, 2004).

Kloppers and Pienaar (2014) also supports that the National Party government prioritized territorial segregation, political exclusion, and population resettlement to achieve indigenous displacement from their rightful land through the following oppressive policies:

### **2.3.1 BRITISH COLONIAL LAND POLICIES**

#### ***2.3.1.1 The Natives Land Act 27 of 1913***

The Natives Land Act 27 of 1913 was the initial act that justified apartheid, paved the way for territorial segregation and formalized limited land ownership for the black population (Beinart & Delius, 2013). This land act policy while it paved a way for apartheid land policies, it was a policy of the British colonial government. South African was colonised by two European countries. The Netherlands occupied the land between 1652 – 1795 and 1803 – 1806, and Great Britain between 1795–1803 and 1806–1961 (Heldring & Robinson, 2012). The Natives Act established the differentiation of ethnic groups based on a notion that differentiation between different races was mandatory, as depicted in section 1(1) of the Natives Act:

*“a native shall not enter into any agreement or transaction for the purchase, hire, or other acquisition from a person other than a native, of any such land or of any right thereto, interest therein, or servitude; and 31 a person other than a native shall not enter into any agreement or transaction for the purchase, hire, or other acquisition from a native of any such land or of any right thereto, interest therein, or servitude there over”.*

As explained by Nthai (2017) in her analysis of the Natives Land Act, it is evident why this piece of legislation was noticeably the starting point for the redistribution programme because it is the foundation of land disparities in South Africa. The Natives Land Act outlawed sharecropping contracts between black farmers and white landowners; as a result, several black farmers lost an extensive portion of their income and faced economic hardship in years to come (Fraser, 2007). The Natives Land Act was the foundation of racial segregation; the system was advanced through the Natives Trust and Land Act 18 of 1936.

### ***2.3.1.2 The Native Trust and Land Act 18 of 1936***

The Native Trust and Land Act 18 of 1936 laid a base for the formation of the South African Native Trust, a state agency responsible for the administration of the trust land, rendering support, benefit, settlement, and material welfare of the natives of the Union (Kloppers & Pienaar 2014). Through the Natives Trust and Land Act, black people were stripped of their land rights and, after that, could not own land as individuals (SAHO, 2016). In place, the government introduced trust tenure by establishing the South African Development Trust (SADT), which acted as a body overseen by the government for purchasing land in “released areas” for black settlement purposes.

In terms of section 2(1) of the Natives Trust and Land Act, land identified in the Natives Land Act was moved to the Native Trust and, therefore, was controlled by the Trust. Within the Trust, specific land was set aside for the occupation of natives only, and the reserved land for native areas was identified in the Natives Land Act. Through the Native Trust and Land Act, the government facilitated its racial segregation policy, consequently controlling land distribution in South Africa (Kloppers & Pienaar 2014). Patently, The Natives Trust and Land Act aided the loss of land rights of the black population and contributed to their loss of income and poverty by placing them on demarcated native reserves. Eventually, it necessitated the need for the democratic government to reform land after the apartheid system was dismantled in South Africa.

### ***2.3.1.3 The Group Areas Act of 1950***

The Group Areas Act of 1950 was regarded as the “second wave” of evictions of the indigenous majority by the white minority in South Africa. The government enforced immense removals of South Africans from areas which were declared to belong to other racial groups. Lahiff (2016) notes that the apartheid government established Homelands and was given “self-governance and “pseudo-independence. Black South Africans were transferred to these areas under the justification of “influx control” when they were deemed political threats or if their labour services were no longer needed by the white oppressors.

According to Cousins and Scoones (2010), the government removed all people residing in what was referred to as “black spots” in both urban and rural areas to other areas, often with no personal possessions. They further note that the government also facilitated land dispossession for other reasons, such as the consolidation of homelands and the implementation of policies for betterment.

The Group Areas Act targeted Africans, which were forcibly removed. However, 600,000 non-Africans were removed under the Group Areas Act. The apartheid government implemented measures such as homelands consolidation, black spot clearance, urban township relocation, the abolition of labour tenancy, betterment planning and influx control to effectively remove people. Between the period of 1960 and 1982, an estimated number of 1 200 000 people were forcibly removed from their rightful farms, an additional 600 000 under the black spot clearance and Bantustan consolidated policies, 700 000 through the implementation of the urban relocation, 900 000 under the Group Areas Act and 150 000 for different reasons (Weideman, 2006).

The forced removals of people further restricted Africans in confined areas to limit their freedom and land access. The government used structural force and violent tactics such as police and guns, demolition of houses and arrests (SAHO, 2013). A series of oppressive legislation gave the National Party government the supremacy to implement policies of forced removals (Land Accountability Research Centre, 2016). The Group Act made provisions for exclusive land ownership, access, and use.

In 1966, the Group Areas Act of 1950 was replaced by the Group Areas Act of 1966. These Act main objectives were similar; the improved Group Areas Act of 1966 was to “consolidate the law related to the establishment of group areas and to regulate the control of the acquisition of immovable property and the occupation of land and premises”. In this Act, three groups were distinguished: white, Bantu and coloureds. Section 20 of the Act placed emphasis on the restricted occupation of land within controlled areas (SAHO, 2013).

Land reform in South Africa was established to rectify the injustices of apartheid by means of transferring land rights from whites to people who were displaced from their land during apartheid (Lipton, 2009). However, Lipton further notes that the process of land reform has proven to be difficult to be executed by the South African government, leading to land debates and unsuccessful land reform programmes.

The issue of reforming land has also been seen in countries like China, Brazil, Bolivia, and the Philippines, where their land reform has either been abandoned, slow or deemed ineffective (Lipton, 2009). Pienaar (2014) also agrees that reforming land becomes vastly difficult because there needs to be a balance between fair and unequal distributions of land. He further elaborates that the process of land reform also requires careful transition because the rights of both the dispossessor and the dispossessed need not be infringed upon.

The South African White Paper on Land Reform of 1997 outlined three programmes for reforming land, which was, land restitution, land redistribution and land tenure (Dlamini, 2010). According to Jobe (2009), these programmes were designed to achieve land equity, equitable land access and efficient land use. However, scholars such as Hall (2004); Lahiff (2007); Binswanger-Mkhize (2014); Kloppers & Pienaar (2014) note that the government has not been successful in achieving the goals of land reform programmes. The land audit published by the Department of Rural Development and Land Reform in 2017 also showed that 72 percent of the land is still white owned.

## **2.4 POLICY BASIS OF LAND REFORM IN SOUTH AFRICA**

The policy basis of land policy in South Africa before and after the 1990s encouraged the government to play an “interventionist” part in nationalization (Ottaway, 1996; Weideman, 2004). The nationalization policy is enshrined in the Freedom Charter adopted in the year 1955 by the Congress of the People which stipulates that “restrictions of land ownership on a racial basis shall be ended, and all the land re-divided amongst those who work it to banish famine and hunger”.

It is stated in the Freedom Chapter of 1955 that the government is inclined to assist African farmers with “...implements, seed, tractors and dams to save the soil and assist the tillers”. During the shift in the 1990s, the African National Congress (ANC) vision of nationalization and “egalitarianism” was reviewed following pressure from business interests at an international and domestic level (Habib *et al.*, 1998; MacDonald, 1996).

According to Weideman (2004), the ANC did not have any land policies formulated by the 1990s except for reference to the Freedom Charter because it provided a policy statement regarding the land issue and advocated for land redistribution. The Freedom Charter of 1955 makes these significant statements: ‘our people have been robbed of their birthright to the land’, South Africa ‘belongs to all those who work it’ and ‘the land shall be shared amongst those who work it’ (Freedom Charter, 1955). Prior to the adaptation of the land reform policy in 1994, the ANC used the Freedom Charter as a policy guide to address the issue of unequal land ownership in South Africa. The ANC restates in its document titled the “Constitutional Guidelines for a Democratic South Africa (1989)” by saying that:

- the government is responsible for formulating and implementing a land reform programme that will be an umbrella in resolving the following issues:

- termination of racial limitations on access, use and ownership of land; and
- execution of land reform in accordance with the affirmative action principle and acknowledge the status of victims who were forcibly removed.

When the ANC was unbanned, discussions relating to land reform began aided by the National Land Commission as well as the regional land commissions, which were active during the apartheid struggles for restoring land rights for Black people (Hall, 2004; Weideman, 2004). The White Paper on Land Reform was introduced in 1991 by the National Party government before the new democratic government came into power. The White Paper, 1991 (2), propositioned to adopt the Abolition of Racially Based Land Measures Bill, 1991, to revoke the 1913 and 1936 Land Acts, and other apartheid racial segregation policies (Hall, 2004; Weideman, 2004). Thereafter, the racial policies by the apartheid government were ratified.

The White Paper on Land Reform (1991) had an agrarian approach to reforming property ownership for the victims of discriminatory land policies in South Africa (Crush & Jeeves, 1993; Ottaway, 1996; Weideman, 2004), it also had conditions set out for restoring land to those who were stripped off the land rights.

Reforming land should not be pursued if:

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can cause conflict.

- it will not be possible.
- will be difficult to implement due to varying cases of land claims being lodged; and
- recurrence of the past that would disrupt the country's democratic direction.

The White Paper on Land Reform (1991) reasoned for a commercial agriculture and a market driven approach to remain regarding land redistribution (cf. page 141, 142, 152), which predominately endorsed land access to private ownership. The White Paper on Land Reform, 1991 (13), maintained that changes to commercial agriculture must be done so through market modes, and governmental support relating to land access and agricultural services to be achieved on an equitable basis. This approach however did not take into thought the existing conditions of the previously disadvantaged people and was therefore rejected by land activists because African people did not have the buying power coming out of the apartheid system, and needed government assistance (Weideman, 2004).

When the democratically elected government officially came into power in 1994, it introduced the Reconstruction and Development Programme (RDP) as a policy response to the land issue (RDP Policy, 1994). The RDP Policy Framework of 1994 outlined that land access for the poor should be prioritized in prospects of an improved standard of living and economic growth. According to a study on land reform conducted by Semalulu (2004), the RDP policy recognized that most of the population could not afford to purchase land. Hence, through the RDP Policy, the state intervened by adopting the Land Reform Programme (LRP) which was to be spearheaded by the Department of Land Affairs.

Jobe (2009) notes that reforming of land to the previously disadvantaged groups is enshrined in Section 25 of the Constitution of the Republic of South Africa where the state is mandated to implement reform measures and issue grants to support victims of land dispossession.

The Constitution of the Republic of South Africa, 1996 (Section 25) outlines the following in terms of land reform:

- 
- South Africa is devoted to reforming land, and to improve access to all its natural resources because it is in the best interests of the country (Section 25 (4) (a)). guaranteed right to own property (Section 25 (1).
  - expropriation of property,
    - for public interest and use (Section 25 (2) (a)), and
    - on condition that equitable compensation is made.
- ensures appropriate compensation measures, time and payment must be equitable, depicting unbiased balance between public interest and those involved, in addition, have regard to the following:
  - current property use.
  - historical property acquisition and use.
  - the property market value.
  - reasons for expropriation.
  - “The extent of direct state investment and subsidy in the acquisition and beneficial capital improvement of the property”.

In 2011, the government published a brief Green Paper which sketched out new policy directions on land reform (Green Paper, 2011). Cousins (2013) suggests that the government appears not to have any plans to expand the Green Paper because no public debates or discussions have been announced.

## **2.5 THE SOUTH AFRICAN LAND REFORM POLICY**

The democratically elected government 1994 introduced the Reconstruction and Development Programme (RDP) as a policy response to the land issue (RDP Policy, 1994). The RDP Policy Framework of 1994 outlined that land access for the poor should be prioritized in prospects of an improved standard of living and economic growth. According to a study on land reform conducted by Semalulu (2004), the RDP policy recognized that most of the population could not afford to purchase land. Hence, through the RDP Policy, the state intervened by adapting the Land Reform Programme (LRP), which was to be spearheaded by the Department of Land Affairs.

The South African land reform programme comprises the following reform policies:

- *Land restitution* aimed at restoring land rights to those dispossessed after 19 June 13 (Van den Brink, Thomas, Binswanger *et al.*, 2006).

*Land redistribution*, where eligible applicants obtain grants to purchase land (Shackleton, Shackleton & Cousins, 2002).

*Land tenure* for securing landholding rights to people living and working on private and state-owned land (Wegerif, 2006).

Of the three South African land reform policies, this research study focuses on the land redistribution leg of the LRP in KwaZulu-Natal. The Department of Rural Development and Land Reform in Pietermaritzburg as the case study.

### **2.5.1 LAND REDISTRIBUTION POLICY FRAMEWORK**

Land redistribution legal framework is provided by the Provision of Certain Land for Settlement Act 126 of 1993, which got amended in the year 1998 to the Provision of Land and Assistance Act 126 of 1993 (known as Act 126). The initial Act permitted for an advance or subsidy to anyone who required assistance. However, in 1998, the amendment of the Act gave a provision of categories of persons who could qualify for grant or subsidy assistance. The category included “persons who have no land or who have limited access to land, and who wish to gain access to land or to additional land”, as well as those who want to upgrade their land tenure (DLA 1998:5).

The objective of land redistribution was to provide the designated groups and the poor with access to land for both residential and productive purposes (Dlamini, 2016). The accentuated measure by the democratic government under land redistribution programme was to redistribute 30 percent of land back to the previously disadvantaged groups by the year 2014 (Binswanger – Mkhize, 2014). This was to be achieved through the market-based approach of the willing-buyer-willing-seller concept (World Bank 1994; DLA 1997; Hall, Jacobs, and Lahiff 2003). However, this method of acquiring land was criticized for not seeking to benefit the landless (Ntsebenza, 2007). Since then, redistribution policy has undergone several shifts since 1994.

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After the failure of the willing-buyer-willing-seller land acquisition approach, eligible “poor” applicants were given a grant of R16 000 under the Settlement/Land Acquisition Grant (SLAG) (DLA, 1997). This approach was designed to service the poor who did not have land or were hunger-stricken, even though it remained within the willing-buyer-willing seller spectrum. Jacobs (2004) notes that land redistribution was applied through “pilot” programmes throughout different provinces during SLAG. He further noted that the R16 000 grant was given to eligible low-income households.

The SLAG method was criticized for “dumping” poor and unskilled beneficiaries on former commercial farms (Vink and Kirsten 2003). SLAG, after that, was replaced by Land Redistribution for Agricultural Development (LRAD) in 2001, which retained the market-based, “demand-led” approach of previous policies, and later the Proactive Land Acquisition Strategy (PLAS), which was introduced in 2009/2010 (DLA, 1997). Land under PLAS is acquired through the concept of willing-buyer-willing-seller, and the secured farms are registered under the State, which remains as the “title holder”, which is then leased to eligible beneficiaries after successful interviews (DLA 2007).

To date, the government has not been successful in meeting its 30 percent redistribution target, instead expanding it to 2030 (National Planning Commission, 2013). Land reform measures have proven to be a challenge to implement over the years.

## **2.6 LAND REDISTRIBUTION TOPOGRAPHY IN PIETERMARITZBURG**

The Department of Rural Development and Land Reform, in Pietermaritzburg as a study area is responsible for servicing these districts, uMgungundlovu District Municipality, iLembe District Municipality and eThekweni Municipality. To better understand the progression and responsiveness of the land redistribution policy in Pietermaritzburg, the topography of all the areas serviced by the Department of Rural Development and Land Reform in Pietermaritzburg were studied.

### **2.6.1 uMgungundlovu District Municipality**

According to a survey conducted by Community Survey (2016), uMgungundlovu District is a home to approximately 1,095, 865 people, and an extent of 9,603 m (square) with a population density noted to be about 110/km (square). There are distinct features among the population in this area: 58% occupy the urban settlements, 38% live within rural settlements and 9% reside within small holdings on different farms (Community Survey, 2016).

uMgungundlovu District has a high potential for agricultural output due to the local climate. As a result, most of the area is preserved for commercial farming, comprised of an increased number of land claims and re-situated farms (DCGTA, 2020). It is also noted that this district has land

governed by the Ingonyama Trust; 20 Traditional Councils are found across 6 of the Local Municipal areas (excluding the Umngeni Municipality).

The Profile and Analysis District Paper (2020) outlines that the largest type of ownership falls under privately owned farmlands, the corporate entities within the timber and sugarcane industries have a substantial portion of land ownership. In comparison, the second largest landowner is the Ingonyama Trust in uMgungundlovu District. The rest of the land ownership falls under state, parastatal (including conservation areas) and a relatively small portion is owned by the church.

### **2.6.2 iLembe District Municipality**

According to the 2021/2022 iLembe Annual Report, iLembe District is in the north part of KwaZulu-Natal, constituting four local municipalities namely Mandeni, KwaDukuza, Ndwedwe, and Maphumulo. The annual report further states that iLembe District is a fast-developing destination for residents in KwaZulu-Natal. This District is located between two major ports in South Africa, Durban, and Richards Bay. It is also situated within 10km of the Dube TradePort and King Shaka International Airport.

iLembe District Municipality has four economic sectors: agriculture, tourism, manufacturing, property development and construction. This district also has other economic sectors such as transport and logistics, services, trade, and retail. Manufacturing and finance sectors are major contributors to the country's Gross Domestic Product (GDP) with 22.8% and 17.9% respectively. However, wholesale trade, the general government services and agriculture also contribute a significant amount to the GDP with 14.2%, 12.7% and 10.2% respectively (iLembe Annual Report, 2022).

### **2.6.3 eThekweni Metropolitan District**

It is estimated that 45% of the eThekweni is rural, while 30% is peri-urban and the remaining 25% is urban (eThekweni IDP, 2015). It is further stated that this district is divided into 103 wards, but traditional leaders govern 90% of the rural areas under communal ownership. eThekweni is a major tourist destination due to its vibrant entertainment development, beaches and coastlines, The population in this area is expected to be at approximately 3.7 million by 2020 (Stassa, 2011).

Figure 2.1 shows the total hectares of land ownership in each province, shared between individuals, companies, community-based organizations, trusts, and co-ownership. The province of KwaZuluNatal has a total of 5 231 547 hectares of privately owned land the rest is registered in the Deeds Office (Land Audit, 2017).

Table 2.1 Private land ownership in South Africa

**Table 2: Private landownership by category in hectares**

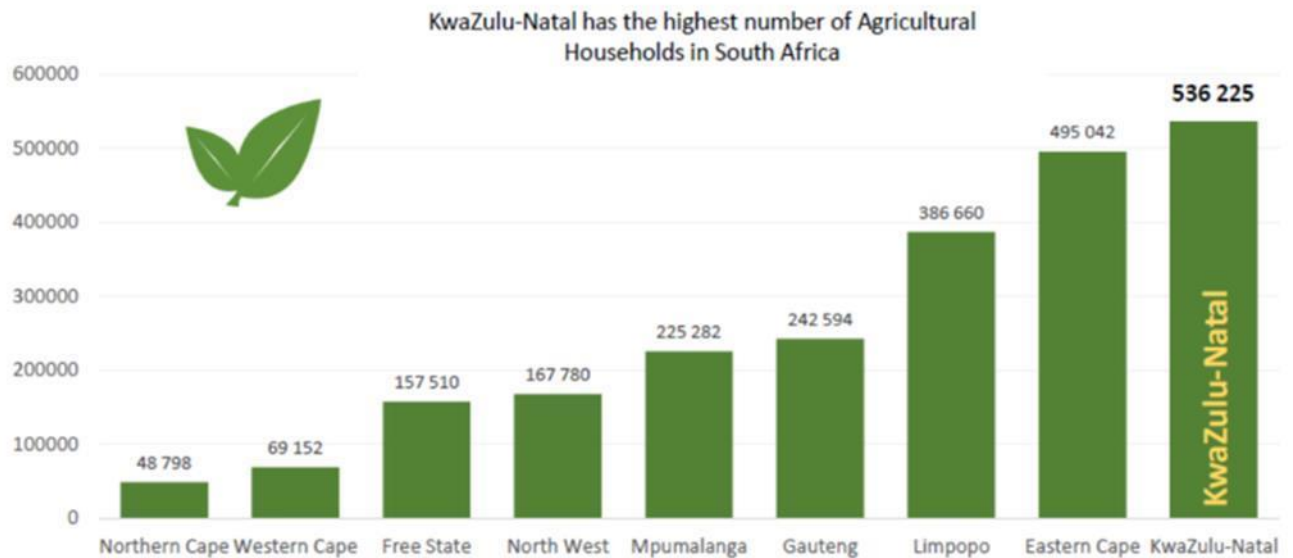
Province	Individuals		Companies		CBOs		Trusts		Co-ownership		Total Ha
	Ha	%	Ha	%	Ha	%	Ha	%	Ha	%	
EC	4 692 320	43	1 982 479	18	190 249	2	3 964 671	36	69 870	1	10 899 589
FS	5 005 878	42	1 978 952	16	126 044	1	4 894 214	41	31 470	0	12 036 559
GP	546 612	40	618 342	45	60 650	4	133 797	10	11 556	1	1 370 957
KZN	1 579 543	30	1 627 042	31	300 556	6	1 562 455	30	161 950	3	5 231 547
LP	1 718 861	22	3 918 210	50	705 466	9	1 355 839	17	60 564	1	7 758 940
MP	1 432 232	28	2 219 322	43	240 947	5	1 219 721	24	36 185	1	5 148 407
NW	3 215 926	42	2 025 825	26	341 807	4	1 953 015	26	117 724	2	7 654 297
NC	15 083 393	47	5 641 747	18	1 247 673	4	10 057 482	31	126 464	0	32 156 759
WC	3 756 518	32	3 187 986	27	336 097	3	4 150 662	35	26 7807	2	11 699 071
<b>Total</b>	<b>37 031 283</b>	<b>39</b>	<b>23 199 904</b>	<b>25</b>	<b>3 549 489</b>	<b>4</b>	<b>29 291 857</b>	<b>31</b>	<b>883 589</b>	<b>1</b>	<b>93 956 125</b>

Source: Land Audit (2017)

The Department of Rural Development and Land Reform, Pietermaritzburg as a case study for investigating land redistribution was also suitable for this study because as noted by DGCIS (2015) KwaZulu-Natal has a potential of high-quality agricultural output. It is further noted that KwaZuluNatal comprise 6.5 million hectares of agricultural land, 82 percent of this land favours extensive livestock production whilst the remaining 18 percent is arable land.

Figure 2.2 shows that KwaZulu-Natal has the highest number of agricultural households in South Africa.

**Figure 2.2 Number of Agricultural Households by Province**



Source: STATS SA (2016)

The objective of land redistribution is to provide for both productive and residential purposes (Dlamini, 2016), which enables beneficiaries to decide what land will be utilized for.

## **2.7 LAND REDISTRIBUTION POLICY IMPLEMENTATION TO DATE**

Implementing land redistribution has been challenging, but Lipton (2009) also highlights that lack of effective administration adds to the backlog. He outlines that due to a lack of training by policy implementers, the process of implementation is no longer carried out efficiently, thus resulting in either slowed or incomplete land reform programmes. Another detrimental issue to land reform in most developing countries such as Zimbabwe and South Africa is corruption and a “lack of political will” from those entrusted to execute effective land reform policies (Hall, 2008).

According to Lahiff (2007) since 2001, the state land under national and provincial departments of agriculture was made open to be purchased by the public in need of land. Wegerif (2004) remarks that through the option made by the state for public land purchases, over 700 000 hectares of land was made accessible to people, a large portion freehold title was also transferred to black tenants

who have been renting land from the state. Furthermore, municipalities were provided with the Grant for the Acquisition of Municipal Commonage to cater land for the poor for grazing.

The issue of reforming land in South Africa remains a rather sensitive issue, centred on many debates and discussions from scholars, ordinary citizens as well as political leaders. In the land reform discussion paper of June 2012, the African National Congress (ANC) placed emphasis that the process of land reform should be both radical and rapid to resolve the issue of skewed land ownership, and this should be done without any disruptions to agricultural production (ANC, 2012).

According to Manenzhe (2007), the objective of South African land redistribution is to rectify the 13 percent land ownership of indigenous people by redistributing back 82 million hectares of fertile land from 60 000 white commercial farmers to non-whites. Land redistribution should “reduce poverty and contribute to economic growth” (DLA, 1997). According to Groenewald (2003), key determining factors for successful land reform programmes are appropriate policy designs and implementation. However, in findings by Ghimire (2001) and Kay (1998) on land reform in South Africa, they both argue that access to land remains a dominant issue even after the adoption and implementation of land reforms.

The transformation audit by the Social Justice Network (2015) indicated that the issue with South Africa’s land reform policies is their “uncertainty”, ‘On the one hand, they aim to protect the vast farms inherited from apartheid; on the other hand, they seek to redistribute land and redress historical injustices in the agrarian structure’. Ramatsindelal *et al* (2016) highlight the policy gap in the land redistribution programme by noting that for redistributive justice to achieve its goals, beneficiaries need to be part of the policy formulation and implementation process.

Despite the adoption of land reforms by countries worldwide, land ownership and landlessness remain an issue, with South Africa having the most unequal land ownership structure (Byamugisha 2014). According to Sibanda (2010), the land is essential for security, political power, and social status. However, it noted that through these reforms, redistributive justice has not been accomplished. In an article by Cousins (2013) on South African land reform policies, he also notes that since the publication of the White Paper in 1997, which had a “reasonably clear way forward” on reforming land, policy shifts thereafter lacked clear articulation on land reform.

Land acquisition under land redistribution was to be achieved through the application of grants after the failed willing-buyer-willing-seller approach (LIMA, 1998). According to a report done by AFRA (1998) 5188 households on 47202 hectares benefited from this programme in KwaZuluNatal. Lyne and Darroch (1997) note that KwaZulu-Natal has 372995 hectares available for land redistribution, which is higher than the initial estimated 303343 hectares and higher than the 268000 hectares predicted by Standard Bank (1998) for non-afforested farmland in KwaZuluNatal.

Under the objectives of the land redistribution programme, the initial target for redistributing 30 percent to previously disadvantaged groups from 1994 to 2014 have subsequently been moved to 2030 (National Planning Commission, 2013). During the 6th African National Congress (ANC) Policy Conference (2022), the South African President, Cyril Ramaphosa stated that the ANC government has been experiencing several challenges in reforming land. He noted that the ANC government has also encountered setbacks in its efforts to amend Section 25 of the South African Constitution, which deals with property rights to ensure that land expropriation is among the key responses used to give effect to land redistribution.

It is evident that the implementation of the redistribution policy by the democratic government to reform land to the previously marginalized groups has not been smooth since 1994, hence the exploration of other means of reforming land, such as expropriation by the ANC government.

## **2.8 KEY POLICY ISSUE OF LAND REDISTRIBUTION IN SOUTH AFRICA**

There have been numerous debates around the pace of reforming land in South Africa (Lahiff, 2007; Buthelezi, 2007; Binswanger-Mkhize, 2014; Ntsebeza, 2007). This section explores the key policy issue that has been noted as a possible prominent contributing factor for the pace of reforming land. The issue of land acquisition constitutes more than one aspect of a policy issue. The market-led land acquisition affects governmental funding for land, it also determines which type of land is made available to the state and subsequently, land-use for land redistribution beneficiaries. This section therefore draws from departmental official documents, and existing literature on land redistribution, focusing on land acquisition as a key policy impediment for reforming land.

### **2.8.1 Land Acquisition**

Land under the redistribution policy is selected and acquired by the state, therefore purchased by the state, and transferred to eligible beneficiaries. The process of land acquisition has been regarded as the most “contentious” issue of the South African land redistribution policy since the dawn of democracy in 1994 (Lahiff, 2007). From the year 2006, the Proactive Land Acquisition Strategy replaced the previous land acquisition policies. This method involved the state purchasing the land and thereafter, land redistribution beneficiaries could have access to that land (Lahiff, 2007).

The key benefits of implementing this strategy as outlined in the Implementation Plan (DLA, 2006) are as follows:

- To fast-track the process of redistributing land.
- Safeguard the DLA in acquiring suitable land to meet the objectives of the Accelerated Shared Growth Initiative (ASGISA)
- Enhance the beneficiary selection and appropriate land plan.
- Ensure optimum land use for productive purposes.

According to the Minister of Land Affairs Thoko Didiza during the National Land Summit of 2005, the purpose of the Proactive Land Acquisition Strategy was to “to ensure that land and agrarian reform moves to the new trajectory that will contribute to the higher path of growth, employment and equity by 2014”, which is also in line with the land redistributing policy objective of reforming 30% of the land by the 2014. The Department of Rural Development and Land Reform was responsible for the discontinuation of SLAG, LARD, and other forms of acquiring land in 2011 (DRDLR, 2011). In 2013, a State Land Lease and Disposal Policy was adopted which gave land redistribution beneficiaries an option to enter into a long-term lease agreement with the state (DRDLR, 2013).

Proactive Land Acquisition Strategy as a method of acquiring land still uses the foundations of the willing-buyer-willing-seller approach because the state needs to purchase land from willing white sellers at market related prices. The willing-buyer-willing-seller method was first adopted from the

World Bank's suggestions of a market-led land reform approach which advocated for a voluntary process of land from the white to the state for the purpose of reforming land back to the previously disadvantaged population (World Bank 1994; DLA 1997; Hall, Jacobs, and Lahiff 2003). This approach of land transfer aligned with reconciliation after apartheid because it was essential for the democratic government to prioritize for a peaceful transition.

It is noted by Lahiff (2007) that the South African land redistribution policy does however depart from the core principals promoted by the World Bank, specifically, failing to implement land tax to regulate land prices, exploring land expropriation in certain cases necessary, not permitting beneficiaries to create and implement their projects as well as the failure to divide big holdings. The willing-seller-willing-buyer approach was requested to be reviewed in South Africa in 2005. During the National Land Summit in July 2005, this approach was criticized by President Thabo Mbeki, Minister of Land Affairs Thoko Didiza, landless organizations and the civil society at large (National Land Summit, 2005).

Deputy Director, Mrs. B Ngcobo from the Department of Agriculture and Land Reform, Pietermaritzburg who formed part of the sample frame of this research study as a key policy expert on the land redistribution policy, attested that land acquisition constitute to the slow pace of land redistribution (Ngcobo, 2023). During the interview, she detailed that the budget allocated to the redistribution programme cannot purchase as much land due to the market-driven approach. Therefore, land acquisition ultimately affects land accessibility for the previously disadvantaged South African.

Lyne and Darroch (2003) also support that the method employed by South Africa to acquire land under the redistribution policy has three apparent weaknesses; suitability of land that is being put up for sale, the prices for purchasing land and limited governmental financial capabilities. Furthermore, the issues arising from land acquisition depict the shortfalls within the policy design of the land redistribution policy. Hence the new proposed policy developments and reform measures by the ANC government.

According to Fraser (2008) the concept of the willing-buyer-willing-seller constitutes to the slow pace of the land reform in South Africa. Ntesebeza (2007) also argues that the pace of land redistribution lies on the hands of white farmers. He further suggests that white farmers should not

be “rewarded” for the racial injustices they committed against South Africans during land dispossession. Mendola and Simtowe (2015) attest that for land redistribution to be implemented efficiently, it needs to be done on a large scale.

## **2.9 EMINENT THEME EMERGING FROM LITERATURE**

It is apparent that the land redistribution policy has not been able to increase land access for the landless South Africans in a sustainable manner over the years. The reports from the Department of Agriculture also depict a decline in the number of lands being transferred from white to black ownership.

Between the year 2007 and 2008, a total amount of 432,226 hectares got redistributed under the South African reform programme from the initial target of 2.5 million hectares set by the government (DLA, 2008). In 2009, the government set out to redistribute 1, 500,00 hectares of land but managed to redistribute only 444,600 hectares (DRDLR, 2009). Between 2009 and 2010, the target was 656,000 hectares and only 239,990 hectares were acquired by the state for redistributive purposes (DRDLR, 2010). Between the year 2010 and 2011, the target got reduced to 283,592 hectares due to the gap between the target and land being transferred (DRDLR, 2011).

According to Cousins (2013) since the publication of the White Paper in 1997, policymaking after that publication had numerous shifts and has not had a clear direction on how they will tackle the issue of land reform. Furthermore, the proposed land reform policies fail to incorporate implementation lessons from previous policies. In 2011, the government published a brief 11 pages of a Green Paper which sketched out new policy directions on land reform (Green Paper, 2011). The government appears not to have any plans on expanding the Green Paper because no public debates or discussions have been announced regarding the proposed policy approaches (Cousins, 2013).

The South African Constitution makes provision of land expropriation as means of reforming land for certain cases, this is found under Section 25 of the South African Constitution (South African Constitution, 1996). According to an article published by Stoddard (2018) titled “South Africa’s ANC to ‘test constitution’ on land expropriation”, he states that the government began to test the property clause in 2018, which is specified in the constitution that will permit the government to

expropriate land to address the prevailing racial disparities in land ownership for the previously disadvantaged population in South Africa. Furthermore, the shift to exploring land expropriation for land reform is said to be “just and equitable” (Stoddard, 2018).

Since 2018, there have been numerous debates around the expropriation of land from civil society, political parties, land experts, farm enterprise and different structures interested on the issue of reforming land. During the 6th African National Congress (ANC) Policy Conference (2022), the South African President, Cyril Ramaphosa stated that the ANC government has been experiencing several challenges in reforming land. He noted that the ANC government has also encountered setbacks in its efforts to amend Section 25 of the South African Constitution which deals with property rights to ensure that land expropriation is among the key responses used to give effect to land redistribution.

The current method of redistributing land employed by the government is the Pro-active Land Acquisition Strategy (PLAS) which is a policy adopted in 2006. The policy uses the willing-buyerwilling-seller approach as means of land acquisition by the state from the white farmers which has been greatly criticized due to the market-led system (Lahiff, 2007; Buthelezi, 2007; Binswanger Mkhize, 2014, Ntsebeza, 2007). Under this policy, land is leased out to applicants with an option to purchase the farm after the lease period (DRDLR, 2013). Moreover, the policy makes provision of funds for beneficiaries for the purpose of “recapitalization and development” under PLAS.

Cousins (2013) notes that there has not been much data available on the PLAS programme. However, it is noted that between the year 2009 and 2012, an estimated 882 238 hectares of land were redistributed to 10 447 beneficiaries, but it is not outlined how many fell under the PLAS projects. In a report by the Department of Agriculture in 2012, a small portion of case studies revealed that the PLAS beneficiaries are sometimes well-off people who have other businesses interests outside of what the project is aimed at and often fail to pay rent on the land they have been leased by the state (DRDLR, 2012). Additionally, the report divulges that established 264 white commercial farmers are acting as ‘strategic farmers’ and 117 ‘mentors’ to land reform beneficiaries, and some are there to serve the purpose to ‘graduate smallholder farmers into commercial farmers’ (DRDLR, 2012).

Since the dawn of democracy and the adoption of the land reform, the democratic government has been criticized for introducing land reforming measures that have not been effective in transferring land back to the indigenous people (Lahiff, 2007; Buthelezi, 2007; Binswanger-Mkhize, 2014), particularly the land redistribution leg of the South African land reform for the purpose of this research study. Land redistribution has been regarded as a failure because it has not managed to achieve its policy objectives of transferring 30 percent of land to those removed from their rightful land during apartheid (FFC,2016). According to a report published by the National Planning Commission in 2013, the government has shifted the 30 percent target from 2014 to 2030.

The land policy measures undertaken by the democratic government to reform land have constituted towards the national land debate as well as the exploration of land expropriation in South Africa. This study seeks to attain an insight from policy experts responsible for carrying out the land redistribution policy pertaining possible policy impediments restriction this reform policy to work effectively. Several authors such as (Lahiff and Cousins, 2005; Kloppers & Pienaar, 2014; Moyo & Mamobolo, 2014) have all attested that the South African land redistribution policy has not been successful in reaching its goals.

## **2.10 SUMMARY**

This chapter presented literature reviewed which compromises the views and findings from different studies of different authors on land redistribution around the world and narrowed down to South Africa. The literature review was in full literacy with the issues and objectives of the research study. Good Governance as a conceptual framework guiding the study, issues, and patterns of land ownership in Africa, origins, and patterns of land redistribution in South Africa, policy basis of land reform, the background of the land redistribution policy framework, achievements of land redistribution policy to date, key policy impediments in land redistribution and issues arising from the literature as imperative subtopics were explored under this chapter.

## **CHAPTER THREE:**

### **CONCEPTUAL FRAMEWORK**

#### **3.1 INTRODUCTION**

The land policies implemented by the National Party government during the apartheid era have shaped present-day land ownership for many South Africans (Government of South Africa, 1997; Logan et al., 2012; Macmillan, 2000). This demonstrates that the policies formulated and implemented by the ruling government have a lifelong impact on its civilians.

Post apartheid, the African National Congress government introduced the land reform policy to rectify land injustices that occurred under the ruling of the apartheid government. This chapter outlined the conceptual framework guiding the study which draws on theories of good governance. The importance of selecting good governance and its suitability to the Public Policy discourse which this study falls under is explained in detail.

Good governance has eight components: Participation, Accountability, Transparency, Rule of Law, Responsiveness, Efficient and Effective government, Equity, Consensus Orientation and Strategic Vision. This chapter only unpacked three; the Rule of law, Responsiveness, Efficient and Effective government which were used to assess the responsiveness of land redistribution policy at the Department of Rural Development and Land Reform, in Pietermaritzburg.

This chapter is divided into sub-sections to present and detail the information in an organised and systematic manner. The first part introduced good governance as a conceptual framework and expanded on it. This section provided different definitions of good governance to show its relevance to the Public Policy discipline and how it fits this study. The second section explicates the Rule of Law and accounts to its appropriateness in assessing land redistribution. The third section presents Responsiveness and how it is measured to determine policy achievements. The last section explored Efficient and Effective governments in the context of land redistribution in South Africa, followed by a summary of the entire chapter.

## **3.2 CONCEPTUAL FRAMEWORK**

### **3.2.1 GOOD GOVERNANCE**

The study applied Good Governance to conceptualize land redistribution policy in KwaZulu-Natal. Good Governance comprises eight elements: Participation, Accountability, Transparency, the Rule of law, Responsiveness, Efficient and Effective government, Equity, Consensus Orientation and Strategic Vision. However, for the intent of the study, only from three of the eight were selected in line with the research aim of the study: the Rule of law, Responsiveness, and Efficient and Effective government.

Good Governance was appropriate for the study because "governance" is a frequently used and essential concept in the public policy discourse which the research study is located under. Authors such as Rosenau (1992) and Bingham *et al.* (2005) define governance as creating, implementing, and achieving goals that will benefit citizens. For Landell *et al.* (1991), governance is how state affairs are regulated and administered; it also includes the political systems of that state, and all these elements need to function together for a greater public administration and law. These attributes of good governance were appropriate for the study because they also determine the extent of policy achievement, which the study attempted to intensely explore and understand with respect to the responsiveness of the land redistribution policy to the issue of landlessness in South Africa.

The World Bank (1994) reinforces the importance of assessing how the country manages its economic and social resources for development. Extensive attention is placed on the administrative part of governance, which considers the significance of addressing issues such as service delivery, civil service reform, institutional capacity building, public sector downsizing and effective public interventions. The three selected features of good governance will assist in evaluating the proficiency of the South African government in policy implementation.

The following determining factors of good governance were evaluated in terms of land reform in South Africa to assess whether the ANC government reflects good governance in how land redistributive policy has been implemented over the years. These features were equally important

because they all contribute to how policy objectives set by the government are achieved as well as the quality of difference brought upon by these policies on the public.

### ***3.2.1.1 Rule of Law***

As maintained by Cloete (1995), the rule of law entails a nature of government and administration whereby its political and institutional executive functionalities do not have unchecked powers that may go against public rights. In the context of land redistribution, the rule of law could possibly contribute to the slow pace of the reform when it considers the rights of those who are landed and propertied. It needs to ensure that the process of acquiring land is not done so abruptly that it infringes on the rights of the landowners. This has also led to land debates which questioned whether "*the property rights of the white land-owning elite should be protected, and whether does this not severely constrain redistributive land reform?*" (Hendricks, Ntsebeza and Helliker, 2013).

Moreover, to achieve good governance, unbiased legal frameworks should be in place where human rights are protected, predominantly that of the minority population or previously disadvantaged people. Enforcement of impartial laws should be on the bases of "independent judiciary" and "incorruptible police force" (Governance, 2012). The Outcome Document of the World Summit (2005) notes that the rule of law is a valid concept across the world which appeals to adherence to the implementation of the rule of law of law at a national and international level. This shows that the government has a great responsibility to ensure that the sole objective of giving people land is thorough consideration and free of corruption and abuse of power.

Bayat and Meyer (1994) also expanded on the concept of the rule of law by first outlining that all powers of government must be ruled by the law. Secondly, firm equality must be instilled where citizens of a country are all equal before the eyes of the law, and no one should be above the law. Thirdly, courts of law should not function in conjunction with the executive and legislation. Lastly, judges should be fair in handing out judgements and prioritize the protection of every person's right and freedom. Seemingly, all these authors attest to the fundamental component of a democratic government being the appropriate administration of the rule of law.

### ***3.2.1.2 Responsiveness***

The Democratic government should strive to have good policy responsiveness where its actions respond to the needs of its people within a reasonable timeframe. The poor and vulnerable population need to benefit from pro-poor policies and programmes such as the land reform in South Africa. Bardach (1976) argues that the government responds to public demands by adopting new policy outputs and these policies are rarely terminated. He further states that these policy outputs sometimes accumulate over time. Such can be observed on the South African land redistribution reform which has undergone several changes in hopes of an improved policy outcome.

Limberg *et al.* (2020) specifies that when more policies are adopted, it may create an overburden on the bodies responsible for policy implementation. As a result, support for governmental intervention might debilitate in the long-term (Keiser and Miller, 2020). Responsiveness is measured by the government's ability to address the demands of its citizens. According to a report by the United Nations (2013) responsive government should address aspects such as power relations, cultural tradition, public opinion among other things, and should not confuse compliance with formal requirements as successful implementation.

Institutions should try to serve all their stakeholders within the stipulated or reasonable time frame by making sure that the goals of the land redistribution programme are reached; if not, stakeholders and the public need to be made aware of the reasons for prolonged and unsuccessful programmes (Governance for Sustainable Human Development, 2005; Governance, 2012).

The land redistribution target set by the democratic government of 1994 has shifted numerous times in the years. What does this say about the policy? According to Bayat & Meyer (1994), public institutions need to be responsive to problems faced by the public, attend to their needs and increase a secure level of responsiveness. Such should also be applied to land reform to respond satisfactorily to the needs of the South African people.

### ***3.2.1.3 Efficient and Effective Government***

According to Pollitt *et al.* (1998), processes and institutions need to prioritize the needs of society; when doing so, the use of resources (funds) should be used efficiently. Effectiveness focuses on the progressive level of accomplishing the primary policy objectives, projects, and programmes.

"Efficiency is the ratio between inputs and outputs. To be efficient is to maximize output for a given input whilst maintaining a specified output" (Pollitt *et al.*, 1998: 10).

According to a report on land reform by Genesis Analytics (2014) efficiency is measured by how a programme can convert inputs into outputs (resources, time, and budget allocation). Skogan (1976) agrees that the conversion of the inputs into outputs needs to occur through utilization of fewer resources. Therefore, efficiency is the ability of the government to use available resources sustainably whilst ensuring that the programmes timely reach the intended target. Effectiveness on the other hand is the accuracy in which goals are achieved (Frokjaer, Hertzum & Hornbaek 2000). They further state that quality solution and error rates form indicators of effectiveness. Additionally, effectiveness is the degree to which the programmes achieve their goals.

### **3.3 SUMMARY**

The relevance of the three components: the Rule of law, Responsiveness, and Efficient and Effective government from Good Governance as a conceptual framework served as a guide for this research study. Good Governance is important because it depicts how state affairs are regulated and administered, it also includes the political systems of that state, and all these elements need to function together for a greater public administration and law. These attributes of good governance were suitable for the study because they also determine the extent of policy achievement, which the study seeks to understand in respect of the responsiveness of the land redistribution policy to the issue on landlessness in South Africa.

## **CHAPTER FOUR:**

### **RESEARCH METHODOLOGY**

#### **4.1 INTRODUCTION**

This chapter used scientific methods to investigate the land redistribution phenomenon in KwaZulu-Natal. This methodology was suitable for this study because of the scientific logic of decision making it employs. As highlighted by Blanche (2006) on research methodology, this method made it easier to replicate common information on land redistribution.

This methodology addressed the research problem, which states that the policy measures taken by the democratic government to redress the issue of skewed land ownership in South Africa, specifically land access for the previously disadvantaged groups through land redistribution policy, continues to be a problem almost 30 years into democracy. Furthermore, this methodology made it possible to gather essential data which addressed the question of whether there are policy impediments hindering land redistribution to respond to the issue of unequal land access in KwaZulu-Natal, Pietermaritzburg.

A qualitative approach was adopted for the study because it will detail an understanding of the existing dimensions of land reform, particularly land redistribution. Pietermaritzburg as a case study was chosen because it offers a great number of land redistribution beneficiaries. Those tasked with implementing the land redistribution policy at the Department of Rural Development and Land Reform will assist in giving insight on the responsiveness of land redistribution in the areas that are serviced by this department in Pietermaritzburg, through semi-structured interviews.

## 4.2 RESEARCH APPROACH

The study uses a qualitative research method which focuses mostly on the descriptive textual data rather than numerical. This method allowed the researcher to explore and get an in-depth understanding of land redistribution and unpack the phenomenon from a "multidimensional" approach, as conveyed by Bless *et al.* (2013:220). The researcher engaged with those tasked with land redistribution policy at the Department of Rural Development and Land Reform, Pietermaritzburg. During the process of interviews, the researcher probed the participants to attain their understanding as well as their standpoint on the land redistribution programme, predominantly where policy governance is concerned.

A qualitative method enables the researcher to explore and answer the raised questions of the research study. According to Daniel and Sam (2011), the qualitative method requires "inductive reasoning", and with that, the researcher will use a bottom-up approach to collect data from those responsible for land redistribution policy and its implementation to elicit valuable data.

The qualitative method is aimed at studying things which occur in their natural settings, in doing so, attempting to understand why they happen and what it signifies to those affected by the occurrence. The objective of a qualitative method is to create numerous perspectives of understanding a social issue (Bless *et al.* 2013; Creswell 2009; Babbie & Mouton 2011).

The research techniques of a qualitative method are imperative when investigating a social issue that encompasses people's values, behaviours, and beliefs. It is also important in studies where a researcher will conduct interviews to understand the dynamics of the problem being investigated. To accomplish that, the researcher employs semi-structured interviews for the study. Additionally, qualitative method assists in understanding historical process as well as human experiences (Babbie & Mouton 2011), in this case the history of land ownership in South Africa and how people are experiencing land redistribution reform since 1994.

Qualitative method is suitable for this research due to its emphasis on words rather than numbers. This is imperative in the reflection and interpretation of social issues to gain an in-depth understanding of the research problem, as noted by Bless *et al.* (2013). A qualitative approach assists in the comprehension of social worlds, people's experiences, and realities. He further states

that qualitative approach seeks to provide a detailed description of all the components that make up human experience all from a natural context, which puts emphasis on the importance of a multidimensional approach.

The nature of the research problem and research questions which are aimed at addressing the issue of land redistribution and its responsiveness permit for a qualitative approach to be employed due to it is social orientated techniques. The aim is not to give a broad explanation but rather to provide an exhaustive meaning of the event (Borrego *et al.* 2009; Bouma, Ling & Wilknsn 2012).

According to Bryman *et al.* (2014) a qualitative research method has eight systematic steps that the researcher followed. The researcher noted these steps according to their relevance in this research study and as a guide. This study is not focused on attaining and analysing numerical data, for that reason quantitative and mixed methods were not considered in this research study.

#### **4.3 RESEARCH DESIGN**

A case study research design is appropriate for the research study, focusing on the Department of Rural Development and Land Reform in Pietermaritzburg. This type of research design permits multiple sources to be consulted during data collection to ascertain the required information from those who carry out land redistributive policy. A case study as noted by Yin (2003) can also take a route of developing a theory because it facilitates an exploratory and explanatory research method essential to building a theory.

Yin (2009) defines a case study method as that which “allows investigators to retain the holistic and meaningful characteristics of real-life events such as individual life cycle, small group behaviour, organizational and managerial processes, neighbourhood change, school performances, international relations and the maturation of industries”. Case studies are generally qualitative in nature, which makes it ideal for this study since a qualitative research approach is employed to investigate policy governance of land redistribution from a real-life context.

When investigating, a case study method is regarded to be a robust research approach because it assists in exploring and understanding of issues that are complex in nature. Case study research is also effective when dealing with social issues that affect communities such as education, poverty,

and unemployment (Glulsecen & Kubat 2006; Johnson, 2006). Evidently, a case study approach is suited for investigating contemporary real-life phenomena such as the issue of land access.

According to Tellis (1997) the research techniques of a case study countenance for a researcher to investigate behavioural conditions of actors beyond quantitative statistical outcomes. He further explains the process of a case study research method as that which denotes its outcomes through a series of observation, reconstruction, and analysis of the subject matter.

The Department of Rural Development and Land Reform, in Pietermaritzburg is responsible for servicing these districts, uMgungundlovu District Municipality, iLembe District Municipality and eThekweni Municipality. To better understand the progression and responsiveness of the land redistribution policy in Pietermaritzburg, all the areas serviced by the Department of Rural Development and Land Reform in Pietermaritzburg were studied.

#### **4.4 RESEARCH PARADIGM**

Different authors such as Doyle, Brady & Byrne (2009) all note the importance of identifying a paradigm when conducting research. As described by Morgan (2007), a paradigm is a set of beliefs and practices used by a researcher as a guide when collecting data. The interpretivist research paradigm was identified as an appropriate paradigm for this study. The interpretivist research paradigm assisted the researcher to understand the social aspects of land redistribution in KwaZulu- Natal.

According to Cohen *et al.* (2007), interpretive approach requires a phenomenon under investigation to be understood through the eyes of participants rather than the researcher. The objective of employing this research paradigm is to understand land redistribution programmes through the lens of policy and governance, particularly those tasked with implementing land redistributive policy. Interpretivism collects mostly qualitative data from participants which will align with both the research approach and research design of this study.

Interpretivism encourages the researcher to prioritize gathering valuable insights from participants instead of generalizing (Myers, 2008; Saunders *et al.*, 2012; Bhattacharjee, 2012). This paradigm also assumes that reality can be subjective depending on an individual. A notion is therefore created that participants will not offer general interpretations (Scotland, 2012; Collins, 2010). Furthermore,

the chances of the collected and analysed data to be generalized are slim considering that it is dependent on specific values, context, and viewpoints (Saunders *et al.*, 2012).

Interpretivism permits for in-depth understanding of how certain factors modify development, thus also providing different conclusions from participants. Myers (2008) notes that interpretivism produces high validity of data since it is based on personal contributions which incorporate different variables.

#### **4.5 TARGET POPULATION**

According to Bless *et al.* (2013), population is the distinct complete set of people, events, or things which the research will draw the information of the study from. Population is also defined as the focal group of the researcher's interest in which the research findings are applied (Wilson & MacLean, 2011; Babbie & Mouton, 2011).

As noted by McMillan & Schumacher (2001), a population is a group of cases or elements, be it individuals, events, or objects, which have the desirable characteristics and confirm a specific criterion that may produce the intended results for the research study. This group is often referred to as the study group or target population. Babbie (2013) supports that a population is a group from which research conclusions can be drawn. Selecting a target population is important when conducting research due to the impossibility of studying the entire population at once.

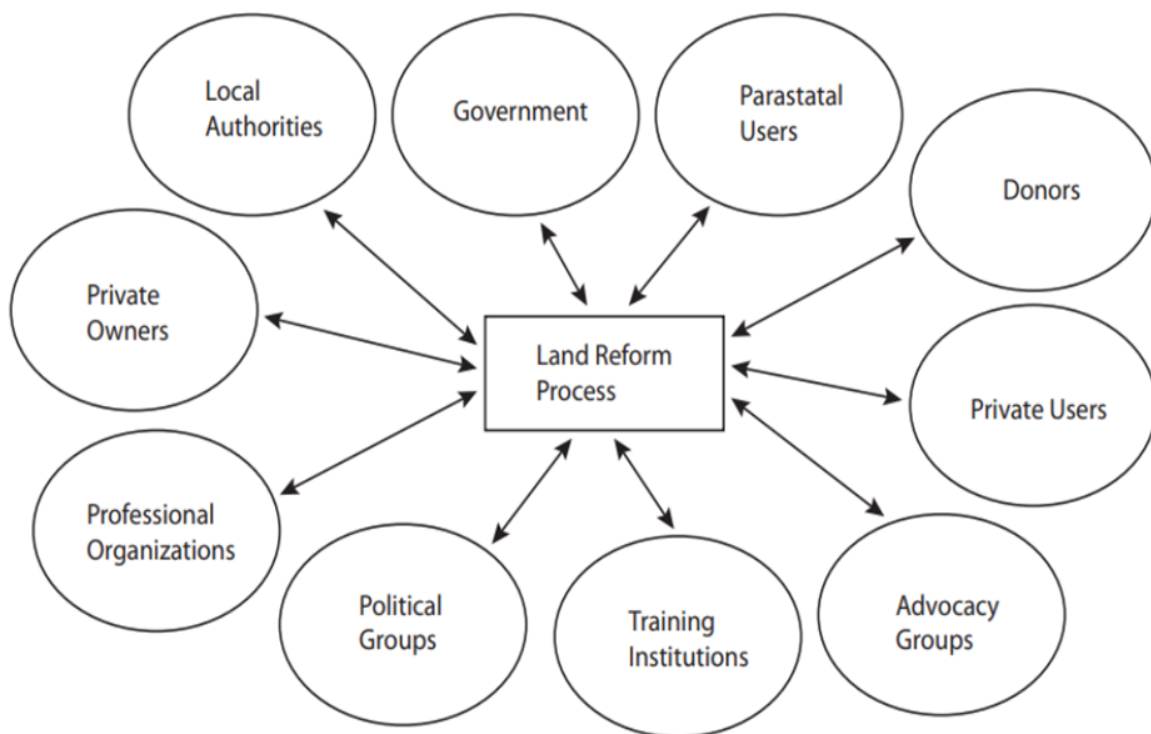
The target population of this study includes all the departments and stakeholders responsible for the land redistribution policy in KwaZulu-Natal.

##### **4.5.1 STAKEHOLDER MAP**

According to Freeman (1984), a stakeholder identification process is imperative in land reform; he therefore proposed rational stakeholder mapping, which ensures that key stakeholders participate. The relevant land reform actors are grouped as follows: government, local authorities, private owners, professional organizations, political groups, training institutions, advocacy groups, private users, donors, and parastatal users.

The following Figure 3.2 depicts the rational map of land reform stakeholder groups, which the researcher used as a guide of sources which need to be consulted from a target population.

**Figure 4.1 Stakeholder involvement in the process of land reform, land redistribution**



Source: Freeman (1984)

#### **4.6 SAMPLE FRAME**

A sample represents a group of elements derived from a population and, therefore, can be considered representative of a population and can be studied to gain knowledge about the overall population (Wilson & MacLean, 2011; Blesss *et al.*, 2013). Notably, sample size is taken from a target population that a researcher is interested in because, from a practical standpoint, human behavioural studies are impossible to study using population size. As a result, it is advisable that

researchers narrow down their area of interest into a sample which can be used to obtain data, thereafter, the findings can apply to the general population.

Welman *et al.* (2001) emphasize that researchers need to understand the scope of the population that applies to their research topic before drawing a sample from that population. According to Polit and Hungler (1999) sample refers to the objects or participants of a study. Hence, for the sample frame, the researcher interviewed five policy experts at the Department of Rural Development and Land Reform in Pietermaritzburg. What qualified the respondents as land redistribution policy experts is their comprehensive and authoritative knowledge of implementing the land redistribution policy. They have more than 15 years' experience at executive positions such as project managers and Directors.

The sample of qualitative research is commonly small (Babbie & Mouton, 2011; Bless *et al.*, 2013). Regardless of the nature of a qualitative research sample size, the sample is considered sufficient if all possibilities and features of a phenomenon are explored. In the case of qualitative research sampling, the researcher needs to ensure that data reaches a saturation point, which indicates that collecting more data will not produce new information.

According to Babbie & Mouton (2011), sampling can be done using purposive sampling, known as the non-probability sampling, where a researcher selects units based on discernment that it will be useful for their study. This approach can also be referred to as judgment sampling. Wilson & MacLean (2011) also suggest that the non-probability sampling method does not stipulate the possibility of a member in a population being chosen.

When sampling a population, scholars such as Bless *et al.* (2013) and Bouma, Ling and Walkinson (2012) all attest that some elements of a population stand a chance of being included in a sample, while other units may not have a chance of being included. Therefore, Bless *et al.* (2013) further highlights the difficulty of estimating how well the sample represents the population; as a result, this makes generalization extremely questionable. A technique for ensuring the inclusion of the entire population in a sample is still unknown. However, there is an advantage of probability sampling, which is cost-effective, mostly adequate for homogeneous populations and quicker.

For this study, the researcher employed purposive sampling. This type of sampling provides a rationale of why specific participants were chosen, events, or places that interrelate to the research questions (Ezzy, 2002; Bless *et al.*, 2013; Wilson & MacLean, 2011). Furthermore, purposeful sampling requires the researcher to apply it following a careful consideration that the sample represents the typical units of a population.

The sample of interviewed participants was determined by the number of policy experts in the department, and for this reason, the researcher used the snowball sampling method, where a few key participants were selected. During the snowball sampling method, participants referred the researcher to other policy experts, this safeguarded that only relevant people were interviewed. In total, five participants were interviewed.

#### **4.6.1 SNOWBALL SAMPLING METHOD**

According to Vogt (1999) snowball sampling is a technique used by a researcher to find research subjects, one participant refers the researcher to the next participant, and so on. This sampling technique was chosen because the researcher could not attain the precise sample size of the land redistribution experts prior to conducting interviews at the Department of Rural Development and Land Reform in Pietermaritzburg. The definitive number of participants depended on the available number of land redistribution policy experts.

The advantage of the snowball sampling method is that the researcher identified a key participant at the Department of Rural Development and Land Reform in Pietermaritzburg, who thereafter referred the researcher to all the relevant participants. Emphasis was made that the targeted participants are only policy experts who specialize in the land redistribution policy. Due to the nature of this research's sample size, this technique was fitting for this study. The snowball sampling method safeguarded the researcher from interviewing only the relevant participants.

As suggested by Spreen (1992) snowball sampling method can be considered as a broader set of link-tracing methodologies which attempts to utilize social networks of identifying participants, thus creating an ever-expanding set of subjects to be consulted (Thomson, 1997).

Berg (1998) notes that this method is based on the notion that a link exists from the initial sample well through to the others within the same target population, thus enabling referrals to be made within the same environment. This also ascertains that the researcher will refer to relevant respondents within that environmental set-up, thus effectively consulting with participants who will assist in addressing the research questions of the study.

The snowball sampling technique can offer practical advantages in cases where the study is qualitative, explorative, and descriptive in nature (Hendriks, Blanken and Adriaans, 1992). This method is often applied when conducting qualitative research studies through interviews. Snowball sampling is also suitable in studies where it has been difficult to enumerate a population (Snijders, 1992; Faugier and Sergeant, 1997). Therefore, making this technique effective in cases where participants are few.

The snowball sampling method has been employed in studies of ill persons (Sudman and Freeman, 1988), AIDS sufferers (Pollak and Schlitz, 1988), prostitution (McNamara, 1994), pickpockets (Inciardi, 1997) and drug users (Avico *et al.*, 1998; Griffiths *et al.*, 1993). Evidently, snowball sampling as a method requires the researcher to establish trust with the respondents to successfully carry out the study.

#### **4.7 DATA COLLECTION**

According to Wilson and Mouton (2011), data collection is imperative when carrying out a research study. The process of collecting data comprises selecting suitable respondents, planning out how data will be collected, appropriate treatment of your participants and determining how data will be stored.

For the researcher to commence the process of data collection, permission to interview participants at the Department of Rural Development and Land Reform, Pietermaritzburg was submitted. The request letter outlined how data will be collected and the purpose of conducting this study with their department. Permission to interview land redistribution policy experts was granted on condition of submitting an ethical clearance letter as well as a research proposal.

Bless *et al.* (2013) notes that there are a variety of methods a researcher can utilize when using a qualitative research approach. These methods use qualifying descriptions and words to examine

certain attributes of social reality. The process of collecting data includes outlining boundaries for the study, using semi-structured interviews to gather required information from participants, and consulting documents and deciding how the information will be recorded (Babble & Mouton, 2011).

To attain an in-depth understanding of land redistribution and policy governance, semi-structured interviews were used to gather data from those tasked with redistributive reform. According to Creswell (2003), semi-structured interviews are useful for collecting quality data; in doing so, the study adds value to existing literature. As observed by Bloor and Wood (2006), interviews assist the researcher in collecting key information from respondents, in this case, perceptions of policy experts tasked with land redistribution policy at the Department of Land Affairs in Pietermaritzburg.

Individual interviews were conducted to ensure that respondents engaged confidently and were recorded for the accuracy of the data being collected. The researcher developed questions in English and IsiZulu to allow respondents to communicate in their preferred language. Interviews were arranged in advance to correspond with the availability of respondents. Since the research objectives seek to investigate policy challenges and governance of land redistribution, policy experts in the field of land redistribution were targeted as participants. The most effective method used to collect data was to request respondents to express their views individually and not in focused group interviews to obtain independent inputs.

## **4.8 DATA SOURCES**

### **4.8.1 PRIMARY DATA**

Primary data refers to data which has not been published previously and, therefore, collected for the first time (Wild & Diggines, 2009; Jones & Gratton, 2010). According to Blaikie (2010), primary data is employed when a researcher wants to collect data for the purpose of addressing a specific research question and, therefore, proceeds to plan for collecting it first-hand.

Blaikie (2010) also supports the idea that primary data collection is used to provide answers to questions which cannot be answered by utilizing secondary data. Kumar (2011) notes that questionnaires and interviews are the two most common methods of collecting primary data. The

process of obtaining data can be time-consuming and costly (Wild & Diggines, 2009; Jones & Gratton, 2010).

#### **4.8.2 SECONDARY DATA**

Secondary data refers to existing data collected by other researchers for different purposes, either for addressing research problems or for ongoing social data collection for a population census (Babbie & Mouton, 2011; Bless *et al.*, 2013). It is further stated that secondary data is utilized for the purpose of a specific study, although the existing data is collected by different researchers for different research problems. Therefore, secondary data can be used by a researcher to answer new research questions (Bless *et al.*, 2013).

Secondary data in the form of documents, annual reports, and research papers (Hussey and Collis (2007) were consulted since policy deals extensively with interpreting policy documents. Documents such as journals, annual reports from the Department of Rural Development and Land Reform, strategic plans for the Department of Rural Development and Land Reform and all other literature on land redistribution were consulted to enrich this research study.

The data collected from annual reports and strategic plans were the history of land redistribution and the noticeable trends of the pace of redistributive policy in South Africa, KwaZulu-Natal, and Pietermaritzburg. The journals also assisted in contributing evidence of the efficiency of the land redistribution programme in rectifying the issue of skewed land ownership.

Creswell (2009) highlights the advantage of using secondary data as enabling the researcher to access the data at any time convenient to the researcher since it can be found in online sources as well as at a library. Secondary data also reflects thoughtfulness as the researcher took careful consideration when it was being compiled.

The researcher thoroughly scrutinizes what is known, identifies gaps, and explores what could be learned about land redistribution in KwaZulu-Natal. Secondary data collection was made possible by using online sources such as books, journals, reports, newspapers, articles, and research papers on redistributive reform. The researcher followed the same research methodical steps employed in studies that conduct a primary study.

The researcher ensured adequate access to information when secondary data was being collected, and all the necessary protocols and procedures were followed throughout the data collection process. The researcher will collect and read all the documents and study materials before compiling the paper. This will safeguard the appropriateness of the secondary sources and allow for thorough consideration of data relevance for the research study.

#### **4.8.2.1 INSTRUMENTS AND PROCEDURES**

For this study, the researcher developed an interview schedule form to gather an incisive understanding of the land redistributive policy through the lens of policy governance. An interview schedule is used by a researcher; it comprises discussion topics and a pre-planned question (Wilson & MacLean, 2011; Bouma *et al.*, 2012).

Interviews are commonly used to collect qualitative data (Bless *et al.*, 2013). To attain an in-depth understanding of land redistribution and policy governance, semi-structured interviews were used to gather data from those tasked with redistributive reform through a snowball sampling. According to Creswell (2003), semi-structured interviews are useful for collecting quality data; in doing so, the study adds value to existing literature.

Bloor and Wood (2006) state that interviews assist the researcher in collecting key information from respondents, in this case, perceptions of policy experts tasked with land redistribution policy at the Department of Rural Development and Land Reform in Pietermaritzburg.

According to Bless *et al.* (2013), the process of an interview involves direct personal contact with participants who are requested to answer questions related to the research problem. Furthermore, respondents can expand on the topic where they deem necessary or focus on a particular aspect area of the interview based on their expertise, experience, or level of input.

Individual interviews were conducted to ensure that respondents engaged confidently and recorded for data accuracy. The researcher developed an interview schedule in English and IsiZulu to allow respondents to communicate in their preferred language. Interviews were arranged in advance to correspond with the availability of respondents. However, the snowball sampling method allows respondents to be interviewed immediately if they are willing and available.

#### 4.9 DATA ANALYSIS

According to Ezzy (2002) the process of analysing data involves examining and sorting out collected data into predefined categories. Data analysis comes after the completion of gathering the desired information by the researcher. Thereafter, comparisons are made, and occurrences are counted using a common technique, which is a statistical method.

Thematic data analysis was used for this study. Thematic analysis identifies and examines patterns of themes found across data sets; this type of analysis also uses a qualitative data analysis approach (Wilson & MacLean, 2011). A qualitative researcher is interested in understanding social issues; this process involves looking at the context that contributes to how people experience life, such as geographical places that people exist in, economic and political influence, religious context, occupations, and family structures (Bless *et al.*, 2013).

According to Wilson & MacLean (2011), thematic data analysis is not limited to a specific theoretical framework; therefore, it can be used for different research topics because it has a broad horizon of different frameworks that it can be applied in. Borrego *et al.* (2009) support that the objective of a thematic analysis is to establish that the findings provide credible and sufficient evidence to answer the research questions.

Thematic analysis is research-orientated (De Vos, Strydom, Fouche *et al.*, 2005), and Creswell (2003) states that this form of data analysis is used to categorize qualitative data using research questions and objectives underpinning the study. According to Wilson & MacLean (2011), thematic analysis is a good foundation for researchers who use the qualitative research approach. Braun and Clarke (2006) also note that thematic analysis involves the identification of patterns or themes emerging from qualitative data.

The researcher saw fit for the thematic analysis to be used for this study because it complements the research approach and paradigm of the study. The methodology of this research is designed to support and strengthen all the elements of a qualitative approach, showing in all the approaches employed by the researcher to answer the research questions, which are also qualitative. Therefore, a thematic analysis in its qualitative form was fit for analysing the qualitative data of this study.

The semi-structured interviews of this study were transcribed using NVIVO. According to Babbie (2013), NVIVO is a software that allows researchers interested in a qualitative approach to analyse data.

It is imperative for a qualitative researcher to ensure quality data analysis; this solely depends on adhering to thoughtful procedures which must depict the structures of understanding participants (Ezzy, 2002; Babbie & Mouton, 2013). Bless *et al.* (2013) also stress that qualitative researchers cannot understand people and the occurrence of events if they do not prioritize understanding the context in which people are subjected. As also conveyed by Ezzy (2002), the qualitative approach is rigorous and dependable for producing valid results; the researcher needs to demonstrate that they have done sufficient work to understand the nature of participants' interpretation and meanings.

#### **4.10 RELIABILITY, VALIDITY AND ETHICAL CONSIDERATIONS**

According to Yin (2003), construct reliability and validity are important in a case study design. Reliability refers to the level of accuracy of the results and findings of a research study (Hair *et al.*, 2007; Reddy & Acharyulu, 2008). Validity is defined as the "accuracy of a measure" of a concept used by the researcher (Zikmund & Babin, 2010).

Struwig and Stead (2007) argue that validity is how the research design was managed, specifically how data was analysed and reported. To achieve construct reliability and validity, the researcher consulted legal documents available on the official Department of Rural Development and Land Reform website. The researcher also ensured that sufficient materials and statistics were used to compare validity among them. When a study involves human participants, high emphasis is placed on ethical considerations (Orb, Eisenhauer & Wynaden, 2001; Saunders, Lewis & Thornhill, 2007). Ethical clearance was granted to the researcher by the University of KwaZulu-Natal Research Ethics Screening Committee.

Since the researcher will employ the snowball technique to interview relevant land redistribution policy experts at the Department of Rural Development and Land Reform in Pietermaritzburg, informed consent letters were issued to each participant before the interview commenced. These letters were brief and transparent to save time for the interview.

The participants' confidentiality was prioritized through individual interview settings, and privacy and anonymity were assured to those who did not wish to disclose themselves through consent forms. In a case where participants during the interview no longer felt interested to finishing, their wishes were respected. The researcher did not consult sensitive data that might expose vulnerable people, nor did the interview questions require participants to disclose such information. Therefore, the study did not pose any harm or stress to anyone during data collection since it only seeks to get an in-depth understanding of land redistribution from a policy standpoint.

#### **4.11 LIMITATIONS OF THE STUDY**

The nature of the study conducted depends on a snowball sampling method. Therefore, there was no guarantee of how many policy experts would be available to be interviewed in advance. The findings of the study will be limited to only the areas serviced by the Department of Rural Development and Land Reform, Pietermaritzburg, and the researcher cannot generalize data from other case studies. The study used a qualitative research method focusing on descriptive textual data rather than numerical data. The process of transcribing collected data from IsiZulu to English and analysing quantitative data is time-consuming. This study relied on personal viewpoints from the land redistribution policy experts; therefore, the interpretivist paradigm presented limitations to the study because primary data from the interviews could not be generalized. Individual interviews were conducted to ensure that respondents engaged confidently and were recorded for the accuracy of data being collected, and the process required time because some participants were more elaborate than others.

#### **4.12 SUMMARY**

This chapter described the methodology employed during data collection for the research study, which entailed the research approach, research design, research paradigm, target population, sample frame, data collection, data analysis, and ethical considerations, as well as the limitations of the study. The chapter indicated that the study would use a qualitative approach to understand land redistribution policy from those tasked with implementing the policy at the Department of Rural Development and Land Reform in Pietermaritzburg. The methodology was designed to aid the process of addressing the research objectives and questions of the study.

**CHAPTER FIVE:**  
**PRESENTATION AND ANALYSIS OF QUALITATIVE**  
**RESULTS**

**5.1 INTRODUCTION**

The previous chapter presented the research methodology used to collect data, which is the foundation for the presentation of the findings, analysis, and discussions of this chapter. This chapter analysed and interpreted field data to ascertain whether there are policy impediments hindering land redistribution to respond to the issue of land access in KwaZulu-Natal, Pietermaritzburg. A qualitative analysis and interpretation of findings were employed with the purpose of responding to the primary research objectives presented in Chapter One.

Analysis in this chapter was done in accordance with the questions outlined in the interview schedule. The interview schedule comprises seven questions intended to address the research questions. To analyse the collected data efficiently, this chapter is arranged in the following thematic themes based on the interview schedule:

- Land redistribution policy design and effectiveness
- Policy implementation and good governance
- Pace of reforming land and measures in place
- Alternative policy options

The information discussed in this chapter is derived from five policy experts who voluntarily participated in this study. To protect the participants' anonymity and confidentiality, their names will not be disclosed. All the respondents are referred to as “Policy Expert One to Five”.

## **5.2 RESPONDENT’S BACKGROUND**

Since the research objectives seek to investigate policy challenges and governance of the land redistribution policy at the Department of Rural Development and Land Reform in Pietermaritzburg, policy experts in the field of land redistribution were selected as participants and interviewed. The most effective method used to collect data was to request respondents to express their views freely by having individual interviews instead of a focused group set-up. Those indepth responses are analysed and discussed in this chapter.

In total, five land redistribution policy experts were interviewed, which encompassed all the policy experts under the land redistribution programme at the Department of Rural Development and Land Reform in Pietermaritzburg. To protect the anonymity of the participants, their names will not be disclosed or used. All the respondents are referred to as “Policy Expert One to Five”. The snowball sampling method was used to safeguard the data collection process and to ensure that only relevant participants were interviewed to address the research objectives.

### **5.2.1 GENDER DISTRIBUTION**

A sample of five policy experts were interviewed. From the data collected, it is observed that 1 of a participant is male, with the remaining 4 being females.

#### **Table 5.1 Gender Distribution**

Characteristics	Frequency
<b>Gender</b>	
Male	1
Female	4

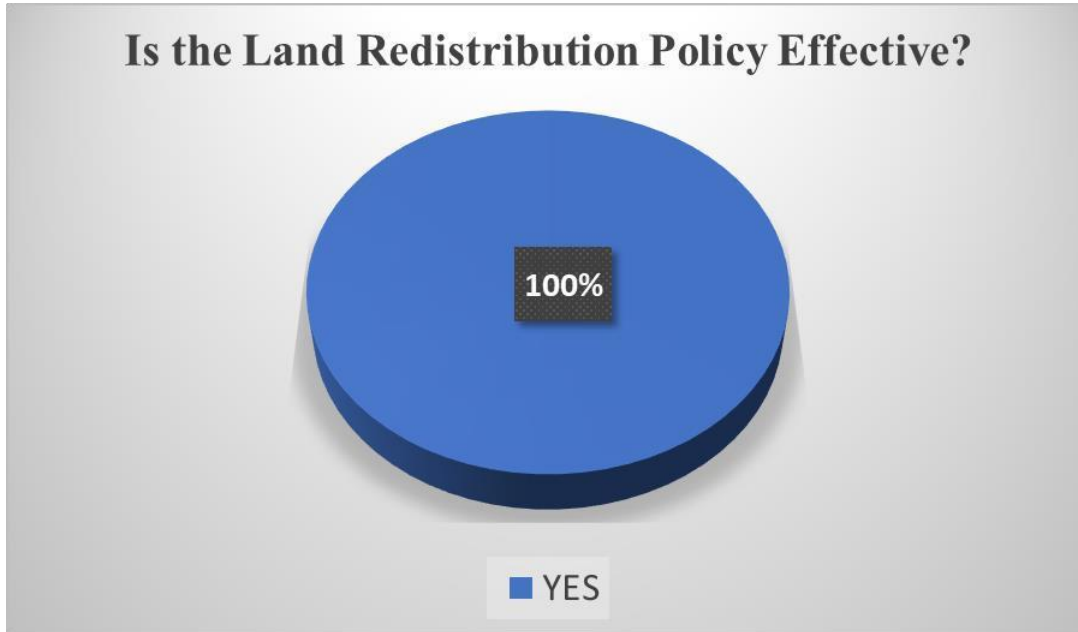
**Source: Researcher's Compilation (2023)**

### **5.3 FINDINGS ON THE LAND REDISTRIBUTION POLICY DESIGN AND ITS EFFECTIVENESS**

Questions 1 and 2 on the interview schedule were designed to assess the policy design of land redistribution, its effectiveness and whether there are policy impediments hindering the policy for responding.

#### ***5.3.1 Is the land redistribution policy effective in reforming land in Pietermaritzburg? If not, what are the policy-related impediments hindering land redistribution to respond to the issue of land access?***

The first interview question had two objectives: to ascertain from policy experts if the land redistribution programme is sufficient to tackle the issue of landlessness and if there are policy related challenges subjecting the land redistribution policy not to respond effectively in Pietermaritzburg. Both these two objectives align with the significant research objectives, which seek to investigate policy-related impediments and effectiveness of the land redistribution policy.



**Figure 5.1 Assessment of the effectiveness of the land redistribution policy**

The response to this question was “yes” from all the interviewed participants. The researcher did additional probing to ensure that the respondents understood what was meant by “effective”. According to Pollit *et al.* (1998), effectiveness focuses on the progressive level of accomplishing the primary policy objectives, projects, and programmes. The exact definition was used in the context of this research study. Thereafter, all the answers were “yes, to a certain extent”. The researcher proceeded to the second part of the question, and the following are the in-depth responses:

**Policy Expert One** – *“a policy-related issue that I have noted over the years is the beneficiary selection and land allocation. In some cases, land redistribution beneficiaries acquire land for agricultural purposes while they are not subsistence nor commercial farmers. This results in unproductive land, which is often left fallow. The government is currently using the Proactive Land Acquisition Strategy. The state acquires land through the willing-buyer-willing-seller basis, and that land is then leased to eligible applicants. If the leased land is not utilized accordingly, the state has the right to re-allocate a different land redistribution beneficiary who will use it. However, that process is difficult to carry out because taking land from a land beneficiary who was previously disadvantaged might be seen as subjecting them to land dispossession again.”*

**Policy Expert Two** – *“the state depends on the willing-buyer-willing-seller as a method of purchasing land from the white farmers to lease it to the previously disadvantaged indigenous people. This method of acquiring land is a major feature of the land redistribution policy. However, budgetary constraints lower the number of farms purchased by the state due to the high prices requested by sellers. This component of the land redistribution policy constitutes as a policy challenge to the issue of reforming land in Pietermaritzburg. Prior to any land purchase, evaluations are done, and those evaluations determine if the land will be purchased or not. The factors that are considered when conducting evaluations include the quality of land that has been put up for sale, location, and the price of that land. Therefore, the willing-buyer-willing-seller approach as a method to acquire land plays a significant role in the number of farms or land redistributed in Pietermaritzburg.”*

The remaining policy experts reiterated that *“the willing-buyer-willing-seller method of acquiring land poses as a major policy obstacle in reforming land”*. They further stated that *“the department has budgetary constraints, and the market-related prices worsen the state of tackling the issue of landlessness in Pietermaritzburg”*.

As outlined in the literature review, the democratic government introduced the land redistribution policy to rectify racial injustices that took place during the apartheid era (Lahiff, 2007). Land dispossession resulted in the unequal land ownership in South Africa, placing the indigenous people in an adverse condition. The government recognized that most of the population could not afford to purchase land, which was now under white ownership. Thus, the establishment of the land redistribution as a policy to be utilized by the state to purchase land and redistribute it to eligible applicants.

However, as noted from the interview responses, the willing-buyer-willing-seller approach as a method to acquire land poses a major policy problem affecting the policy to respond to the issue of landlessness effectively. Due to the market-related prices requested by willing white sellers, the state cannot afford to purchase the targeted hectares of land set for that financial year.

For many Africans, the land is necessary for sustaining their livelihood, thus improving their standard of living and economic growth. However, since the policy cannot redress the issue of land access to a satisfactory level, not every previously disadvantaged person has benefited from the

land redistribution policy. Even though the policy experts note that the policy is addressing the issue of land access at a rather slow rate.

### ***5.3.2 Is the land redistribution policy designed efficiently and is it sufficient to redress landlessness?***

The responses from the first interview question show that even though the land redistribution policy has been able to improve land access since 1994 for previously disadvantaged groups, the policy has its limitations, which have contributed to the results yielded by the land redistribution policy. The second interview question was intended to get a definite answer from the policy experts on whether the land redistribution policy is designed efficiently and is adequate to resolve the issue of land access considering the abovementioned policy-related impediments.

The interviewed policy experts all agree that the policy is designed efficiently to address the issue of landlessness. They share similar opinions that even though the willing-buyer-willing-seller approach is a hindrance restricting the land redistribution policy to achieve its objectives optimally. The policy, however, is designed efficiently because it has prioritized the importance of democracy and reconciliation while reforming land in South Africa. Thus, the willing-buyer-willing-seller is a core feature of the land redistribution policy.

The objective of land redistribution was to provide the designated groups and the poor with access to land for both residential and productive purposes (Dlamini, 2016). The land redistribution policy has undergone several changes since it was established in 1994. Yet, the willing-buyer-willing-seller approach has remained the cornerstone of the redistribution policy, even though it has been largely criticized.

**Policy Expert Five** highlighted that *“the land policies introduced by the National Party during apartheid advocated for racial segregation and discrimination. It was, therefore, crucial for the appointed democratic government of 1994 to ensure that the land reform policies intended to redress the years of racial discrimination were just and fair to both the previously advantaged and disadvantaged in South Africa”*.

The policy changes over the years have encompassed different grants given to eligible poor applicants, such as the Settlement/Land Acquisition Grant (SLAG) of R16 000 (DLA, 1997). This

grant was designed to service the poor who did not have land or were hunger-stricken, even though it remained within the willing-buyer-willing seller spectrum. The SLAG method was criticized for “dumping” poor and unskilled beneficiaries on former commercial farms (Vink and Kirsten 2003). SLAG was replaced by Land Redistribution for Agricultural Development (LRAD) in 2001, which retained the market-based, “demand-led” approach of previous policies, and later the Proactive Land Acquisition Strategy (PLAS), which was introduced in 2009/2010 (DLA, 1997). During the interviews, participants confirmed that the current method of land acquisition used by the government is PLAS. Land under PLAS is acquired through the concept of willing-buyer-willingseller, and the secured farms are registered under the state, which remains as the “title holder”, which is then leased to eligible beneficiaries after successful interviews (DLA 2007). In an article about land redistribution, Kirsten (2023) notes that by June 2023, the state had acquired 2.5 million hectares of productive farmland under the PLAS programme.

Even though the government has made changes to the land redistribution policy, the willing-buyer-willing-seller remains the main technique used to acquire land. The policy experts tasked with implementing the land redistribution policy all agree that the policy is designed efficiently to redress the issue of land access. However, the policy design has a major contribution to the pace of reforming land. Therefore, it could take time for the land redistribution policy to reach a point whereby it is deemed “sufficient” to redress the issue of landlessness in Pietermaritzburg.

## **5.4 FINDINGS ON POLICY IMPLEMENTATION AND GOOD GOVERNANCE**

Question 3 and 4 on the interview schedule addresses policy implementation from those tasked with that responsibility at the Department of Rural Development and Land Reform and whether good governance is used to guide their implementation process.

### ***5.4.1 Who is tasked with the policy implementation of land redistribution in this department? Has the policy been implemented proficiently to ensure that its objectives are accomplished and how?***

Question 3 on the interview schedule seeks to establish who is responsible for implementing the land redistribution policy at the Department of Rural Development and Land Reform and how has

the policy been implemented over the years to ensure that its main objectives of increasing land access for both residential and agricultures purposes are achieved.

The state plays a colossal role in the policies introduced and implemented in South Africa. Governmental officials are entrusted to implement these policies, which are designed to improve the lives of people, such as the land redistribution policy. Weideman (2004) notes that the policy framework on land policy in South Africa supports the government to play an “interventionist” part in nationalization.

Prior to the adaptation of the land reform policy in 1994, the ANC used the Freedom Charter as a policy guide to address the issue of unequal land ownership in South Africa. The ANC restates in its document titled the “Constitutional Guidelines for a Democratic South Africa (1989)” by saying that:

- the government is responsible for formulating and implementing a land reform programme that will be an umbrella for resolving the following issues:
- termination of racial limitations on access, use and ownership of land and
- execution of land reform in accordance with the affirmative action principle and acknowledge the status of victims who were forcibly removed.

In 1994, the democratic government introduced the Reconstruction Development Programme (RDP) as a policy framework to aid comprehensive development in South Africa. The objective of the RDP policy framework was to create a democratic nation striving for development and economic growth for its citizens (Bailey, 2007). As has been noted in the introduction chapter of this study, land reform under the RDP was aimed at addressing skewed land ownership (Kloppers & Pienaar, 2014). Through the RDP Policy, the state intervened by adopting the Land Reform Programme (LRP) which was headed by the Department of Land Affairs.

Currently, the Department of Rural Development and Land Reform is responsible for implementing land reform in South Africa. The Constitution of the Republic of South Africa, 1996 (Section 25) also mandates the state to implement land reform measures, one being the controversial land expropriation. The policy framework on the land issue in South Africa obligates

the government to effectively implement the land policies and further take suitable legislative and other measures fit to foster the provision of land access.

At the Department of Rural Development and Land Reform, Pietermaritzburg, the land redistribution policy is implemented by Project Managers who implement the policy on the ground and report to the land redistribution Deputy Director. Of the interviewed participants, there were four Project Managers and one Deputy Director. These policy experts offered insightful information since they work directly with the implementation of the land redistribution policy and interact with land redistribution beneficiaries.

The Department of Rural Development and Land Reform, Pietermaritzburg, is responsible for servicing these districts: uMgungundlovu District Municipality, iLembe District Municipality and eThekweni Municipality. The responses were based on the land redistribution policy implementation in these districts. To ensure that the policy is implemented proficiently, the policy experts in this department all follow a policy guide for the land redistribution. This guide outlines the process of identifying suitable land and how to conduct farm assessments and evaluations for potential farms that the state might purchase. All the interviewed Project Managers in this department follow this guide, and they need to document all the steps taken leading to negotiating the price with willing white farmers.

***Policy Expert Four*** noted an issue pertaining to the implementation of the land redistribution policy. *“Since we as Project Managers are only responsible for implementing the policy on the ground, we do not have the power to alter policies. Unlike those who design the policies, we have more insight into how the policy is performing to respond to the issues of landlessness because we interact with the beneficiaries. Therefore, we can make informed policy suggestions. However, these suggestions and recommendations could take years for the government to execute after we have submitted them”.*

Proficient policy implementation is important since it was outlined in the research problem that the democratic government adopted land reform as an instrument for poverty alleviation in South Africa. The research problem reveals that the target set by the democratic government to transfer 30 percent of productive white commercial land to non-white beneficiaries by the year 2014 was

an indication of the importance of land access as well as agricultural development for South Africans' post-apartheid. However, to date, the government has not been successful in meeting its 30 percent land redistribution target, instead, 2014 was expanded to 2030 for the 30 percent target (National Planning Commission, 2013).

Obtaining the land redistribution objectives have proven to be a challenge in South Africa over the years. Therefore, good policy implementation will constitute towards the policy realization of the 30 percent target set to be reached in 2030. The implementation challenges remarked on the literature review were pertaining to the lack of trained policy implementers who were unable to carry out the implementation process efficiently, thus resulting in either slowed or incomplete land reform programmes (Lipton,2009). The Deputy Director at the Department of Rural Development and Land Reform attested that all the Project Managers are trained to perform their respective duties.

According to Groenewald (2003), key determining factors for successful land reform programmes are appropriate policy designs and implementation. However, in findings by Ghimire (2001) and Kay (1998) on land reform in South Africa, they both argue that access to land remains a dominant issue even after the adoption and implementation of land reforms. The findings obtained from the interviews show that policy experts at the Department of Rural Development and Land Reform follow the stipulated guidelines set by the government. Additionally, as government officials employed to implement the policy on the ground, they cannot change the policies even if they can identify the deficiencies of the land redistribution policy that are contributing to the policy not optimally reaching the intended policy goals.

The transformation audit by the Social Justice Network (2015) indicated that the issue with South Africa's land reform policies is their "uncertainty", 'On the one hand, they aim to protect the vast farms inherited from apartheid; on the other hand, they seek to redistribute land and redress historical injustices in the agrarian structure'. Ramatsindelal *et al.* (2016) highlight the policy gap in the land redistribution programme by noting that for redistributive justice to achieve its goals, beneficiaries need to be part of the policy formulation and implementation process.

It is evident that the implementation of the redistribution policy by the democratic government to reform land to the previously marginalized groups has not been smooth since 1994, hence the

exploration of other means of reforming land, such as expropriation by the ANC government. The issue of reforming land in South Africa remains a rather sensitive issue centred on many debates and discussions from scholars, ordinary citizens as well as political leaders. The democratic government has a great task of ensuring that land policy is designed effectively and facilitated appropriately.

***5.4.2 What is your perspective on good governance in land redistribution? And how has this department incorporated good governance in the implementation of the redistribution policy?***

In the literature review chapter, it was noted that the World Bank (1994) outlined the importance of assessing how a country manages its economic and social resources for development through the evaluation of good governance. The World Bank placed extensive attention on assessing the administrative part of governance, which considers the significance of addressing issues such as service delivery, civil service reform, institutional capacity building, public sector downsizing and effective public interventions. Assessing if good governance was employed and how by the Department of Rural Development and Land Reform in Pietermaritzburg assisted the researcher in understanding the extent to which the land redistribution has been implemented to respond to the issues of landlessness.

The first part of this question was to establish if the land redistribution policy experts are aware of the good governance concept. As depicted in the conceptual framework chapter, governance refers to the creation, implementation, and achieving of set goals to improve the lives of people by the government (Bingham *et al.* 2005). The aim of this question was for the researcher to attain an indepth understanding and perspective of good governance from the officials responsible for the land redistribution policy in Pietermaritzburg.

The previous interview question sought to address how the Department of Rural Development and Land Reform in Pietermaritzburg has implemented the land redistribution policy in the areas that the department is responsible for servicing. The findings pertaining to that question were discussed more in the previous question. To briefly state, the policy experts all reiterated that they follow a policy guideline, which is a national government document used by all government land redistribution policy officials. However, the researcher saw fit to further probe the policy

implementation process by focusing on only three components of Good Governance, which fit the intent of this study.

As it has been previously mentioned, good governance encompasses eight features: Participation, Accountability, Transparency, the Rule of law, Responsiveness, Efficient and Effective government, Equity, Consensus Orientation and Strategic Vision. To address the aim of this study, which was investigating whether there are policy impediments hindering land redistribution to respond to the issue of land access in KwaZulu-Natal, Pietermaritzburg. The researcher focused on the Rule of law, Responsiveness, and Efficient and Effective government to ascertain from the policy experts if they incorporate good governance.

The three good governance components used by the researcher formed a fundamental basis for comprehending the land redistribution policy and the different policy factors contributing to the responsiveness of land redistribution policy responsiveness. Governance as a concept has several constituents that determine the progression of policies. As noted by Landell *et al.* (1991), governance refers to how state affairs are regulated and administered. It also includes the political systems of that state, and all these elements need to function together for a greater public administration and law. These attributes of good governance enabled the researcher to understand the factors contributing to how the land redistribution policy has been responding to the issue of landlessness in Pietermaritzburg.

The three following determining factors of good governance were used to assess whether the ANC government incorporated good governance during the land redistribution policy design and whether the land redistribution policy experts at the Department of Rural Development in Pietermaritzburg used good governance when they implemented the redistributive policy in Pietermaritzburg.

### ***Rule of Law***

As outlined in the conceptual framework chapter, the rule of law entails a nature of government and administration whereby its political and institutional executive functionalities do not have unchecked powers that may go against public rights. Interviewed policy experts all follow a national guide on how to implement the land redistribution policy. They are responsible for

documenting all the steps taken to assess potential farms until negotiations to make a purchase are concluded between the state and the willing white farm seller. In doing so, they can all account for how they have implemented the policy.

***Policy Expert One***, on the 1<sup>st</sup> interview question, mentioned the following: “*If the leased land is not utilized accordingly, the state has the right to re-allocate a different land redistribution beneficiary who will use it. However, that process is difficult to carry out because taking land from a land beneficiary who was previously disadvantaged might be seen as subjecting them to land dispossession again.*”

In this regard, the rule of law may also be a contributing factor preventing other people from gaining access to land by protecting the rights of beneficiaries who are not using the land accordingly. Furthermore, the rule of law needs to ensure that the process of acquiring land is not done so abruptly that it infringes on the rights of the white landowners. Therefore, leading to a slow pace of reforming land in South Africa because both the rights of the current white landowners and previously disadvantaged groups need to be equally protected.

The protection of the rights of white landowners has led to debates of whether "*the property rights of the white land-owning elite should be protected, and whether this not severely constrain redistributive land reform?*" The existence of such debates shows that the rule of law is in place.

The White Paper on land reform (1991) highlighted that land should not be pursued if:

- it will not be possible.
- can cause conflict.
- will be difficult to implement due to varying cases of land claims being lodged; and
- recurrence of the past that would disrupt the country's democratic direction.

Interviewed policy experts all shared that the ANC government has indeed worked hard to ensure that history does not repeat itself. Hence, it has taken the government this long to amend Section 25 of the South African Constitution, which deals with property rights, to ensure that land expropriation is among the key responses used to give effect to land redistribution.

The rule of law is a valid concept across the world that appeals for adherence to the implementation of the rule of law at a national and international level. This shows that the government has a great responsibility to ensure that the sole objective of giving people land is thorough consideration and free of corruption and abuse of power. Bayat and Meyer (1994) noted that the concept of the rule of law implies that all powers of government must be ruled by the law with firm equality, where citizens of a country are all equal before the eyes of the law and courts of law.

### ***Responsiveness***

In chapter three, it is elucidated that democratic governments should strive to have good policy responsiveness where their actions respond to the needs of its people within a reasonable timeframe. Thus far, the ANC government has not been able to respond to the issue of landlessness in South Africa. The objective of land redistribution was to provide the designated groups and the poor with access to land for both residential and productive purposes.

The accentuated measure by the democratic government under land redistribution programme was to redistribute 30 percent of land back to the previously disadvantaged groups by the year 2014. The ANC government failed to reach the 30 percent target in 2014. Subsequently, we are moving the target to the year 2030. The poor and vulnerable population must benefit from pro-poor policies and programmes such as land redistribution.

Land is an imperative resource for agricultural purposes as well as residential, as observed by Dlamini (2016). The emphasis put on reforming land over the years illustrates its significance, not only for improving the livelihoods of people but for South Africa's economic growth as well. It therefore apparent that the success of land redistribution will benefit many South Africans for different reasons, as it has been noted that the poor responsiveness of the land policy since 1994 has resulted in national dissatisfaction.

Institutions should try to serve all their stakeholders within the stipulated or reasonable time frame by making sure that the goals of the land redistribution programme are reached; if not, stakeholders and the public need to be made aware of the reasons for prolonged and unsuccessful programmes.

Redistribution policy has undergone several shifts since 1994. The initial method used to acquire land was through the willing-buyer-willing-seller approach. As outlined in the literature review,

the willing-buyer-willing-seller approach failed. Following the failure of the willing-buyerwilling-seller land acquisition approach, eligible “poor” applicants were given a grant of R16 000 under the Settlement/Land Acquisition Grant (SLAG) (DLA, 1997). However, this method was criticized for “dumping” poor and unskilled beneficiaries on former commercial farms (Vink and Kirsten 2003). SLAG, thereafter, was replaced by Land Redistribution for Agricultural Development (LRAD), which retained the market-based, “demand-led” approach of previous policies (DLA, 1997).

The policy experts confirmed that currently, the government is using the Proactive Land Acquisition Strategy. Land under PLAS is acquired through the concept of willing-buyer-willingseller, and the secured farms are registered under the state, which remains as the “title holder”. The land is then leased to eligible beneficiaries after successful applicants. Throughout the changes in the land redistribution policy, the ANC government has been informing the public of why the programmes are altered or terminated to introduce new and improved policies and measures to reform land.

During the 6<sup>th</sup> ANC Policy Conference (2022), President Cyril Ramaphosa detailed that the ANC government has been experiencing several challenges in reforming land. He noted that the ANC government has also encountered setbacks in its efforts to amend Section 25 of the South African Constitution. The government has been open about exploring land expropriation as a policy measure to reform land in South Africa. Responsiveness is measured by the government’s ability to address the demands of its citizens. Thus far, the government has not been able to successfully respond to the issue of skewed land ownership in South Africa.

The land redistribution policy has gone through numerous changes in hopes of improving the policy outcome since 1994. However, the pace of reforming land back to the previously disadvantaged groups still indicates that the land redistribution policy has not been effectively responding to the issue of landlessness. The implementation responses from the interviewed policy experts also show that the issue of reforming land has little to do with the implementation process and more with the policy itself. As noted by the interviewed policy experts, the willing-buyerwilling-seller as a method of acquiring land poses a challenge for the land redistribution policy to respond optimally to the issues of land in Pietermaritzburg.

### ***Efficient and Effective Government***

As remarked by Pollitt *et al.* (1998), processes and institutions need to prioritize the needs of society; when doing so, the use of resources (funds) should be used efficiently. Effectiveness focuses on the progressive level of accomplishing the primary policy objectives, projects, and programmes. Efficiency is measured by how a programme can convert inputs into outputs (resources, time, and budget allocation).

The findings of the efficiency and effective governance confirm the points raised by policy experts pertaining to how the state uses resources to address the issue of land in South Africa. The Department of Rural Development and Land Reform in Pietermaritzburg receives funds which are allocated to the reform programmes in all the areas serviced by this department. This department also has annual targets for hectares that need to be redistributed. However, the willing-buyerwilling-seller as a method of acquiring land determines the hectares of land this department can acquire. This, therefore, causes budgetary constraints due to market-related prices.

Efficiency is measured by how a programme can convert inputs into outputs (resources, time, and budget allocation). The land redistribution policy has not been able to utilize the inputs to reach the 30 percent land redistribution target. It has not been able to use fewer resources to accomplish the policy goals. Therefore, in terms of efficiency, the government has not been able to use available resources to reach the initial policy objectives. As also noted by Hornbaek (2000), effectiveness is the accuracy with which goals are achieved.

### **5.5 FINDINGS ON THE PACE OF LAND REDISTRIBUTION POLICY IN REFORMING LAND**

Questions 5 and 6 on the interview schedule explored the pace of land redistribution in Pietermaritzburg and the measures put in place to successfully reform land.

#### ***5.5.1 In accordance with the number of processed and unprocessed land redistribution claims in this department, what do these numbers reveal about the pace of reforming land in Pietermaritzburg?***

When the democratic government came into power in 1994, 77,580 million hectares of farmland out of a total surface area of 122 million hectares were under the ownership of white farmers. The

African National Congress government set a target of redistributing 30% of land back to the previously disadvantaged groups within five years. The target date has since been moved several times, and it is currently set to be reached in the year 2030. This question was designed to attain the pace of reforming land in Pietermaritzburg for the year 2030 target.

***Policy Expert Five*** reiterated that “*the current method used by the government to acquire land under the land redistribution policy is the Proactive Land Acquisition Strategy (PLAS)*” which was introduced in 2009/2010 (DLA, 1997). The Land under PLAS is acquired through the concept of willing-buyer-willing-seller and the secured farms are registered under the state, which stays as the “title holder”. That land which is then leased to eligible applicants who become land redistribution beneficiaries. Therefore, the Department of Rural Development and Land Reform does not have processed and unprocessed land claims for the land redistribution policy. They have an annual target of hectares that must be acquired to be redistributed to eligible applicants.

There are many factors that need to be considered when the state is looking into buying potential land from white sellers. According to The Conversation (2022) of the 77, 580 million hectares of land, only 17%-20% is suitable for horticultural production, field crop and irrigation. Approximately more than 55% of farmland can only be used for extensive grazing due to the quality of land being poor and dry. The Karoo is an example of such land that can only be utilized for grazing purposes. On the other hand, KwaZulu-Natal Midlands permit intensive pastures and animal production because it receives plenty of rain and has good pastures for grazing. However, the Midlands only amounts to 20% of that productive land. This shows that potential farmland being used is limited.

The Deeds Office records show that between the year 2013 and 2021, there were between 2 000 and 4 000 farm transactions. In the year 2021, a total of 2 585 farms were sold and registered to new beneficiaries. The majority (50%) of these farm transfers were farms smaller than 300 hectares. Between the year 2003 and August 2022, records show that the state managed to acquire 2.8 million hectares of land, bringing the total area of farmland acquired by the government since the advent of democracy to 3,12 million hectares or 4% of the freehold farmland. In 2022, between 8% and 10% has been reformed under the land redistribution policy.

*Policy Expert Three* noted that “the pace of reforming land in the areas which the Department of Rural Development and Land Reform service has been slow. The main contributing factor is still the method of acquiring land. Unlike the other reform programmes such as the land restitution or land tenure, the land redistribution policy relies on the budget and farms that have been put up for sale by the white farmers. Not all farms meet the requirements required by the state, hence the process of farm evaluation conducted by Project Managers. All these factors play a role in the pace of reforming, and it has been slow”.

All the policy experts agree that the pace of reforming land through the land redistribution policy has been slow over the years. However, this policy has made progress even though it has not been at a rate that the public would want to see. The ANC government is also aware of the unresolved land issues, which is why the policy has been altered numerous times over the years to improve it. As it stands, the issue of landlessness continues to be a problem that the government is working to resolve.

### **5.5.2 What are measures put in place by this department to ensure the optimum realization of the land redistribution policy in areas that it services?**

To ensure validity and confirmability the researcher asked two similar questions which were asked at different times during the interview. This question is like 5.4.1, that reads, “Who is tasked with the policy implementation of land redistribution in this department? Has the policy been implemented proficiently to ensure that its objectives are accomplished, and how?”. The aim of setting up questions like this was to ensure that the policy experts responded to the implementation question thoroughly by posing it in two different ways. Fortunately, all the answers were the same as those provided in question 5.4.1.

The researcher guaranteed that the policy experts answered how they implement the policy at the Department of Rural Development and Land Reform since the study investigated policy impediments, policy design, and whether land redistribution policy is implemented efficiently by the government. This question was necessary because the issue of land access is still ongoing, and how the land redistribution policy is implemented will contribute to the 2030 target set by the democratic government.

## **5.6 FINDINGS ON ALTERNATIVE POLICY OPTIONS TO REFORM LAND**

Question 7 on the interview schedule pays attention to alternative policy options that could accelerate the process of redistributing land.

### ***5.6.1 Which policy options should be explored to accelerate the reforming of land under the land redistribution programme? And how could it be implemented effectively?***

It is described in the research problem that when the democratic government came into power in 1994, one of its mandates was to redress the historical injustices brought upon by the apartheid system on the indigenous majority. One of the greatest aftermaths of apartheid is still evident in many lives of South Africans, which resulted from land dispossession, denial of land access and forced removals from their rightful land. However, more than 25 years post-apartheid, the land redistribution policy has been unsuccessful in accomplishing its redistributive goals for economic growth and development.

Reforming land has proven to be a challenge over the years. The democratic government has frequently changed the land redistribution policy to improve land acquisition. Evidently, the government is aware of the dire land situation, hence the adaptation of new policies to address the issues of land access and ownership in South Africa.

In 2011, the government published a brief Green Paper which sketched out new policy directions on land reform (Green Paper, 2011). As it was noted by Cousins (2013) the government appeared not to have any plans on expanding the Green Paper because no public debates or discussions were held after the Green Paper was published in 2011. He further explained that since the publication of the White Paper in 1997, which had a “reasonably clear way forward” on reforming land, policy shifts thereafter lacked clear articulation on land reform.

In 2017, the African National Congress under the leadership of President Jacob Zuma proposed that land expropriation without compensation be permitted in cases where it is “necessary” and “unavoidable”. Reforming of land to the previously disadvantaged groups is enshrined in Section 25 of the Constitution of the Republic of South Africa where the state is mandated to implement reform measures and issue grants to support victims of land dispossession.

The Constitution of the Republic of South Africa, 1996 (Section 25) outlines the following in terms of land reform:

- South Africa is devoted to reforming land, and to improve access to all its natural resources because it is in the best interests of the country (Section 25 (4) (a)).
- guaranteed right to own property (Section 25 (1)).
- expropriation of property, ○ for public interest and use (Section 25 (2) (a)), and ○ on condition that equitable compensation is made.
- ensures appropriate compensation measures, time and payment must be equitable, depicting unbiased balance between public interest and those involved, in addition, have regard to the following:
  - current property use ○ historical property acquisition and use. ○ the property market value. ○ “The extent of direct state investment and subsidy in the acquisition and beneficial capital improvement of the property”.
  - reasons for expropriation.

Since the proposed land expropriation, the issue of reforming land in South Africa has sparked a national debate and discussions from scholars, ordinary citizens as well as political leaders. The ANC government has a great responsibility to ensure that alternative policy measures such as the land expropriation to accelerate land redistribution are facilitated correctly for human rights and land justice in South Africa.

It has been proven that reforming land becomes vastly difficult because there should be a balance between fair and unequal distributions of land. As noted in the literature review chapter, land reform policies are likely to improve land rights for previously disadvantaged people and contribute positively to their livelihood. The success of reforming land is expected to enhance the customary land rights of disadvantaged groups. Therefore, the process of land reform requires careful transition of land ownership because the rights of both the dispossessor and the dispossessed need not be infringed upon (Pienaar, 2014).

During the 6th African National Congress (ANC) Policy Conference (2022), the South African President Cyril Ramaphosa stated that the ANC government has been experiencing several challenges in reforming land. He noted that the ANC government has also encountered setbacks in its efforts to amend Section 25 of the South African Constitution which deals with property rights to ensure that land expropriation is among the key responses used to give effect to land redistribution.

Views from the interviewed policy experts at the Department of Rural Development and Land Reform pertaining to possible policy options to accelerate the reforming land in Pietermaritzburg are as follows:

- Land expropriation with compensation would be better than affecting land without compensation as a measure of addressing the issue of land access.
- As a democratic country, justice and equality should be prioritized because history should not repeat itself.
- The issue of land access is a national issue, therefore, exploring policy measures such as land expropriation will take time to implement because the process requires different stakeholder engagement as well as public participation.
- Since 1994, the land redistribution policy has undergone many shifts. Therefore, it is not guaranteed that land expropriation will be easily implemented to reach the 30% target set for the year 2030.

The findings on this research have addressed the following research questions:

- Are there policy impediments hindering land redistribution to respond to the land issue?  
Yes
- Is land redistribution policy designed proficiently to tackle the issue of land access and is it sufficient to redress the land problem? No
- Is the policy implemented efficiently to achieve its objectives? Yes

- And has the government ensured good governance during the policy implementation process? Yes

## **5.7. SUMMARY**

This chapter analysed and interpreted field data to ascertain whether there are policy impediments hindering land redistribution to respond to the issue of land access in KwaZulu-Natal, Pietermaritzburg. A qualitative analysis and interpretation of findings was employed with the purpose of responding to the primary research objectives presented in chapter one. Analysis in this chapter was done in accordance with the questions outlined in the interview schedule. The interview schedule comprises seven questions intended to address the research questions which were grouped into four themes. The questions in this chapter were designed to answer the research questions of this study, subsequently, addressing the research objectives.

## **CHAPTER SIX:**

### **CONCLUSIONS AND RECOMMENDATIONS**

#### **6.1 INTRODUCTION**

This final chapter sums up the entire study and reiterates the research problem and the purpose. It reaffirms the rationale of conducting this study was to investigate whether there are policy impediments contributing to land redistribution to not respond efficiently in KwaZulu-Natal, Pietermaritzburg. Different authors noted that the land redistribution policy has failed to address the issue of landlessness in South Africa. This study focused on investigating the policy aspect of land redistribution to ascertain if there are policy related issues linked to how the policy has been responding at the Department of Rural Development and Land Reform in Pietermaritzburg.

This department is responsible for servicing uMgungundlovu District Municipality, iLembe District Municipality and eThekweni Municipality. To better understand the progression and responsiveness of the land redistribution policy in Pietermaritzburg, all the areas serviced by the Department of Rural Development and Land Reform in Pietermaritzburg were included in the study. As a public policy student, my interest was to attain an in-depth understanding of the land redistribution policy from policy experts responsible for implementing this policy in Pietermaritzburg. To fulfil the aim of this study, a qualitative research design was employed. The researcher conducted semi-structured interviews were conducted to obtain in-detailed responses from respondents.

This chapter summarizes the study findings, highlights the challenges hindering the land redistribution policy from responding efficiently to the issue of landlessness and outlines policy lessons. Although the findings of this study cannot be generalized, the researcher hopes that the prominent issues raised in this study will be a direction for larger studies to investigate the land reform issue more comprehensively because the issue of land access remains a national issue.

#### **6.2 SUMMARY OF FINDINGS**

The previous chapter presented and analysed qualitative result findings; it arranged them thematically based on the results of the interviews. The interview schedule comprised seven

questions intended to address the research questions. Thematic analysis was used to analyse data according to the following themes:

- Land redistribution policy design and effectiveness.
- Policy implementation and good governance.
- The pace of reforming land and measures in place.
- Alternative policy options.

The following were key findings of the study according to themes:

a. Land redistribution policy design and effectiveness

Questions 1 and 2 on the interview schedule were designed to assess the policy design of land redistribution, its effectiveness and whether there are policy impediments hindering the policy to respond.

The response to this question was “*yes, to a certain extent*” from all the interviewed policy experts. Elaborated responses revealed that the willing-buyer-willing-seller approach as a method to acquire land poses a major policy problem which is affecting the policy to respond to the issue of landlessness effectively. Due to the market-related prices requested by willing white sellers, the state cannot afford to purchase the targeted hectares of land set for that financial year.

The policy experts interviewed also all agreed that the policy is designed efficiently to address the issue of landlessness to a certain extent. They share similar opinions that the willing-buyer-willingseller approach is a hindrance restricting the land redistribution policy to achieve its objectives optimally. The policy, however, is designed efficiently because it has prioritized the importance of democracy and reconciliation while reforming land in South Africa.

b. Policy implementation and good governance.

Questions 3 and 4 on the interview schedule addressed policy implementation from those tasked with that responsibility at the Department of Rural Development and Land Reform and whether good governance was used to guide their implementation process.

At the Department of Rural Development and Land Reform, Pietermaritzburg, the land

redistribution policy is implemented by Project Managers who implement the policy on the ground and report to the land redistribution Deputy Director. From the interviewed participants, there were four Project Managers and one Deputy Director. These policy experts offered insightful information since they work directly with the implementation of the land redistribution policy and interact with land redistribution beneficiaries.

To ensure that the policy is implemented proficiently, the policy experts at this department all follow a policy guide of the land redistribution. This guide outlines the process of identifying suitable land, how to conduct farm assessments and evaluations for potential farms that the state might purchase. All the interviewed Project Managers in this department follow this guide and they need to document all the steps taken leading to negotiating the price with willing white farmers. The Deputy Director at the Department of Rural Development and Land Reform attested that all the Project Managers are trained to perform their respective duties.

The policy experts were aware of what good governance is. The rule of law is also a contributing factor preventing other people in gaining access to land by protecting the rights of beneficiaries who are not using the land accordingly. For responsiveness, the policy experts confirmed that the policy is not responding optimally to the issue of reforming land. For the efficient and effective government component of good governance, policy experts use the resources; accordingly, however, due to the willing-buyer-willing-seller approach, the policy has not been effective in reforming land.

c. The pace of reforming land and measures in place.

Questions 5 and 6 on the interview schedule explored the pace of land redistribution in Pietermaritzburg and the measures put in place to successfully reform land.

All the policy experts agree that the pace of reforming land through the land redistribution policy has been slow over the years. However, there has been progress made under this policy even though it has not been at a rate that the public would want to see. The ANC government is also aware of the unresolved land issues, which is why the policy has been altered numerous times over the years to improve it. As it stands, the issue of landlessness continues to be a problem that the government is working to resolve. The policy experts ensure to follow the national guidelines which are directed by good governance.

d. Alternative policy options.

Question 7 on the interview schedule pays attention to alternative policy options that could accelerate the process of redistributing land.

Views from the interviewed policy experts at the Department of Rural Development and Land Reform pertaining to possible policy options to accelerate the reforming land in Pietermaritzburg are as follows:

- Land expropriation with compensation would be better than affecting land without compensation as a measure of addressing the issue of land access.
- As a democratic country, justice and equality should be prioritized because history should not repeat itself.
- The issue of land access is a national issue, therefore, exploring policy measures such as land expropriation will take time to implement because the process requires different stakeholder engagement as well as public participation.
- Since 1994, the land redistribution policy has undergone many shifts. Therefore, it not guaranteed that land expropriation will be easily implemented to reach the 30% target set for the year 2030.

### **6.3 RECOMMENDATIONS**

Based on the findings from the policy experts' interviews and secondary data, the following recommendations are presented:

6.3.16.3. It was noted that if leased land is not used by a beneficiary, the state has a right to reallocate the land to another beneficiary. However, this process is difficult to carry out because it might be perceived as subjecting the current beneficiary to land dispossession again. The purpose of land redistribution is to improve land access for both residential and agricultural purposes. Since it has been noted that not every beneficiary is a subsistence or commercial farmer, the government should ensure that beneficiaries who want land for residential purposes are provided with necessary post-support to guarantee that land is used.

6.3.2 Policy experts stated that the recommendations that they make take time for the government to implement. Since the process of policy changes requires time and resources, the government should prioritize drafting policies that can be amended in a short period of time. In doing so, policy experts entrusted with the policy implementation can make insightful recommendations that can be easily incorporated into reform policies after intensive policy evaluations. This could contribute to creating effective policies that have successful outputs.

6.3.3 The land redistribution policy has been criticized for protecting the rights of land dispossessors. However, it is important for the ANC government to protect the rights of both the previously disadvantaged people and the land dispossessors. As a democratic state looking into expropriation, expropriation with compensation would be a better policy measure as opposed to no compensation. Policy experts at the Department of Rural Development and Land Reform in Pietermaritzburg also agree that expropriation with compensation would be easier to implement.

## **6.4 CONCLUSION**

Since the advent of democracy and the adoption of land reform in 1994, the government has been criticized for introducing land reforming measures that have not been effective in transferring land back to the indigenous people. The South African land reform, particularly the land redistribution leg of the reform has been regarded as a failure because it has not achieved its policy objectives of transferring 30 percent to those removed from their rightful land during apartheid.

The rationale of conducting this study was to investigate whether there are policy impediments contributing to land redistribution to not respond efficiently in KwaZulu-Natal, Pietermaritzburg. This study focused on investigating the policy aspect of land redistribution to ascertain if there are policy related issues linked to how the policy has been responding at the Department of Rural Development and Land Reform in Pietermaritzburg. The issue of land access in South Africa is still an ongoing debate since the government introduced the land reform policy in 1994. It was noted that land is an imperative resource for agricultural purposes as well as residential purposes.

The findings of this research study revealed that the willing-buyer-willing-seller approach as a method to acquire land pose as a major policy problem which is affecting the policy to respond to the issue of landlessness affectively. The rule of law is also a contributing factor preventing other

people in gaining access to land by protecting the rights of beneficiaries who are not using the land accordingly. The policy experts confirmed that the policy is not responding optimally to the issue of reforming land.

In 2017, the African National Congress, under the leadership of President Jacob Zuma proposed that land expropriation without compensation be permitted in cases where it is “necessary” and “unavoidable”. Since the proposed land expropriation, the issue of reforming land in South Africa has sparked a national debate and discussions among scholars, ordinary citizens, and political leaders. Currently, the ANC government has encountered setbacks in its efforts to amend Section 25 of the South African Constitution, which deals with property rights to ensure that land expropriation is among the key responses used to give effect to land redistribution. The issue of reforming land remains a national challenge. Current land redistribution policies will determine if the 30 percent target will be reached in 2030.

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## Appendix A: Gatekeeper Consent Letter



agriculture, land reform  
& rural development

Department:  
Agriculture, Land Reform and Rural Development  
REPUBLIC OF SOUTH AFRICA

### OFFICE OF THE DIRECTOR: LAND REDISTRIBUTION: PSSC: KZN

188 Hoosen Haffejee Street; Private Bag X 9000, PIETERMARITZBURG, 3200,

Mobile: 071 878 7423, Tel: (033) 355 4300, Fax: (033) 394 3753 [Isaiah.mahlangu@dalrrd.gov.za](mailto:Isaiah.mahlangu@dalrrd.gov.za)

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Atte: Ms. Nokwanda Ndlela University of KwaZulu-Natal [zamandlela@gmail.co](mailto:zamandlela@gmail.co)

**RE: LAND REDISTRIBUTION POLICY GOVERNANCE IN KWAZULU-NATAL:  
A CASE STUDY OF THE DEPARTMENT OF RURAL DEVELOPMENT AND LAND  
REFORM IN PIETERMARITZBURG**

Dear Ms. Ndlela

Your request to conduct a research study titled Land Redistribution Policy Governance in KwaZulu-Natal: A Case Study of the Department of Rural Development and Land Reform in Pietermaritzburg, and interview staff of the Department of Agriculture land Reform and rural Development has been received.

Permission for the above-mentioned request is granted subject to the submission of the research proposal and the ethical clearance approved by the University of KwaZulu-Natal. These documents must be submitted to the Pietermaritzburg Regional Shared Services Center for the attention Ms. B Ngcobo, who can be contacted on 079 526 9495 or [Buyisile.Matshoba@dalrrd.gov.za](mailto:Buyisile.Matshoba@dalrrd.gov.za)

You are advised to liaise with Ms. Ngcobo for further assistance in relation to your research project.

Kind Regards

  
Mr. I M Mahlangu

Director: Land Redistribution: PSSC-KZN

Date: -03/01/2023

## **Appendix B: Informed Consent Letter for Participants**

### **Informed Consent Document**

Dear Participant,

My name is Nokwanda Ndlela (student no: 215042252). I am a master's candidate studying at the University of KwaZulu-Natal, Howard College Campus. The title of my research is: **Land Redistribution Policy Governance in KwaZulu-Natal: A Case Study of the Department of Rural Development and Land Reform in Pietermaritzburg**. The aim of the study is to investigate whether there are policy impediments hindering land redistribution to respond to the

issue of land access in KwaZulu-Natal, Pietermaritzburg. Specifically, areas serviced by the Department of Rural Development and Land Reform. I am interested in interviewing you to share your experiences and observations on the subject matter.

Please note that:

- The information that you provide will be used for scholarly research only.
- Your participation is entirely voluntary. You have a choice to participate, not to participate or stop participating in the research. You will not be penalized for taking such an action.
- Your views in this interview will be presented anonymously. Neither your name nor identity will be disclosed in any form in the study.
- The interview will take about 25 to 35 minutes.
- The record as well as other items associated with the interview will be held in a passwordprotected file accessible only to myself and my supervisors. After a period of 5 years, in line with the rules of the university, it will be disposed by shredding and burning.
- If you agree to participate, please sign the declaration attached to this statement (a separate sheet will be provided for signatures)

I can be contacted at: School of Social Sciences, University of KwaZulu-Natal, Howard College Campus, Durban. Email: [215042252@stu.ukzn.ac.za](mailto:215042252@stu.ukzn.ac.za) , Cell: [REDACTED]

My supervisor is Siyabonga Ntombela who is located at the School of Social Sciences, Howard College Campus, Durban of the University of KwaZulu-Natal. Contact details: email [Ntombelas@ukzn.ac.za](mailto:Ntombelas@ukzn.ac.za) , Phone number: [REDACTED]

The Humanities and Social Sciences Research Ethics Committee contact details are as follows: HSSREC@ukzn.ac.za & 031 260 3587/4557/8350.

Thank you for your contribution to this research.

## DECLARATION

I..... *(full names of participant)* hereby confirm that I understand the contents of this document and the nature of the research project, and I consent to participating in the research project.

I understand that I am at liberty to withdraw from the project at any time, should I so desire.

I understand the intention of the research. I hereby agree to participate.

I consent / do not consent to have this interview recorded (if applicable)

SIGNATURE OF PARTICIPANT:

DATE:

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### **Appendix C: English Interview Schedule (semi-structured)**

#### **INTERVIEW SCHEDULE**

1. Is the land redistribution policy effective in reforming land in Pietermaritzburg? If not, what are the policy-related impediments hindering land redistribution to respond to the issue of land access?

2. Is the land redistribution policy designed efficiently and is it sufficient to redress landlessness?  
Please elaborate.
3. Who is tasked with the policy implementation of land redistribution in this department? Has the policy been implemented proficiently to ensure that its objectives are accomplished and how?
4. What is your perspective on good governance in land redistribution? And how has this department incorporated good governance in the implementation of the redistribution policy?
5. In accordance with the number of processed and unprocessed land redistribution claims in this department, what do these numbers reveal about the pace of reforming land in Pietermaritzburg?
6. What are measures put in place by this department to ensure the optimum realization of the land redistribution policy in areas that it services?
7. Which policy options should be explored to accelerate the reforming of land under the land redistribution programme? And how could it be implemented effectively?

## **Appendix D: IsiZulu Interview Schedule**

### **INTERVIEW SCHEDULE IN ISIZULU**

1. Ingabe uhlelo lokwabiwa kabusha komhlaba luyasebenza yini ekuguquleni umhlaba eMgungundlovu? Uma kungenjalo, yiziphi izithiyo ezihlobene nenqubomgomo ezithiya ukwabiwa kabusha komhlaba ukuze kuphenduleke odabeni lokutholwa komhlaba?

2. Ingabe inqubomgomo yokwabiwa kabusha komhlaba iklanywe kahle futhi yanele yini ukulungisa abantu abangenamhlaba? Sicela ucacise.
3. Obani abanikezwe umsebenzi wokuqalisa ukusebenza kwenqubomgomo yokwabiwa kabusha komhlaba kulo mnyango? Ingabe inqubomgomo isetshenziswe ngendlela efanele ukuze kuqinisekiswa ukuthi izinhloso zayo ziyafezeka futhi kanjani?
4. Uthini umbono wakho ngokubusa okuhle ekwabiweni kabusha komhlaba? Futhi lo mnyango ukufake kanjani ukubusa okuhle ekuqalisweni kwenqubomgomo yokwabiwa kabusha?
5. Ngokuhambisana nenani lezicelo zokubuyiswa komhlaba ezicutshunguliwe nezingakacutshungulwa kulo mnyango, lezi zinombolo ziveza ukuthini mayelana nesivini sokulungiswa komhlaba eMgungundlovu? Sicela unabe.
6. Yiziphi izinyathelo ezibekwe yilo mnyango ukuze uqinisekise ukufezeka ngokugcwele kwenqubomgomo yokwabiwa kabusha komhlaba ezindaweni ohlinzeka ngazo?
7. Yiziphi izindlela zenqubomgomo okufanele zicutshungulwe ukuze kusheshiswe ukuguqulwa komhlaba ngaphansi kohlelo lokwabiwa kabusha komhlaba? Futhi yayingaqaliswa kanjani ngempumelelo?

## Appendix E: Approved Ethical Clearance



02 May 2023

Nokwanda lama Ndlela (215042252) School of  
Social Sciences  
Howard College

Dear NZ Ndlela,

**Protocol reference number:** HSSREC/00005371/2023

**Project title:** Land redistribution policy governance in KwaZulu-Natal: A case study of the Department of Rural Development and Land Reform in Pietermaritzburg **Degree:** Masters

### Approval Notification - Expedited Application

This letter serves to notify you that your application received on 12 March 2023 In connection with the above, was reviewed by the Humanities and Social Sciences Research Ethics Committee (HSSREC) and the protocol has been granted **FULL APPROVAL**.

Any alteration/s to the **approved** research protocol i.e. Questionnaire/Interview Schedule, Informed Consent **Form, Title of the Project, Location of the Study, Research Approach and Methods** must be reviewed and approved through the amendment/modification prior to its implementation. In case you have further queries, please quote the above reference number. **PLEASE NOTE: Research data** should be securely stored in the discipline/department for a period of 5 years.

This approval is valid until 02 May 2024.

To ensure uninterrupted approval of this study beyond the approval expiry date, a progress report must be submitted to the Research Office on the appropriate form 2 - 3 months before the expiry date. A close-out report to be submitted when study is finished.

HSSREC is registered with the South African National Health Research Ethics Council (REC-040414-040).

Yours sincerely,



/dd

\_\_\_\_\_  
Professor Dipane Hlalele (Chair)

### Humanities and Social Sciences Research Ethics Committee

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Telephone: +27 (0)31 2608350/4557/3587 Email: [hssrec@ukzn.ac.za](mailto:hssrec@ukzn.ac.za) Website: <http://research.ukzn.ac.za/Research-Ethics>

Founding Colleges: ■ Edgewood ■ Howard College ■ Medical School ■ Pietermaritzburg ■ Westville

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