

Investigating the Performance of Land Restitution Projects:

A Case Study of Richmond, KwaZulu-Natal

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DECLARATION

Submitted in fulfilment of the requirements for the degree of PhD in the Graduate Programme in Politics, University of KwaZulu-Natal, Pietermaritzburg, South Africa.

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November 2019



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November 2019

Abstract

The land question is significant for South Africans on many levels. Enhancing and improving the productive capacity of land to achieve developmental gains has taken on particular importance in the face of food security needs and world economic challenges. However, post-apartheid land reform and rural development policies have had negligible impacts on the livelihoods of land reform beneficiaries. The few success stories stand in stark contrast to the majority of settled claims where little or no productive activity is taking place and few, if any, benefits have yet accrued to beneficiaries. This study has sought to interrogate the ways in which beneficiaries of land-based restitution awards have responded to the inherent difficulties in building sustainable and productive agricultural enterprises. The qualitative case studies - consisting of seven restitution claims located in Richmond, KZN - explore whether and how beneficiaries are utilising their newly acquired land, and attempts to gauge how the restitution of land has affected their livelihood opportunities.

In most cases, the settled claims are not delivering immediate livelihood benefits to claimant communities. The gap between the ambitious promise of land restored and the reality on the ground is attributable to both structural and micro-level factors. Despite the seemingly intractable challenges however, through following a diversity of income-generation strategies, some beneficiary groups are making a success of their newly acquired land mindful of the fact that livelihood benefits will have to be deferred for some time as projects wobble onto their feet. The study concludes that in undoing the legacy of land dispossession and improving livelihoods of beneficiaries, solutions to the land question must address both the agrarian structure driven as it is by neo-liberal agricultural policies at the macro level as well as pervasive micro level dynamics of internal conflicts, resource constraints and weak accountability mechanisms. Improving the sustainability of land reform projects is important, as doing so will not only realise the goal of achieving much-needed socially just and equitable rural development but will also improve food security, develop local economies, provide employment and support broader economic development.

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Abbreviations and Acronyms

AFRA	Association for Rural Advancement
ARD	Alliance for Rural Democracy
AWARD	Association for Water and Rural Development
CASE	Community Agency for Social Enquiry
CLaRA	Communal Land Rights Act 11 of 2004 (struck down by the Constitutional Court in 2010)
CLTP	Communal Land Tenure Policy of 2013
COLA	Commission on Land Allocation
CPA	Communal Property Association
CPI	Communal Property Institution
CPT	Communal Property Trust
CRLR	Commission on Restitution of Land Rights
DLA	Department of Land Affairs [now Department of Rural Development and Land Reform]
DPUM	Department of Development Planning and Land Use Management
DRDLR	Department of Rural Development and Land Reform
ESTA	Extension of Security of Tenure Act of 1997
GIS	Geographic Information System
LRAD	Land Redistribution for Agricultural Development
LRAL	Land Reform and Livelihoods
LSCF	Large-Scale Commercial Farming
LSCF	Large-Scale Farming Sector
MLS	Multiple Livelihood Strategies
NGO	Non-Governmental Organisation
PLAAS	Institute for Poverty, Land and Agrarian Studies
QOL	Quality of Life (Surveys)
RLCC	Regional Land Claims Commission / Commissioner
SAPPI	South African Pulp and Paper Industries Limited, later called 'SA Pulp'
SDC	Sustainable Development Consortium
SDP	Supervisor Development Programme
SLAG	Settlement/Land Acquisition Grant

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Chapter 1: Introduction

This study seeks to respond to the need for empirical evidence based on in-depth comparative research on land restitution dynamics within a variety of contexts. It aims to broaden understanding of the ways in which beneficiaries of land-based restitution awards have responded to the difficulties inherent in building sustainable and productive enterprises within the country's current agrarian structure. In order to accomplish this, the study analyses the trajectories of seven land restitution projects in Richmond, KwaZulu-Natal.

The 'Land Question' is a serious matter in South African politics. The various periods of land dispossession through colonial conquest and the forced removals of the apartheid era have left deep-seated imprints on both the social and physical landscapes of the country and have devastated the economic prospects and quality of life of black South Africans in numerous ways over many generations (Cousins and Walker 2015; Swanepoel, 2014; Walker 2008; Du Toit, 2018; Neves, 2017). The effects of this land dispossession on the livelihoods of millions of South Africans, having been articulated consistently during the decades of anti-apartheid struggle, remain a source of grievance for vast sections of South African society today.

Attention has been focused on resolving the land question from very early in South Africa's democratic dispensation. Indeed, the first piece of legislation passed by the country's new democratically elected parliament concerned land. It was the *Restitution of Land Rights Act* which was signed into law on 17 November 1994. Undoing the legacy of land dispossession therefore, has always been asserted as an urgent priority for the country, routinely finding expression in the ruling party's policy statements. Among the expectations for the programme were that it would build the economy, generate employment, increase rural incomes, eliminate overcrowding and increase productivity (PLAAS, 2016, citing ANC, 1994).

Notwithstanding the State's strongly stated intentions and the initiatives which they have generated for over two decades, analysts of land and agrarian reform have argued that despite its importance, the land question in South Africa remains largely unresolved and that the land reform programme has achieved very little (Claasens and Cousins, 2008; Aliber et al., 2013; Du Toit, 2018). Some analysts go even further, characterising the country's land reform agenda as being 'stuck' (Integrated Regional Information Networks, 2013). Numerous reasons have been put forward for this state of affairs. The *redistribution* leg, which has been the most

actively pursued dimension of the programme, has proceeded at a slow and uneven pace over the past two decades, with fluctuations both in budgets and the quantity of land being acquired and redistributed (Hall and Kepe, 2016). Policy changes since the 1990s have resulted in a shift away from a pro-poor focus to one that appears to be aimed at promoting the interests of an emergent black bourgeoisie, as has happened in other sectors such as mining (Cousins, 2013). Much of the failure of the redistribution leg has also been attributed to the fact that the country's agricultural policies have not been in sync with the land reform agenda (Cousins, 2015). Smallholder farming has not been adequately supported and agricultural conglomerates with historical advantages have imposed their dominance on the sector leaving small producers excluded or on the margins. The result of this has been that beneficiaries of land have received little in the way of appropriate farm planning, training and extension services, access to credit and markets and other forms of practical support (Cousins, 2015, citing Cousins, 2013). The *restitution* leg of the broader land reform programme, once hailed as promising so much in the way of reconciliation and reconstruction, has become a palpable source of disappointment and frustration. A vast number of restitution projects are deemed to have failed or stagnated and have seen declines in farm production. Many projects are also mired in conflict over perceived mismanagement. This outcome has been blamed, in the main, on low levels of post-settlement support for the beneficiaries of land-based restitution awards.

The *tenure reform* leg is considered to be the most protracted aspect of the programme and has also been stalled by the presence of "... deep inequalities of gender, class and race" (Claassens, 2000; Wisborg and Rohde, 2004 citing Cousins, 2000b; Walker, 2002). Communal tenure has been highly politicized as a result of the lobbying power of traditional leaders, and progress in developing a policy framework has been slow and incomplete (Cousins, 2016). The ANC government is in support of the conservative agenda of traditional leaders in communal areas (Cousins and Walker, 2015, citing Pityana, 2015). There are indications that while the land reform programme has been unfolding, informal land tenure has been growing exponentially and has occurred alongside a general deepening of poverty and inequality in South Africa (Hornby et al., 2017).

Perhaps most disappointing, and a lived reality for the majority of persons previously dispossessed of land, is the recognition that post-apartheid land reform and rural development policies in South Africa to date have had a negligible impact on poverty (Lahiff, 2007; Cousins, 2015). Aliber et al. (2013) have argued that while disappointment with South Africa's land

reform programme is widespread, the discussions as to why and in what way the programme has faltered tend to be too general or shallow to be either fully convincing or useful. They point to the need to sharpen understanding of how land reform does or does not work. Doing so, they argue, is critical for appraising the extent to which land reform is contributing to poverty reduction, and for gauging how it might contribute to reducing poverty even more if approached differently. In the country's efforts to introduce a more equitable land and agrarian dispensation, it is thus critical to understand the trajectories of individual projects pertaining to land already restored to understand better what is facilitating and impeding, respectively, the conversion of land into livelihood benefits.

1.1 Context of the study

Given South Africa's history of land dispossession, land and agrarian reform are pivotal issues for South Africa. A three pillar Land Reform Programme was initiated by the South African government since 1994, consisting of three dimensions:

- **Redistribution:** this was aimed at broadening access to land for the country's black majority, and was to target the transfer of white-owned commercial farmland to African users;
- **Restitution:** this entailed settling claims to restore land, or provide alternative [mainly cash] compensation, to those dispossessed as a result of racially discriminatory laws and practices since 1913; and
- **Land tenure reform:** this leg was designed to secure the rights of people living under insecure tenure arrangements. It aimed at enshrining rights for people living in the former Bantustans, on state land in communal areas, in the former 'Coloured' rural reserves and on private land as farmworkers, farm dwellers and labour tenants. Also proposed was a less high profile programme designed to improve systems of land administration (Kepe and Hall, 2016, citing Department of Land Affairs, 1997).

Since the inception of the country's land reform programme, previously disadvantaged South Africans have entrusted and imbued the programme both symbolically and materially with the

burden of addressing the hurts and injustices of South Africa's colonial and apartheid past, and of promoting much-needed socio-economic development. Included in the latter are the wider aims of improving the nation's food security, lowering the cost of food, increasing agricultural exports, deracialisation of the agrarian sector and the creation of more employment in the rural economy. Co-existing with the high expectations for the programme, there has always been a fair amount of apprehension and ambivalence as to whether the optimistic programme would in fact enhance democratisation, reduce the vast inequalities in land ownership and reform the skewed agrarian sector, or whether it would remain a noble ideal attempting too insurmountable a challenge (Cliff, 2000). Over two decades into the new democratic dispensation, the call for the 'return of the land' persists in current political discourse as an important rallying point, both dreaded and exploited by diverse groupings within South Africa's socio-political landscape.

Land reform has been difficult terrain to traverse for a variety of reasons. Despite much rhetoric regarding transforming land relations, ownership of agricultural land remains highly skewed (Cousins and Hall, 2011). The 2017 Land Audit revealed that, measured in hectares, Whites own 72% of farm and agricultural land; Coloureds 15%; Indians 5% and Black Africans 4% (DRDLR, 2017:2). The land rights of millions of South Africans living on communal land and in informal settlements is uncertain. The restitution leg of the broader land reform programme in particular, although once hailed as promising so much, has become a source of disappointment and frustration. Since its advent, the programme has been challenging both from a land productivity standpoint as well as being socially and politically fraught (Walker, Bohlin, Hall and Kepe, 2010). At the social level, the programme has not achieved the intended national reconciliation which was expected to be achieved through redress for the trauma of decades of forced removals wrought on entire communities on the basis of race. At the political level, rather than achieving a reduction of rural and urban poverty as was expected, (Ntsebeza and Hall, 2007), the inequalities set in place through land dispossession have in some ways been further aggravated since 1994, as Hall (2014) elaborates:

Four legacies of the Act are identified: the material legacy of poverty and inequality in the divided countryside but also the displaced legacy of urban poverty and inequality; the social and spiritual legacy of division, invisibility and failed reconciliation; and a political legacy of legal pluralism and dualistic governance that denotes zones of tradition or custom, distinct from the rest of the country (Hall, 2014:1).

Perhaps too ambitiously, restitution was envisioned as a limited and short-term process to provide redress for land dispossession that occurred from the passing of the Natives Land Act in 1913 to its abolition in 1991. Having been conceived initially to take five years, it has dragged on for more than two decades. An important notion raised by analysts of land reform is that Restitution itself might need rescuing (Hendricks 2013; Lepule, 2018).

Numerous analysts of land and agrarian reform in South Africa have stressed the disproportionate focus being cast on questions of securing land rights and ways of acquiring and making land available to previously disadvantaged individuals to the detriment of much-needed discussions about the most effective ways of accelerating post-settlement support for beneficiaries attempting to derive agricultural and other benefits from their newly acquired land (PLAAS, 2016). Moreover, there is consensus that land reform on its own will fall short of its grandiose ideals if the country does not give attention to major interventions required to transform structural imbalances in the agricultural and rural economy. Accompanying the calls for a broader programme of agrarian reform, there has also been criticism of the narrow focus on agricultural livelihoods alone with suggestions that, in addition to land targeted for settlement and agriculture, there should be greater backing for pathways towards rural livelihoods based on natural resources and tourism (PLAAS, 2016).

Engagement with the political economy of land in contemporary South Africa and the resolution of the land question is also seen as an integral component and prerequisite for the building of a peaceful and stable democracy. Transforming the “divided countryside” (de Satgé 2013), although operationalized through bureaucratic processes such as land restitution, redistribution and tenure reform, is viewed not merely as a technocratic exercise but has come to be considered a transforming political event (Hall 2011, citing Griffin et al. 2002).

1.1.1 Stakeholder outline, broad coalitions and approaches

Given its status in the developmental and socio-political trajectory of the nation, there are a plethora of interest groups which have coalesced over the land question, adopting a wide-range of perspectives on its resolution prompting Hall (2011) to describe land reform as a “... shifting terrain of power, actors and discourses”. Cousins (2012) provides the following useful summary of the range of actors, many of whom have only in the last two decades begun edging into the space held previously by the country’s traditional white farmer base and large

commercial players, who are seeking to extract benefits through the current land reform shifts taking place in South Africa:

- Emerging black commercial farmers:
 - business people investing in farms;
 - small farmers moving up the ‘farming ladder’

- The ‘rural poor’
- Smallholder farmers
 - subsistence-oriented;
 - commercially-oriented;
 - petty commodity producers

- Communal area farmers
- Farm workers/dwellers
- Urban and peri-urban poor
- Women
- Youth

(Cousins, 2012:2-3).

Beneficiaries in actual claims processes under the different pillars of the Land Reform Programme feature in all of the above groups. A new form of land-holding entity, *viz.* Communal Property Associations (CPAs), an alternative to the pre-existing option of Trusts, were introduced as the institutional mechanisms for communal ownership of land and CPAs are now a central feature in the land debate. These, generically termed Communal Property Institutions (CPIs), are legal entities for group ownership of a single parcel of land through registered title (Hornby et al., 2017). Traditional leaders, as mentioned above, are another grouping within the stakeholder mix as is the range of government functionaries tasked to administer the programme and provide ongoing support. Other groups within the range of stakeholders in the land reform process include landowners, mentors, strategic partners and agricultural commercial institutions.

Cousins further describes how, in the international and SA debates on land and agrarian reform, these actors may be associated with one or more of what he classifies as four broad approaches and ‘loose coalitions’ which he characterises as follows:

- **“Modernist-conservative”/modernisation:** support the existing structure of agriculture (capital intensive farming in large units) but de-racialize the Large-Scale Farming Sector (LSCF) to ease political tensions;
- **“Neo-liberal”/efficiency & equity:** remove economic distortions, liberalise markets, redistribute to efficient small farmers, acquire land through market-based land reform;
- **“Welfarist”/poverty alleviation:** land and farming as a supplement to employment and grants;
- **“Radical populist”/structural transformation:** redistribute wealth and power to rural poor, support diverse land-based livelihoods, expropriate land without compensation (Cousins, 2012:2-3).

The above summary is intended to provide, for the purposes of discussions which follow, context and a broad view pertaining to the stakeholder make-up and interests at play in the land discourse.

1.2 Problem Statement

The current agrarian structure of South Africa maintains strong continuities with colonial and apartheid practices which in decades past had led to the forced de-agrarianisation of a significant number of black South Africans. The current structure of the agrarian system is therefore seen as exacerbating the historical vulnerabilities of emerging black producers notably through the ongoing marginalisation of small-scale agriculture, which is also a core feature of many countries in the Global South (Neves, 2017 citing Li, 2009; Hornby, et al., 2018 citing Bryceson, 2004). Notwithstanding the current structural challenges, increasing equitable access to land and boosting agricultural productivity Africa’s farms remain pivotal to promoting much-needed socio-economic development and improving the nation’s food security. South Africa’s land reform programme has been imbued with the burden of not only achieving the above developmental outcomes but also with playing a central role in altering the country’s agrarian structure. Given that many issues facing the programme still appear intractable after two decades of implementing the programme, it is important to analyse the trajectories of land reform projects underway to improve understanding of factors facilitating and impeding, respectively, the conversion of land into livelihood benefits.

This study focusses on rural land restitution projects where land has been restored. It analyses the trajectories and performance of seven restitution projects in Richmond, KZN by examining the strategies employed in production, performance against selected goals, challenges experienced and livelihood benefits derived. The study is set within the theoretical framework of a political economy of the South African agrarian sector. Underpinned and informed by this theoretical backdrop, the study aimed to explore empirically post-1994 changes and continuities within the agrarian landscape and how these are impacting on the fortunes of land restitution beneficiaries as they navigate the complexities of their new environment.

1.3 Research Objectives

The broad objective of this study is to investigate the ways in which beneficiaries of land-based restitution awards at the Richmond study site have responded to the inherent difficulties in building sustainable and productive enterprises on their restored land. In doing so, the study aims to advance conceptual thinking and broaden understanding of the conditions and approaches that are likely to generate more durable land restitution outcomes and improved livelihoods.

1.4 Research Questions

The primary research question addressed in this study is: *what is the nature and efficacy of the strategies employed on restituted farms in the Richmond area of KwaZulu-Natal towards achieving durable agricultural livelihood outcomes?*

In responding to this question, the study explores a number of secondary research questions.

Why has the land restitution process in South Africa achieved so little success in developing productive agricultural enterprises? The study presents a synthesis of available information on the policy and implementation challenges of land reform broadly in South Africa.

What are the complexities involved in the process of land claim beneficiaries converting restituted land into productive assets? The study elicits and presents the complexities, within a local context, of the struggles to extract livelihood benefits from restituted land. The study presents details of the unique characteristics of seven local land restitution sites presenting the

impacts of such features as divided interests, local power struggles, elite capture and tentative forays and engagement with market-oriented relations to land.

How have land claim beneficiaries responded to the inherent difficulties in building sustainable and productive agricultural enterprises post restitutive land reform? Against the backdrop of problems identified as particularly intractable elsewhere, the study gathers empirical data to assess how the Richmond restitution beneficiaries have fared in respect of these, and highlights if and how they have been able to surmount them.

What alternative strategies might be posited for improving and advancing a more viable agrarian dispensation on restituted land? The study presents findings, explored both conceptually and in relation to the case study, of how the fortunes of restitution beneficiaries might be improved. It also examines the so-called ‘limits to land reform’ debate and describes what is emerging in current analysis regarding what land reform can realistically be expected to achieve in present-day South Africa.

1.5 Rationale

It has been argued that the notion of ‘viability’ of new land-based livelihoods, while being a pivotal issue in the land reform debate, still requires further analysis. This is encapsulated as follows by PLAAS (2016):

Are new settlers capable of using the land in a productive manner? Are they likely to achieve food security in the short term? Will the scheme be sustainable in the longer term? However, a deeper and conceptually well-informed examination of what is meant by ‘viability’ is often absent: viability for whom? Over what scale/time period? In relation to what criteria? Interrogating the notion of viability and exploring methodologies for livelihood impact assessment goes to the core of the land reform debate in the region, exposing deeply contested notions of what constitute appropriate resettlement models, production types and routes to sustainability (PLAAS, 2017).

Measuring and assessing the success of land reform though, has not been straightforward. In the past two-and-a-half decades of the programmes existence, what has become manifestly clear is that there is still much to learn about the complexity and dynamism of the social processes that shape how people claim, gain access to and realise their rights to land (Hornby et al. 2017). A further layer of complexity relates to the task of assessing the benefits that

beneficiaries of land-based awards are deriving from their newly acquired land. The literature highlights numerous methodological dilemmas on this issue. In particular, it has been very difficult to attribute livelihood improvements to a single factor, such as restored land, when people have multiple livelihood strategies that span across the formal and informal sector and link to various remittance streams.

Walker has made the incisive observation that within the popular or ‘master narrative’ on land reform in South Africa (more fully described in chapter 2), “... the connection between land rights and enhanced livelihoods or economic growth tends to be assumed rather than examined” (2008:41). Therefore, within the current environment characterised by immense pressure to distribute land equitably, understanding the fortunes of beneficiaries who have acquired land in the recent past is important.

The rationale for this study is the necessity of generating empirical data on the trajectories of land restitution projects at local level in order to gauge if and how land reform is enhancing the livelihoods of beneficiaries. By analysing project trajectories, processes and participants’ perspectives, the study provides data on the restitution dynamics and broader social relationships at each of the projects at the study site and within the beneficiary communities themselves. In doing so, it contributes to knowledge and addresses gaps in the literature in the conceptual area referred to as ‘livelihoods after land reform’.

1.6 Potential outcomes of study and original contribution

A key assumption of the land reform process since its inception has been that there are important gains to be realised from the successful resolution of the land question: these include socio-economic developmental gains, food security, certainty in the agricultural sector, job creation and improved social cohesion. In terms of assessing the developmental objectives of the land reform programme, the extent to which restored land is being used productively, and by whom, can also only be established on a case-by-case basis in the field (Walker, 2008). A central outcome of this study has been the generation of empirical data in relation to the efficacy of particular strategies employed in striving for viability and sustainability on restored land. It achieves this through examining the political economy of the land discourse in South Africa broadly and through in-depth analysis of the trajectories of actual restitution projects. The study thereby advances conceptual understanding of the conditions and approaches that promise

more effective routes to sustainability in land restitution projects. It is believed that the findings will hold lessons for policy and practice on land restitution particularly as it relates to the design of advisory and support programmes.

1.7 Structure of the Thesis

Chapter 1 describes the broader context pertaining to the “Land Question” in South Africa which serves to frame both the theoretical discussion which follows as well as the detailed analysis of the local project trajectories dealt with in the latter parts of the study. The chapter proceeds to set out the research problem and after discussion of the objectives of the study, the research questions are presented followed by the rationale, potential outcomes and contribution envisioned by the study.

Chapter 2 is a literature review surveying and synthesizing prior work done on the evolution and trajectory of post-apartheid land reform to date. Special attention is given to studies which attempt to gauge and describe post-restitution successes and challenges and gaps in this literature.

In attempting to understand the implications of land reform for livelihoods, an appreciation of the existing agrarian system is important as it is the context within which land and agrarian reform are meant to operate and this is dealt with in *Chapter 3, Theoretical Frameworks*.

Chapter 4 sets out the Research Design and Methodology employed in the study.

Chapter 5 presents the Results derived from analysis of the qualitative data. It is prefaced by a brief contextualising discussion of each of the seven sites which formed part of the case study.

Chapter 6 presents Analysis based on the results and empirical data to build a theoretically informed account of the restitution project trajectories, successes and challenges. This account expounds on both the larger structural determinants of project success or failure, along with the micro-dynamics at beneficiary-community level. It is argued that these dual elements – the larger structural determinants impacting on small-scale agricultural projects and project-level

practices and dynamics – cumulatively come to shape how restitution projects diversify their activities, engage with market conditions and seek to improve the livelihoods of beneficiaries.

Chapter 7, the Conclusion of the report draws on the implications of the analysis of farm trajectories and local project dynamics for understanding how land reform policy is faring in creating improved livelihoods for land restitution beneficiaries. It discusses the findings in relation to the research methodology and discusses the answers to the research questions which the study has generated. The conclusion underscores the reality that the potential to derive livelihood benefits from land in contemporary South Africa, and indeed within a global agricultural economy dominated by large-scale commercial agriculture and agro-processing ‘monopolies’, is shaped by a range of factors. In order for land reform to have the desired benefits, it will have to surmount the tensions within and between its political, social and economic dimensions.

Chapter 2: Literature Review

Introduction

The effectiveness and value of the land reform process will ultimately be judged by the extent to which it has improved the livelihoods of its beneficiaries and, indeed, the developmental trajectory of the country. A pivotal issue within the land reform debate therefore relates to the extent and quality of land-based livelihoods generated among land reform beneficiaries in a range of locations and settings. While this may be so, literature interrogating the impact of land restitution on livelihoods in South Africa is only beginning to emerge. Moreover, for Keswell et al. (2007), scientific study of this question is difficult and convincing empirical evidence of the impacts of land reforms is extremely rare, both in South Africa and in the developing world, for two central reasons. Firstly, they suggest that studies of the impacts of land reforms are complicated by the fact that historically, most land reforms occur during epochs of social strife and political upheaval. Their second argument is that in countries where land reforms are undertaken during periods of relative normality, participation by the beneficiaries is often selective. These factors, they argue, pose a serious intellectual challenge in isolating the impact of land transfers using non-experimental data. Within the available body of literature in South Africa, there are few empirical studies which demonstrate conclusively that having received land transfers improves the livelihoods of beneficiaries (Hall, 2007). Apart from land claimants and beneficiaries, there are also numerous other individuals associated with particular farms (or other pieces of land) involved in restitution claims and these groups are also invariably affected when land changes ownership. The impact on such affected persons has not been studied widely. For example, there is little understood about displaced former farm workers who have had to leave the land after transfer. Similarly, the fate of labour tenants and other farm dwellers affected by land transfers holds important lessons about the dynamics surrounding land restitution. Another gap in knowledge, drawn attention to by Hall (2007), relates to the various ways in which beneficiaries use the income derived from their newly acquired land and whether they are able to create new businesses elsewhere which create work opportunities for others.

Understanding success through the lens of the Land Reform and Livelihoods (LRAL) conceptual framework and methodology has been particularly useful. Work such as that done by Aliber et al. (2013) on the implications of land reform for livelihoods, has shed light on the

importance of going beyond analysis of how to fix projects, to stressing the importance of understanding the consequences of the way projects are delivered, the pathways and trajectories through which projects contribute to improved livelihoods, listening to the views of those directly affected as to how to achieve success and importantly, trying to introduce other criteria for what constitutes 'success'. As has been done by other analysts of land reform (Walker, 2008; James 2007), the study also considers what can realistically be accomplished through the land reform programme.

2.1 Land Reform: A Critical overview of the importance and scale of the programme

The land reform process in South Africa should be understood as a product of competing visions for a post-apartheid South Africa and has been a product of extensive contestation (Ramutsindela et al., 2016). This section locates the land question in South Africa within its historical context dealing in particular with why the issue has taken on such importance for the country and the central attempts which have been employed at resolving it.

2.1.1 The nuances and importance of the land question to South Africa

A complex web of historical and contemporary factors has shaped the status quo regarding the land question in South Africa at the start of the twenty first century (de Satgé 2013). The manner in which socio-political events and forces over the last three hundred years have impacted upon and shaped the very physical geography of the country is still evident in present-day South Africa. Wisborg and Rohde (2004:iv) have argued that “[t]he... legacy of apartheid land policy in South Africa remains one of the most conspicuous manifestations of past injustices.” Further, much of the current national economic adversity is attributed to injustices meted out to the majority of the South African population in respect of their historical access to land and other natural resources. Therefore, for South Africans previously denied from deriving benefits from the land, the land question is not easy to forget about or ignore, and sentiments regarding land justice remain prominent and intense in the consciousness of the vast majority of South Africans.

However, many issues facing the land reform programme still appear intractable and there is still a lack of consensus on the means towards their resolution (Walker 2008). Cousins (2016) is among those who believe that the land reform programme's objectives and strategic thrust remain unclear. He identifies two divergent views in relation to the land question. One view is

that land reform should be geared towards redress for an oppressive past and that there should be redistribution of land towards poverty reduction, especially for the rural poor. In this view, land reform is central to an expansive vision for growth and development. The second view is that the lofty ideals held for the potential of the land to alleviate the impoverishment that many face is misplaced because the agricultural potential of the country is severely limited. Adding to this is the reality that not many people actually want to farm and therefore, the high ideals of land reform should instead be abandoned and people should be provided with urban land instead. Attempting to find a balance between these two realities has contributed significantly to the intractability of the country's land reform programme.

2.1.2 The burden placed upon the land reform programme

The constitutional negotiations over land reform and property rights that took place in the early 1990s set the tone and agenda for the legal framework for the formal land reform programme. It was an intensely precarious moment in the country's history as captured below:

In the early 1990s South Africa was a profoundly divided society characterised by the deep poverty of the majority of its people, high levels of inequality (in relation to race, but also gender and class), social disorder, endemic violence and severe political tensions. The legacies of past state policies loomed large, reaching back to the very beginnings of European settlement by colonial powers in the 17th century and stretching forward to 20th century policies of segregation and apartheid. These were designed to entrench a system of racial privilege, but also underpin regimes of capital accumulation (PLAAS, 2016).

At the culmination of the negotiations over land reform and property rights, mainly due to the thrust by land reform activists made at the 1993 constitutional negotiations, it was accepted that the land reform programme would be used to address past injustices and establish a more just and stable social order. The conceptualisation of the programme as having both *redistributive* and *developmental* objectives, placed a tremendous symbolic burden upon the programme, which as Walker (2008:228) writes, "... declared the centrality of land in the search not only for democracy and a new understanding of nationhood, but also for the redistribution of wealth and the creation of a more egalitarian society."

With the rationalisation that land ownership and land development patterns at the time were strongly reflective of the political and economic conditions of the apartheid era, the vision of Government for the land reform programme as captured in the 1997 White Paper was to address

the following: the injustices of racially-based land dispossession; the inequitable distribution of land ownership; the need for security of tenure for all; the need for sustainable use of land; the need for rapid release of land for development; the need to record and register all rights in property; and the need to administer public land in an effective manner (DLA, 1997). Settlement and tenure security in informal settlements and urban areas were also targeted for support. The ‘rural poor’ were the stated primary beneficiaries of land reform, and this included the victims of land dispossession, farm workers, labour tenants, communal area residents, people living in informal settlements, small-scale farmers, women and youth (PLAAS, 2016).

Restorative justice through the return of the land therefore has been called upon to address far more than land as a productive asset and means of livelihood (Walker 2008). This is due to the fact that the dispossession affected people well beyond the physical level: there were impacts at social, economic, political and psychological levels as well, these in turn, being variously experienced at individual, household and community level (Walker 2008). The programme has thus had to carry the burden of ameliorating the subjective and symbolic dimensions of the loss of land experienced by individuals and groups and has also been burdened with the national project of rural land and agrarian reform (Walker 2008; Cousins, 2016).

2.1.3 Restitution, state institutions and architecture

It is not widely known that communities have not waited for the new democracy to push for the restoration of their land. In June 1991, following protests by NGOs and communities through the ‘Back to the Land Campaign’ the NP-led government established an Advisory Commission on Land Allocation (ACLA) to attend to the disposal of state owned land. In 1993 ACLA was renamed the ‘Commission on Land Allocation’ (COLA), and its powers were expanded to include jurisdiction over land in urban areas and to make awards on land obtained by the state under apartheid (South African History Online, 2016). Prior to 1994, the ACLA/COLA processes had been capitalised on by certain dispossessed ‘black spot’ communities such as the Roosboom, Charlestown and Alcockspruit landowners. Land rights were actually formally restored in these cases in 1992-3. After 1994, the Department of Land Affairs prioritised the redevelopment of these settlements as presidential lead projects (Walker, 2008).

In order to implement the restitution leg of the land reform programme, the Commission on Restitution of Land Rights (CRLR), commonly referred to as the Land Claims Commission, was established in early 1995. The goals of the **restitution programme** have been reconciliation and redress on the one hand and reconstruction and development on the other, as stated by the first Minister of Land Affairs, Derek Hanekom (Walker 2008).

In terms of the scope of the restitution programme, the interim Constitution of 1993 provided that persons or communities dispossessed of rights in land before the commencement of the 1993 Constitution, as a result of racially discriminatory laws, were entitled to claim restitution of such rights. Limitations applied which included that the act of dispossession had to have taken place after 19 June 1913 (the date on which the infamous Native Land Act was passed) and that those dispossessed had not received 'just and equitable' compensation for their land (Walker, 2008, citing the Interim Constitution, 1993). The initial cut-off date for lodging claims was 31 December 1998. The cut-off date was meant to avoid the triggering of intractable disputes between competing groups of claimants (PLAAS, 2016). Having been chosen as a pragmatic compromise between two other alternative dates, *viz.* 1652 and 1948, the 1913 cut-off date and the legitimacy of the compromise that it represented have been contested by groups representing indigenous peoples such as the KhoiSan but government has resisted shifting the date to a period prior to 1913 (PLAAS, 2016). Former President Zuma has on occasion indicated that he would support a pushing back of the 1913 cut-off date for land claims but the view did not gain traction in African National Congress (ANC) policy processes. Zuma's utterances were at the time categorised variously as misleading, creating false hope (Lund, 2014) and political grandstanding, not least because one of the occasions on which he made the pronouncement was his address to the National House of Traditional Leaders' annual sitting in Parliament.

As part of the overall architecture to manage all aspects of the restitution process, as well as the larger land-reform programme of the state, a Land Claims Court was set up as well as a Department of Land Affairs (DLA). In respect of restitution, included amongst its other functions, the DLA was mandated to manage the implementation of restitution settlements, including 'post-settlement support' for those receiving back their land (Walker, 2008).

The programme was taken up eagerly. By April 2000, the restitution programme was facing between 63 000 and 64 000 claims that had been lodged by the end of the 1998 cut-off (Hall,

2003; Walker, 2008). Nearly 15 000 claims had been lodged in KwaZulu-Natal alone (Walker 2008). Great expectations were held that the land reform programme would contribute towards the country's much-needed reconciliation by addressing the injustices and inequalities of the past oppressive land regime. However, at the same time, there has always been the caution that it would be difficult to envisage how the land reform programme could bring about distributive justice and reconciliation without simultaneously exacerbating inequality, competition and conflict that it sought to overcome in the first place (de Wet, 1997). Confirming such concerns, the programme has had negative spin-offs that persist over two decades later. The process, while raising expectations of significant change for the landless majority, also rekindled and intensified social conflicts over land (Andrew 2007; Derman et al. 2013; Nustad 2013).

Overall, the majority of settlements under the land restitution programme nationally have involved financial compensation, which for Walker (2008) is attributable in large part to the preponderance of urban claims.

2.1.4 Policy shifts and capacity to implement

The State machinery strained under the weight of the volume of claims. Policies were tweaked and re-tweaked as the programme lurched forward. More recently, since 2011, the Department of Rural Development and Land Reform (DRDLR) has introduced yet further, far-reaching land policy proposals, which the State does not appear to have the capacity to implement. While shifts in policy and approach have attempted to address past challenges, Hall (2015) argues that policy shifts have both repeated old mistakes and have generated new problems.

Particularly in relation to the more recent policy shifts, the State, to its credit, has incrementally taken a more interventionist and proactive approach. The Proactive Land Acquisition Strategy (PLAS) of 2006 represented an early step in this proactive approach. It began the move away from a pure market-led approach towards a more interventionist approach (although still a market-linked approach, as Walker (2008) reminds us), where expropriation became an option in addition to other means to secure land for redistribution. Critics of the willing-buyer-willing-seller approach have for some time been recommending a greater role for expropriation as a 'pro-active' approach as well as calling for more effective targeting of both land and beneficiaries (PLAAS, 2016). This debate has flared up intensely in the past year.

State machinery to implement the programme has undergone numerous changes but continues to struggle to cope. The initial 1995 arrangement of Court, Commission and Department has been described as unwieldy in that it could not function efficiently. To address the legal, institutional, structural and procedural problems affecting the delivery of land restitution at the time, a review of the work of the CRLR was conducted in mid-1998 and several changes recommended, including re-engineering the business process and integration of the CRLR and the DLA - with the CRLR retaining its separate identity as a statutory body (Ramutsindela et al., 2016). The Commission was eventually absorbed into the DLA. In 1999 the Restitution Act was amended to allow the programme to move from a cumbersome, courts-driven process into one with more administrative latitude (PLAAS, 2016). A new Minister of Land Affairs, Thoko Didiza, was appointed in mid-1999 and during her tenure, in early 2000, the government's land reform priorities were reoriented (Walker, 2008). The shifts under Didiza have been characterised as having demonstrated a "... less overtly pro-poor set of priorities for land reform" (Walker, 2008:14).

2.1.5 Progress to date in the roll-out of the land reform programme

2.1.5.1 The numbers

After the passing of the Restitution of Land Rights Act, a total of 63 455 land claims were submitted by the deadline of 1998. After some necessary splitting of certain claims, by 2007 the official total rose to 79 696. The vast majority of claims (88%) were from individuals or families in urban areas. Given that most rural claims were group-based, they thus involved more people than urban claims.

Restitution claims have taken a long time to finalise. Only 41 land claims had been settled by March 1999 (Ntsebeza and Hall, 2007). The shift from a courts-driven process to a more administrative one resulted in larger numbers of claims being finalised by June 2001, by which time 12 314 claims had been resolved. Land restitution speeded up dramatically under the Mbeki and Motlanthe presidencies (PLAAS, 2016). The impressive reported figure of 75 787 land restitution claims resolved by 2009 was buoyed by the fact that the majority of claims resolved were urban claims resolved through cash payouts. A much criticised standard settlement offer of approximately R40 000 per claim resulted in a 2009 government report that

around 1.5 million people had benefitted from restitution with 2.64 million hectares reported as restored (PLAAS, 2016).

However, the process has still not concluded and by 2015, over 20 000 land restitution claims lodged by the end of 1998 had not yet been finalised (Cousins and Walker, 2015). In fact, the total number of restitution claims received increased to 160 000 when the process was re-opened in 2014 for those who had missed the first deadline. The Motlanthe High Level Panel estimated that it will take another 35 years to settle the old claims of 1998, while the estimate to settle the new claims is 143 years, which amounts to a possible 178 years required to deal with restitution which for Hall, (Lepule, 2018, citing Hall, 2018) makes for an untenable situation requiring the State to devise alternative ways of addressing the issue.

Officially reported numbers of ‘settled claims’ have not been helpful in understanding the success of actual projects. Walker (2008), pointing out that the data indicates that outcomes have fallen well short of both political promises and popular expectations, suggests that probing the actual settlements behind the numbers reveals challenges from the perspective of land redistribution and economic development. The original 30% target of redistributing agricultural land to black South Africans has been shifted from the previous 2014 deadline to a new deadline, the year 2025. However, analysts such as Kepe and Hall do not find the 30% target useful to make comparisons arguing that this target appears to have been abandoned after it had been deferred to 2025, and “... was in any case based on estimates of affordability rather than any inherent social, economic or political logic” (2016:13).

The great majority of claim settlements in the future will most likely also involve the payment of financial compensation to urban claimants, rather than the restoration of land to previously dispossessed, poor and marginalised households. Land acquisition has been expensive, politically complicated and made more complex by a host of factors including the fact that a significant amount of land remains locked up in protected areas (Walker 2008).

2.1.5.2 Characterisations of the performance of the land reform programme

As indicated above, characterisations in the literature of how South Africa’s land reform programme has fared to date are generally negative, with most analysts indicating that the land

reform programme has achieved very little (Claasens and Cousins, 2008; Walker, 2008 citing Brown et al., 1998; Aliber et al., 2013).

Among the markers of poor performance of the land reform programme as a whole have been the following:

- by 2018, through both restitution and redistribution, a mere 10% of arable land has been redistributed or restored through land restitution;
- few people have benefited from land reform, and those who have benefited have tended to benefit too modestly or briefly, or by some accounts have tended to be the ‘wrong people’ (Aliber et al., 2013:1-2). Some examples of these ‘wrong people’ are provided by Cousins (2016) who cites the Presidency’s commissioned mid-term evaluation of the Recapitalisation and Development Policy Programme of 2014 which replaced all previous forms of funding for land reform, including settlement support grants for restitution beneficiaries. Cousins illustrates how the programme reveals an elite bias in land reform with some mentors and partners benefitting enormously from land reform projects while paying little attention to skills transfer. In a shift away from a pro-poor focus, others who have taken full advantage of the land reform programme include well-connected business persons, politicians and State officials.
- Serious doubts have been raised about the appropriateness of many of the development projects that have been instituted for those claimant communities that have had their land returned (Walker, 2008:23; Walker, Bohlin, Hall and Kepe, 2010);
- land reform projects have been characterised by inefficiency, and a high number of farms distributed through the land reform programme have seen declines in agricultural production. While claimants may report being ‘consoled’, in many cases, development prospects for restored land are still uncertain (Walker, 2008:209, citing CASE, 2006). The level of agricultural production on transferred land is generally disappointing, and many land reform projects are mired in leadership and community disputes (Cousins and Walker, 2015).

Several high profile examples have been documented that illustrate the above failures. In 2004, the SAHRC conducted an investigation into the Khomani San’s restitution settlement of 1999. Five years after the settlement, the SAHRC found the settlement to be severely dysfunctional,

a “... community beset with many problems ... their farms ... in disarray” (Walker, 2008:198, citing *Sunday Independent*, 6 March 2005). A few years prior to the SAHRC study, the *Mail & Guardian* reported on this claim, portraying a “... picture of state neglect, community divisions and social disintegration...” (Walker, 2008:198, citing *Mail & Guardian*, 29 October to 4 November 2002). Walker notes that “... similar concerns about the difficulties of post-settlement reconstruction, often accompanied by an angry sense of betrayal, permeate many analyses of the restitution programme today” (Walker, 2008:198).

In 1998, just three years after the establishment of the Commission on Restitution of Land Rights, the then Minister of Land Affairs, Derek Hanekom appointed a Ministerial Review Team to analyse challenges in the restitution programme (Walker, 2008:18, citing du Toit, et al, 1998). Walker indicates that the team “... reported ‘five key dimensions of crisis in the restitution process’ – slowness of delivery, a crisis of ‘unplannability’, opposition between restitution and development, low levels of trust between implementers, and high levels of frustration” (2008:18, citing du Toit, et al, 1998).

2.1.5.3 Reasons for the poor performance of the land reform programme

While there has been much focus in the literature on the increasing frustration with the slow pace, low political priority and disappointing socio-economic impacts of land reform (Wisborg and Rohde, 2004, citing Lahiff, 2001), it has also been acknowledged that this has not been an easy task. From as early as 2000, there was a realisation that the task of finalising the land claims received by the first deadline was a mammoth one (Walker, 2008).

Over time, land use changes, land acquires different meanings and attachments, undergoes changes in value and the personal lives of claimants are altered by larger historical processes as factors such as class, gender, locality and age come to bear on the their newly acquired status as landowners (Walker 2008). Land settlements also take enormous amounts of time to finalise.

Beyond local dynamics that create complexity, writers such as Hall (2010) and Claassens (2015) have argued that social inequalities and the marginalisation of rural people are being perpetuated by state policy choices and elite alliances. Certain pieces of legislation governing traditional authorities and courts are further exacerbating the problem (Hall, 2010). Ecological considerations too have also entered the debate. Writers such as Hoffman (2015) draw attention

to the complex intersection of human, bio-physical and climatic influences on the natural environment over the past century and these need to be factored into future directions in relation to land use and land reform. Moreover, the work of Moyo and Yeros (2011), Martiniello (2008) and Derman et al. (2013) have demonstrated how the resolution of the land question in South Africa is also being complicated by wider geopolitical dynamics in that Africa is experiencing a scramble for its land and natural resources by monopolistic firms and major states. What follows is a summary of the various reasons put forward in the literature as to why the programme has struggled.

2.1.5.4 Internal or programmatic constraints

(a) Programme conceptualisation and clarity of purpose

Cousins and Walker (2015) have argued that contemporary solutions to the problems associated with the land question are based on simplistic formulations that deny or overlook the complexity of the issues at stake. Moreover, they suggest that there has been a disjuncture with other developmental initiatives, stating that "... little attention is given to how land reform should articulate with other aspects of social and economic policy and what the state is able – that is, has both the capacity and the legal authority – to do" (Cousins and Walker, 2015:1-2).

A further limitation in the development of operational policies for land restitution has been the persistent underestimation of the urbanisation thrust (PLAAS, 2016). South Africa is no longer primarily an agrarian society and restitution has been called upon to do more than address rural land issues. Walker (2008) argues that it is this 'misplaced agrarianisation' that has dominated the policy debate on restitution to the detriment of other considerations. Land reform has been understood and viewed in different ways by different players, as Walker (2008:8) highlights:

Then, as now, land reform for most urban-based commentators was a set of worthy-sounding conventions about justice and delivering indistinct rural communities from an essentially abstract poverty, by giving them the opportunity for what was also, in effect, an abstraction: 'working the land'.

Hall (2015) has argued that at present, while ostensibly aiming to reduce poverty and reconfigure agrarian social relations and the structure of the economy, the land reform process

actually appears to be concerned with resuscitating the black commercial farming class destroyed by the 1913 Land Act.

(b) Mismatch between expectations and reality

Walker's work describing the convolutions of the restitution programme is useful for appreciating how complex land reform has been to implement. For Walker, the restitution programme has laid bare the "... discontinuities between land reform's founding vision and its practice" (2008:229). Whatever the lofty and grandiose ideals might have been at the start of the programme, it is at the level of implementation, Walker reminds us, where land reform and 'confused reality' meet. What may have started off in hearts and minds as "... the grand unity of 'the land question', at implementation level "... begins to fragment into a kaleidoscope of generally messy, always locality-specific, often conflictual and personality-inflected projects" (Walker, 2008:229).

Walker (2008) argues further that the relationship between land redistribution/restoration and social and economic reconstruction on the ground has turned out to be rather more elusive than initially assumed. While issues of inadequate commitment, lack of capacity and misguided policy on the part of the state have all contributed to the slow progress made, Walker argues that there has been a mismatch between the 'potent symbolic significance of land in national political debate, as emblem of dispossession in the past and redress in the present' and the ANC government's commitment to land reform as a programme of government since 1994.

Another important point raised by Walker (2008) is that early deliberations and debates on the course of land reform in South Africa were not adequately dovetailed and aligned with (i) debates about the direction of the future South African economy and (ii) negotiations over a reparations programme for the human rights abuses perpetrated during the apartheid era. Ultimately, what resulted was that redress for land rights abuses was channelled into a separate programme with its own set of institutional and operational requirements and its own indicators of success (Walker, 2008).

Further, civil society advocates, in Walker's (2008) view, may have also held unrealistic expectations for the land reform programme, and translating lofty ideas into operational policy has been more difficult than initially thought. Her conclusion is that the mismatch between expectations surrounding the land question on the one hand and the actual transformative

potential of land reform in addressing poverty and social alienation on the other will not easily be resolved (2008).

The inflated expectations of land restitution derive, at least in part, from the way in which the land question has been constructed through the liberation struggle (Walker, 2008). Walker demonstrates this through an analysis of a master narrative of loss and restoration. Walker's thesis is that there are serious limitations within the 'master narrative' of loss and restoration that has underpinned the land restitution programme (2008). She suggests that this narrative has thus far driven the restitution programme politically and placed productive land at the centre of people's well-being, but argues that this narrative "... has appeared increasingly inadequate as a guide to that Promised Land which politicians, officials and claimants were all seeking after 1995" (Walker, 2008:16). She argues that as political fable, the master narrative works very well.

However, as a basis for a programme of government, the simple story of forced removals has proved to be increasingly problematic. Despite the constituent elements being true, the narrative is too simple, isolating the history of forced removals under apartheid and before as a story on its own, instead of an important chapter in a much larger and more complex history not only of dispossession but also of social change. The master narrative also does not relate the national project of land restitution to all the other programmes of social development that the post-apartheid government has launched, including housing, and environmental conservation, and the master narrative does not attempt to mesh its own priorities with other constitutional commitments to justice, socio-economic development and equality. Underpinning the master narrative is the naïve hope that the return of the land will somehow solve the deep-rooted problems in South African society (Walker, 2008:16-17).

The significant structural constraints on land reform, in Walker's view, have been largely disregarded by restitution's master narrative of loss and restoration (2008:29). It also underplays the importance of urban issues and urban land reform, and underestimates the contemporary challenges of living off the land. It works too much at the level of generality and fails to acknowledge the specifics, both local and individual. It also places too much authority with the state, overlooking social change, and the significant environmental and social constraints to state re-engineering through land reform (Walker, 2008:19).

James (2007:22) points out the inherent tensions in trying to use land reform to both restore citizenship and deliver economic advancement. Struggles over the proper uses of land and the question of who deserves it are among the factors that have exacerbated the tension.

(c) Wavering of political impetus

Land reform analysts have argued that there has been a marked wavering of political impetus in relation to the land question, and this has resulted in land reform being impaired "... by political priorities of appeasing white landowners (in commercial farming areas) and black traditional leaders (in communal areas of the ex-Bantustans)" (Cousins and Hall, 2011). Political will has lagged behind both ruling party rhetoric and the official programme. This has relegated land reform to the margins of state policy with not enough of a thrust to deal with the pressing issues impeding the programme at all levels. The share of the National budget directed to the programme was insufficient for the first decade after 1994 (Walker, 2008) and remained at around 1% of the national budget annually.

(d) Institutional inertia

Institutional inertia in many state institutions responsible for defending and realising rights, has been a major constraint and has been evident in the weak post-settlement agricultural support systems for beneficiaries of land-based restitution awards. The Land Claims Commission has received criticism for its inability to provide effective post-settlement support for beneficiaries for over two decades (PLAAS, 2016).

From the earliest phase of the rollout of the programme, complications were the order of the day. Walker (2008) notes that internal tensions were exacerbated by the absence of coherent state procedures for resurrecting former rights and strong local institutions to manage the process. In respect of the Communal Property Institutions CPIs – i.e. CPAs and trusts), as early as the late 1990s, only 5 years into the land reform programme, the consensus among government officials, NGO staff members and professional planners was that CPIs were failing to achieve their objectives and were often mired in conflict. Hornby et al, 2017 state:

... a weight of multiple expectations bore down on CPIs. They were being expected to manage land allocation and use, business development, infrastructure installation and municipal service delivery, as well as establish and maintain democratic practices. In hindsight, the expectations were unrealistic, based as they were on value-based prescriptions and ideals. However, at the time it was difficult to understand

exactly why and how CPIs were failing. On whose terms were they failing? How should failure and success be assessed? (Hornby et al., 2017:14).

(e) Structural disadvantages and challenges

Structural disadvantages such as access to legal representation, have also played a role in hampering claimants' abilities to exercise their rights effectively. As a result, there have been challenges in keeping the marginalised sectors involved and protected in the process of the return to the land (Walker, 2008).

Another structural impediment to the programme has been the over-reliance on the land market. NGOs have blamed the failure of the state to reach its target on the constitutional property clause and the 'willing buyer, willing seller' policy contained in the 1997 White Paper on South African Land Policy (Walker, 2008). This 'market-led' approach has been criticised as leading to the automatic exclusion of the landless poor and has been accused of having "... put landowners in the position of being the only people to determine if they want to sell land, what quality and type of land they would sell and the price they want for it. This turned land reform into a voluntary process" (Walker, 2008:200-201, citing Mkhize, 2004). The expropriation legislation introduced during 2016 signified a more assertive approach, but was however, successfully challenged in the Constitutional Court. The State had sought the power to expropriate land deemed to be in the national interest after payment of a value determined by the State itself. Attempts continue to make a departure from the 'willing buyer-willing seller' approach.

Other significant structural disadvantages the programme has faced have been the difficult natural environment and the dominance in the wider South African society of the non-agrarian economy, both of which have created structural constraints on the programme (Walker, 2008).

Other structural challenges that accompanied the return of land to communities highlighted by Walker include:

- procedures and terms for the return of title deeds;
- the creation of appropriate community land holding trusts;
- the brokering of resettlement and land use planning resources; and

- the emergence of conflict within communities at the point of success in the land struggle (2008:88).

(f) 'Elite capture'

There has been a so-called 'elite capture' of the process along a class basis. There are claims that officials of the Department of Rural Development and Land Reform have been directed to prioritise land for MK veterans and claimants who are willing to partner agri-business (Hornby, 2014). Cousins states that "... populist discourse masks the reality that the rural poor, and potentially highly productive, small-scale farmers are not really intended to be the main beneficiaries of government's land redistribution policies, which, as in other sectors such as mining, are aimed at promoting the interests of an emergent black bourgeoisie" (2013:19).

(g) Market and commercial factors

The market and commercial factors which have inhibited land reform include lack of linkages to input and output markets, inappropriate delivery mechanisms and lack of access to credit (Aliber et al, 2013). Vink (2013) elucidates this point by referring to the historical suppression of black farmers in the commercial sphere, the impact of which resonates into the present. He also draws attention to the historical support given to commercial farmers indicating that this had not been neutral, and, moreover had the effect of distorting the geography of farming areas resulting in South Africa being one of few countries in the world where maize had been milled in the cities and abattoirs based in urban areas. He makes the point that large commercial farmers remain favoured over small-scale producers in respect of access to resources and this has left the countryside bereft of important opportunities such as food processing. He stresses the urgent need for integrated farmer support services, though not through temporary programmes but rather through comprehensive approaches with fair access to markets and other natural resources facilitated through policies tailored to the circumstances of specific recipient requirements and geographical dynamics. Flexibility in processes is deemed important to overcome the high cost of entry into the market such as improvements in physical infrastructure to reach markets and smart subsidies. He concedes that there will be conflicts between the above elements but they nevertheless had to be seriously engaged with.

(h) Beneficiary participation challenges

Land reform beneficiaries have struggled to derive benefits from land allocated to them. For Walker, land reform beneficiaries' reception and involvement in the programme have been "... less orderly, more unpredictable than the architects of the programme originally conceived" (2008:229). Local conflicts and disputes have played a significant role in hampering progress. There have been debilitating power struggles within the leadership and among claimants and projects have been threatened due to competing visions of what the landowners should do with the restored land and what they should be campaigning for (Walker, 2008). In certain restored properties, competing interests among new occupiers have led to tensions between the different categories of rights holders [landowners vs tenants] as well as conflict around community development projects (Walker, 2008).

Another factor that may negatively affect sustainability, if not addressed, is the lack of emphasis on inter-generational skills transfer and the related 'generational gaps' with regard to commitments and understanding of land reform. For example, some communities currently have qualified and committed leaders, but a potential 'new generation' of skilled and committed leaders has not emerged (Walker, 2008 citing CASE, 2006).

2.1.5.5 External constraints

In addition to the above-mentioned internal constraints, there have been significant external constraints on the transformative potential of land redistribution and these are critical when assessing the success of the land reform programme. These constraints have limited land reform's possibilities and also need to be factored into any analysis or judgements (Walker, 2008). The major non-programmatic limits to land reform are dealt with below.

(a) Demographic changes

South Africa is not a primarily agrarian society as was the case when the Land Act was passed in 1913. In SA most people, urban and rural, purchase their food, unlike our neighbours to the north where agriculture remains the main source of livelihood for the great majority of the population. In reality, in South Africa, a growing population has to be fed by a declining number of farmers (Cousins and Walker, 2015). Over the past century, patterns of wage labour have become entrenched, there has been significant population growth and a high level of

urbanisation, both in patterns of settlement and livelihoods (Walker, 2015). It is therefore in these urban areas that, for Walker, the biggest challenges to land reform and wealth redistribution more broadly lie. In rural areas, the sources of most people's livelihoods now lie in wages, remittances and, increasingly, social grants. Agriculture is the primary source for only a small minority (Cousins and Walker, 2015).

(b) Climatic conditions

Climate has been a constraint on the success of land reform. South Africa is mostly a semi-arid country which is not well endowed agriculturally. Only 13.5% of the country's land is classified as arable, most of that located along the already densely settled eastern seaboard, including the former Transkei (Walker, 2008). Hence, there are really few suitable remaining areas for agricultural expansion and this therefore automatically sets ecological constraints on how much land can be redistributed and where. Climate change is likely to exacerbate these challenges in the future.

The climatological impact on the country's agricultural future from global warming, increasingly severe pressure on water resources are indeed sobering and point to the need for important decisions that could see changes in crop selection and methods of irrigation and cultivation, all of which the land reform sector would have to adjust to (Spector, 2018).

(c) Economic conditions

It is a difficult time to farm. New farmers are entering agriculture at a particularly difficult time in terms of both global restructuring and national economic conditions. There has been a major process of deregulation of the commercial agricultural sector over the past decade and this has made it particularly difficult for emergent farmers to establish footholds and thrive. Farming is particularly difficult for the unemployed and the destitute given the need for cash inputs required by agriculture (James, 2007:14). Consequently, many families hold land either acquired through land reform, or in communal areas, but are unable to utilise the land effectively for lack of inputs, labour, operating capital and market access.

There are profound processes of agrarian change are underway in South Africa today with fewer commercial farm units, down from 60,000 in the mid-1990s to 35,000 at present (Hall 2015). Linked to this is a decline of about 10 per cent in the area under production, as arable land and water have been diverted towards non-farming uses such as coal mining. There is a

shrinkage in the livelihoods being supported by commercial agriculture. Over 300,000 farm jobs have been lost in the past 20 years and casual and seasonal workers now outnumber permanent workers with many families having been evicted from their farm-dwellings (Hall 2015).

The World Bank, apart from having advised the ANC in the early 1990s to adopt a market-oriented approach to land acquisition, also agitated for the continuation of the deregulation and liberalisation of the agricultural sector begun by the apartheid government (Cousins, 2015). The effect of this was the absence of any effective programme of support for black farmers in the reserves and for land reform beneficiaries (Cousins, 2015). Cousins states as follows:

This myopia has meant that from 1994 to the present, agricultural policies at both national and provincial level have been effectively uncoupled from land reform. The result of this uncoupling has been that beneficiaries of land restitution and redistribution have received little in the way of appropriate farm planning, training and extension services, or access to credit and markets and other forms of practical support. These would have helped to level the playing field for smaller-scale producers, within a capitalist agricultural sector increasingly dominated by very large producers and agribusiness (Cousins, 2015:252, citing Cousins, 2013).

For Bernstein, in the post-apartheid period, production and accumulation in the agricultural sector have grown, accomplished in part through deregulation and liberalisation, the concentration of farming and agribusiness, the search for new markets, and technical change. Key factors include large inward investment by international agribusiness. Importantly, Bernstein makes the argument that these changes need to be understood primarily in terms of the dynamics of contemporary capitalist agribusiness, rather than as an attempt by white farmers to retain their apartheid era predominance (Cousins and Walker, 2015:9, citing Bernstein, 2015).

There are changing patterns of wealth accumulation in the agricultural sector. The accumulation of wealth is not in farming itself, but rather agribusiness corporations have capitalised on the state's liberalisation policies and a small number of these corporations now dominate agro-food value chains, from patented seed, fertiliser and pesticides through to milling, food manufacture and distribution. These circumstances have locked many farmers into value chains controlled by a small handful of such companies as pointed out by Bernstein (2015). For Hall (2015), in such a setting, farm success becomes inhibited by 'cost-price

squeezes', risks are redistributed to farmers and profits disproportionately accrue to corporations that control input and output markets. The point is made by Hall (2015) that while white farmers were historically able to accumulate wealth over a few generations through state subsidy and protection as well as cheap and exploited labour, the current scenario involving land redistribution does not hold the same advantages and prospects for prosperity for black farmers. In spite of these vastly differing conditions, there is nevertheless an unquestioned expectation that when black farmers acquire land, it will unlock a similar route to wealth as had been the case with white farmers in the previous agricultural milieu. The effect of our current land-reform policy framework not responding to the above changes, for Hall, amounts to having in South Africa a land reform programme without an agrarian policy designed to address rural realities. Instead, Hall argues, there is "... an anti-agrarian reform process under way, a sharpening of the dualism between rural zones of wealth and poverty that was demarcated by the 1913 Land Act" (2015:143). To address this situation, Hall advocates drawing on history to rethink a wider process of agrarian reform within which land reform can be lodged.

(d) Lifestyle factors

Many poor rural people have been reluctant to move far from their established home localities to acquire and work agricultural land. Current research on restitution claims involving the restoration of land is beginning to add considerably to our understanding of the variety of responses to the opportunity for land at household level, as well as the complexity of the calculations involved at this level in the decision to relocate in response to the availability of land elsewhere, including that of ancestral land. There has been much written about the preference, even among beneficiaries, for *multiple livelihoods strategies*, with many not feeling comfortable to relinquish attachments to other established means of income. Walker (2008), writing about Cremin, indicates that many claimant households who returned with a strong commitment to farming the land, most commonly wished to do so on a part-time basis.

Do people want to farm? The SAIRR suggests that people want money instead. In Southern Africa's pre-industrial past, land was a key resource and the economy and social relations were agrarian in character. The proportion of the population directly dependent on agriculture has shrunk steadily in SA since the mining revolution of the late nineteenth century, as has the contribution of agriculture to the country's GDP (Cousins and Walker, 2015; PLAAS, 2016). Walker (2008) poses the important question as to where the sources of meaningful social and

economic transformation for the majority of land claimants lie, and how important is land in that process? She has moreover questioned whether agricultural and other constraints have been adequately considered suggesting that, in fact, having avoided engagement with the constraints, has resulted in the state (i) under-estimating the urban dimensions of restitution, with the state and civil society focussing on assessing restitution in principally in terms of its contribution to agrarian development and national targets for the redistribution of farmland. This for Walker has resulted in a "... narrow developmental moralism surrounding the negotiation of settlement options, that condemns anything other than land restoration for claimants as a betrayal of the principles of redress that underpinned the programme." Walker argues that land restoration is inadequate to address the larger problems of dispossession and marginalisation (Walker, 2008:226-227).

Walker (2008, citing Aliber et al, 2006) states that in one study probing the nature and intensity of black land demand, it emerged that the extent of land demand varied across different settlement types: the highest demand was among farm dwellers with 53% indicating that they wanted or needed more land. In terms of land size, most respondents indicated that they wanted less than five hectares. The study indicated that food security rather than past injustices appeared to be the main motivation for wanting land.

(e) Impact of HIV/AIDS/AIDS

HIV/AIDS has impacted on rural livelihoods and this aspect has not been adequately factored into the understanding of land reform policy and practice. The disease has eroded household and individual capacity to use land productively and hold on to whatever hard-earned rights in land they may have won.

Failure of the land reform programme therefore has to be viewed as reflecting the ambiguities of the process itself (Walker, 2008). These 'ambiguities', Walker (2008) suggests, offer different vantage points from which to assess failure and success.

2.1.6 What has the programme achieved?

In answering this question, one has to first develop a fair and balanced way of assessing the programme.

2.1.6.1 A fair and balanced way of evaluating the land reform programme

There has been much attention given to the search for pragmatic ways of measuring the success of land reform (Cousins and Dubb, 2013; Ramutsindela et al., 2016; Fox and Shackleton, 2017). For Walker (2008) the fundamental challenge in measuring and gauging success is to resolve the operational tension between land reform understood as primarily about meeting national targets for black land ownership, and land reform intended to advance poverty reduction and improved livelihoods at project and household level. Walker (2008) thus underscores the importance of the programme contributing towards the redistribution of resources in support of improved livelihood opportunities for the most marginalised sectors of society. For Walker (2008) this translates to only considering a claim as settled when people return to the land and use it in a way that brings them real returns. In many ways, this restores the original potential people would have had for making a livelihood from the land. However, Vink and Kirsten (2019) emphasise that a discussion of *success* in relation to land reform must not lose sight of the fact that international experience, even in more developed countries, has shown that it is unlikely that new entrants into agriculture will survive in the sector without support and assistance from both existing farmers as well as from the state.

In order to assess more fluid and intangible outcomes too, such as the extent to which reparations have been realized, Walker (2008) argues that in order to decide whether reparations can qualify as ‘good enough’, specific contexts have to be assessed. In this view, focussing on forging successful case-specific settlements trumps the preoccupation with chasing national targets. Case-specific considerations include the conditions and different interest groups surrounding each set of claims. In addition, for Walker (2008), ‘good enough reparations’ requires a broader vision of development than one based simply on land, as well as the acceptance that there are different routes to reconstruction and different possibilities for restoring dignity. These include addressing the structural inequalities in the economy.

There is agreement that the land reform programme has had a huge burden to shoulder, and that righting the wrongs of the past by means of land reform has been complex and fraught on many levels. Equally complex and difficult has been the *evaluation* of the programme in all its nuances, implemented in diverse settings and involving a plethora of actors. Walker attributes the complexity involved in measuring the success of land reform to the complex linkages between individual experience, group mobilisation, public opinion and political response

(2008). Success has to be measured at various levels. The land reform programme is a national one, and at one level, the programme has had to achieve a broad thrust towards the national goals of reconciliation, redress and resource distribution. It has been argued that land has become a symbol of all the redistribution that has yet to take place in the country (Walker, 2008, citing Gibson and Lombard, 2003). At the level of the claim, the assessment of success or failure, the meanings of redress and of reconstruction, are diverse and context-specific (Walker, 2008).

Walker (2008), moreover, has argued that the state may be culpable in giving the impression that the success of land restitution is easy to measure. She contends that the state has demonstrated a preoccupation with speed and overall targets in the resolution of land claims. This she suggests, is a serious problem if it takes place at the expense of the resource-heavy and time-consuming attention that is required of the state in order to achieve claims settlements that add real value to the lives of claimants and addresses pressing concerns affecting local economies (2008). As a result of the chasing of targets, the measures of success that circulate in national political debate may be quite different from what is occurring locally (Walker, 2008:233). This is particularly so when claimants' views on land use differ from official development plans (Walker, 2008; Aliber et al, 2015).

Among the main reasons that analysts have put forward as to why it has been difficult to assess the success or failure of local projects is that individual benefits derived cannot easily be read off group or community awards. The notion of a 'claimant community,' while important in the mobilising phase for group claims, is really a fragile association in practice (Walker, 2008). This is further compounded by the fact that even after the restoration of rights in land, not all households benefit equally, and individual members within claimant households also benefit to differing extents with the gender dynamics being particularly difficult to assess (Walker, 2008).

2.1.6.2 Large-scale farming as a yardstick to measure success

Much of the debate over measuring success has focussed on questions of farm scale. Is big better? There have been views advanced that due to the country's almost total reliance on the predominantly white commercial farming sector for food security, there is extreme political

pressure to address the current imbalance through the development of a small-scale black farming sector (AFRA, 2009).

Hall (2015) has argued that recent experiments with land redistribution show continuities with past ill-conceived programmes and even with older ideas – such as the espousing of notions of ‘proper farming’ that were used by the apartheid government and continue to be invoked in the democratic era. The primary focus of post-apartheid land distribution initiatives since 1994 has been the commercial agricultural sector (Bernstein, 2015). For Hall, these state emphases have the effect of shaping and constraining opportunities for poor people to secure rights to land and preclude fundamental social change in the countryside (2015).

There are serious implications for the agriculture sector of the large scale transfer of land. Walker (2008) points to the reluctance on the part of the state to effect large transfers of land due to the impact that will have on the agricultural sector as well as for other government responsibilities such as conservation. The few large commercial farmers produce vast amounts of crops and employ significant numbers of workers and there is nervousness about tampering with these enterprises. The Limpopo province is responsible for 52% of the country’s tomato production, 55% of mango production and 60% of South Africa’s citrus exports, with commercial farmers in Hoedspruit (the site of the massive Lekaung land claim stretching over 75 000 hectares involving four communities) employing some 6000—7000 workers (Walker, 2008 citing Sunday Times, 12 September 2004).

In 2005, the Acting Director-General for the then Department of Land Affairs (DLA) raised concerns about the potentially negative impact of rural claims with the rationale that ‘agriculture is the backbone of the economy in KwaZulu-Natal, Mpumalanga and Limpopo’ (Walker, 2008:216-217, citing DLA, 2005). Conservation authorities are also nervous about the threat to conservation areas posed by land claims. (Walker, 2008).

The state has attempted to mitigate the risk posed by large claims to established agriculture in several ways. Restitution settlements involving land, particularly high-value land where a great deal of capital investment had taken place, have been structured around ‘strategic partnerships’ between claimant groups and contracted development partners and external management expertise (Walker, 2008; PLAAS, 2016). Private companies have been contracted to run joint-venture projects on behalf of claimant bodies in the case of commercial farmland in order to

preserve continuity of production and employment. Many of these companies involve former landowners, who take on the role of mentors and development experts (Walker, 2008). However, these arrangements have been criticized as being paternalistic and for perpetuating established patterns of large-scale commercial farming at the expense of more appropriate smallholder farming models (Walker, 2008, citing Derman et al, 2006). Also, few of these have proved successful with some private sector partners overstretched, and the situation has often been made worse by the lack of promised government funding for capital investment (PLAAS, 2016).

There has been much debate about the value of small-scale post-land reform settlement agricultural enterprises. On the one hand, there are those who decry the fact that not enough effort has been made to preserve and maintain the production scale of large commercial enterprises that have been transferred to land reform beneficiaries. De Jager (2015), representing organised commercial agriculture, asserts that land reform in South Africa to date has reduced too many farms to ‘mere parcels of land’ in the process destroying agricultural businesses in favour of subsistence farming. He sees little value in moving away from commercial agriculture to promote low-technology smallholder farming. He argues that there has been an ‘over-romanticisation of the smallholder farmer’ by non-governmental organisations (NGOs) and populist politicians alike. He concedes that there is a place for smallholder farmers but only if they can fit into a value chain, arguing that without a clearly defined place in a value chain, smallholder farming is nothing but a poverty trap. Another prerequisite he cites is being in partnership with large commercial farms as well as with agribusinesses to assist with financing of production, among other things. However, in this scenario, small-scale producers run the risk of becoming trapped into onerous relationships with the financial sector. The agricultural sector is already experiencing high levels of debt, experiencing a record R142bn debt level in real terms in 2015 (Sihlobo and Kapuya, 2017). Beneficiaries will therefore be at risk of insolvency should they over-extend themselves especially in the start-up phase of projects.

The arguments for the promotion of large enterprises as against small ones centre around the value of economies of scale and of how profitability is linked to the advantages of large-scale production (De Jager, 2015). In the absence of subsidies to agriculture, it is argued that small scale producers do not survive.

I would argue that De Jager is attempting a ‘class project’, one that would have direct benefits and advantages for the current holders of privilege in land ownership, *viz.* his [white] commercial farming constituency (at the time he made these comments, de Jager was a commercial farmer in Limpopo and Vice-President of Agri SA). In the context of patronage in Africa more generally, and elite capture of land processes more specifically (Hornby, 2014; Hall 2015; Cousins, 2013), one must ask who is most likely to become the black commercial farmer under the dispensation that De Jager advocates for. Surely it is most likely to be the political elite. Members of the political elite becoming more and more entrenched into the large-scale agricultural sector would serve to provide a buffer against popular opposition against De Jager’s and his constituency’s continued privileged place in the sector. His elite black neighbours would defend on his behalf, on a class basis, attempts to decrease farms size and he would be spared the influx of masses of people into his privileged space and would not have to deal with the ‘radical expectations of the poor’ as he describes it (De Jager:2015:126). He would no doubt rather have one or two large elite black neighbours around him than masses of people eking out an existence on his doorstep. This has happened with Black Economic Empowerment (BEE), where white capital has for the last two decades been roping in a few black capitalists and in this way have managed to hold onto the economy in ways that mass influxes into their enterprises would not have allowed them to. De Jager borders on deception and untruthfulness when he asserts that “[t]here is simply no commercial success story for any restitution farm from Cape Town to Musina....” (2015:122). Studies such as those by Aliber et al. (2013) and Walker (2008) have not only demonstrated successful projects but have also called for a more nuanced understanding of ‘success’ in the land reform context.

On the other hand, in contrast to views such as those of De Jager who champion the benefits of the large-scale commercial farming model, there are those who criticise the model. Aliber et al. (2013) point out that poverty reduction benefits are typically insignificant for claimants who attempt to engage in large scale capital intensive commercial farming due to the drain imposed by the large capital outlay required. They also question whether large-scale capital intensive projects are appropriate given that South Africa is facing a rural unemployment crisis. Furthermore, they argue that the commercial farming approach does not work because it fails to take local realities into account — such as the abilities and aspirations of rural dwellers — and because it results in land reform projects which are intrinsically unworkable and prone to collapse.

There have historically been numerous attempts to control and ‘modernise’ black agriculture. Among such attempts were the Tomlinson Commission in the 1950s, the betterment planning exercises, parastatal development corporations and farmer support programmes in the 1980s (Hall, 2015). Maintaining a similar mindset which prevailed in the earlier interventions above, the post-apartheid state has viewed large-scale commercial farming models as more desirable for the success of land reform projects, and the production and labour practices of prior white commercial farmers have been deemed more viable (Hall, 2015, Aliber et al., 2013). Aliber et al. (2013) make the point that while some policy documents embrace smallholder agriculture, the state’s preference for the large-scale commercial farming model has generally been implicit, “...subtly but powerfully evident in the ways in which land reform implementation systems are designed and deployed.”

Cousins (2015) makes the argument that instead of blindly pursuing a commercial agriculture model, agrarian reform in South Africa should involve the large-scale redistribution of both land and water to a nascent class of small-to-medium-scale market-oriented farmers who are able to engage in ‘agricultural accumulation from below’.

2.2 International trends

In looking at international experiences of implementing land reform programmes, clearly socio-political history and context makes each country case particularly complex and therefore unique. In seeking to learn lessons from the international arena therefore, some analysts have tended to group countries in terms of similarity of approach in their land reform efforts, such as those for example which have adopted a market-based approach as became prevalent internationally during the 1990s (Tilley, 2007). Others such as Borras (Tilley, 2007 citing Borras, 2000) look at the experiences of countries with similar approaches coupled with similar developmental trajectories. Borras’s work looks at agrarian reform efforts in Brazil, South Africa and Colombia and attempts to identify implications for other developing countries such as the Philippines. There has also been a focus on particular aspects of the work drawn from the international arena such as a focus on settlement support provision to reform beneficiaries (Tilley, 2007).

Since this research is concerned with the examination of the particularities of the trajectories of struggle and change in a local South African context, the discussion of international practices is brief and intended to give a broad sense of what international studies reveal about the extent to which access to land can improve incomes, quality of life and livelihoods, and also to look at shared experiences among new entrants to the agrarian landscape at deriving benefits through land reform processes. In the international comparisons available, these have tended to be discussions focussing to quite a large extent on post-settlement support, as Tilley (2007) demonstrates looking at this aspect as practiced in Australia, Zimbabwe, Mozambique, Brazil and the Philippines.

Studies of land reform elsewhere suggest that there is an intrinsic expectation that land reform necessarily ought to result in redistribution of income, an improvement in living conditions for the formerly landless and in food security (Liamzon, 1996) and moreover, must be pro-poor (Borras, 2007). Such studies also concede though that such impacts take a while to emerge and require intensive settlement support and capacity building for new landowners, including ongoing and meaningful interaction between new landowners and agencies which support them. Tilley (2007) emphasizes further the absolute necessity of land reform beneficiaries being provided with access to agricultural training, markets, credit, and technology warning that in the absence of these support mechanisms, the beneficiaries run the risk of sinking into poverty and indebtedness.

Studies of reform efforts in Chile have not revealed encouraging results for the historically displaced peasant communities as elites in that country have held onto privileges through a range of repressive tenancy arrangements and by virtue of their links to the state (Kay, 2002). Bellisario's (2006) work on the Chilean agrarian reform (1964–1973), and what he terms the "... 'partial' counter-agrarian reform (1974–1980)" which followed, confirms Kay's analysis of the struggles experienced to bring about agrarian reform. He documents and analyses the logic and changes these processes of agrarian change brought to Chile's property regime and to Chilean life. In Chile, the successful expropriation of the great estates of the hacienda landed property system was met with a capitalist 'partial' counter-reform and redistribution under the military. Although land expropriations and redistributions of approximately 59 per cent of Chile's agricultural farmland over different periods did benefit numerous peasant households, the subsequent 'partial' counter-reform processes and periods of military rule tended to benefit

a selected few with family farms who became independent agricultural producers and a large majority of people were "... torn from the land to become non-propertied proletarians in a rapidly modernizing but highly exclusionary agricultural sector" (2006:1). Similar protracted difficulties have been seen in Brazil (Sauer and Pereira Leite, 2011) and the Philippines (Borras, 2007).

Despite, the slow pace of pro-poor land reform in the countries referred to above, there are some positive reports of land reform programmes as well. A longitudinal panel study conducted by Kinsey in Zimbabwe, from the early 1980s to the late 1990s demonstrated a positive impact on livelihoods from land redistribution (Kinsey 2000, 2005 and PLAAS, 2006, cited in Hall, 2006). A World Bank study demonstrated a correlation between "... more equal distributions of land (a Gini co-efficient for land distribution) and average economic growth over time" (Hall, 2006 citing Binswanger et al. 1995 and Deininger 2006). These studies have been interpreted as providing support for the view that land reform can serve as an impetus for economic growth.

2.3 Technical and conceptual issues in determining livelihood impacts of land reform

A particular challenge emphasized in the literature in relation to the task of assessing the impact of land reform is that projects are generally new and a track record of achievements is usually not available to use as a baseline or make comparisons. This means that we may only fully understand the dynamics of livelihood benefits created among new beneficiaries in future years (Hall, 2007). Other key challenges identified in attempting to conduct post-settlement evaluation studies on livelihoods impacts include the absence of information on what the prior levels of income have been for persons who have gained opportunities through land reform to compare against, a lack of agreed indicators and a lack of longitudinal panel data (Hall, 2007).

The modalities of assessing the impact of land restitution on livelihoods involve numerous focus areas. Features which have to be tracked and measured include: the design and set-up of projects, the kinds of livelihood opportunities envisaged in business plans, how these are reinforced financially and institutionally through post-settlement support, and the dynamics that ensue (Hall, 2007). The examination of levels of post-settlement support in particular has emerged in studies such as Hall (2007) as holding important lessons about impacts on the

livelihood potential of land reform projects and these studies have recommended ways in which such support can be optimised for maximum livelihood benefits.

In developing indicators of livelihood impacts, the *Sustainable Livelihoods Framework* has been widely used internationally in academia and as a planning and evaluation tool by governments, non-governmental organisations (NGOs), consultants and donors (Hall, 2007). In order to be noteworthy, livelihoods of target groups must improve in a sustainable manner, i.e., the improved outcomes must endure, or improve further, over time (Hall, 2007). The dimensions of livelihoods and the interdependent relationship between dimensions of livelihood assets, or ‘capitals’ used by the United Nations Development Programme are: human capital (education and skills), social capital (relationships and networks), natural capital (land and water), financial capital (money and loans), physical capital (infrastructure and assets) and political capital (Hall, 2007).

Within the South African context and literature, there has been some engagement with the question of what would constitute core indicators of ‘success’ in land reform projects. The consensus is that this must surely go beyond questions of ‘the number of hectares transferred’ or ‘the number of beneficiaries involved’ to questions of *livelihood benefits generated*, in either qualitative or quantitative terms. These must necessarily be gleaned when assessing specific projects (Hall, 2007). The South African literature suggests that outcomes, or indicators, of sustainable livelihoods should include the following:

- More income (from marketed produce, wage employment), increased regularity of income, and more egalitarian distribution of income;
- Increased well-being in the form of improved access to clean drinking water and to sanitation, improved housing, ownership of household items, and access to fuel for cooking;
- Reduced vulnerability through improved access to social infrastructure such as schools and clinics and increased mobility;
- Improved food security (from self-provisioning and increased disposable cash income) resulting in improved nutritional status;
- More sustainable use of the natural resource base (Hall, 2007, citing Andrew et al. 2003, DLA 2003, and May and Roberts, 2000).

Importantly, in South Africa, notions of “multi-dimensional livelihoods” and ‘diversified livelihood strategies’ have been employed by scholars and this must be factored into any analysis of livelihood benefits from land reform (Hall, 2007).

2.4 Assessing the local

Aliber et al (2013:4) argue that while most land reform efforts in different locations around the country may have much in common due to South Africa’s land reform policy being fairly uniform, in assessing land reform and livelihoods (LRAL), the local context is important, both in terms both of how it functions and in order to better assess its potential. Walker has also argued along this vein suggesting that notwithstanding the fact that the land reform may have broadly fallen short of its original goals, for selected areas such as Cremin, KZN, the broad goals of the restitution programme – redress, reconstruction and reconciliation – have been largely met (Walker, 2008). Aliber et al (2013:4) argue further that the approach to determining success in the context of land reform and livelihoods is:

... largely qualitative, in the sense that the findings are less to do with determining by how many rand the average land reform beneficiary is better off than with identifying and understanding patterns of inclusion and exclusion, of satisfaction versus abandonment, of perceived progress versus regression.

Aliber et al (2013:4) argue that case studies, particularly if they consist of a reasonably large number of cases, make it possible to search for these “... patterns of inclusion and exclusion, of satisfaction versus abandonment, of perceived progress versus regression”. For Aliber et al (2013:4), they enable one to “... distinguish the idiosyncratic from the essential.” They stress also the importance of case studies being fortified by quantitative data of various kinds. Following on this approach of studying and assessing particular cases and contexts in their own right, this study attempts to examine whether the restitution programme has been successful in yet another local context, that of the identified Richmond farms.

2.5 How does one gauge the direct implications of land reform for livelihoods?

Aliber et al (2013:8) suggest that one strategy involves “... first and foremost an attempt to derive a qualitative understanding of how and why land reform involves and/or affects people

in different ways, and second an attempt at quantitative measurement, in particular of the economic significance of land reform for those it touches.” Aliber et al (2013:8) argue that the reason for giving primacy to the qualitative understanding is that in many land reform situations, the contrasts are quite stark. They cite as an example of the stark contrasts the fact that some people benefit a fair amount and others do not benefit at all and stress the importance of attempting to understand what determines this.

To achieve a qualitative understanding of the significance of land reform for livelihoods, the strategy employed by Aliber et al (2013:8) had the following three steps:

- (1) Tracing ‘project trajectories, which they define as “... typical ways in which land reform projects tend to change over time.” They argue that the way projects function has had a bearing on who is involved in land reform, whether or not they benefit, and in how they benefit. In terms of project types, they looked at three main types, namely, restitution projects and two types of redistribution projects, namely SLAG-based and LRAD-based. Alternative typologies may include single household projects, group projects and joint ventures.
- (2) Defining person types, which amounts to categorising the variety of different types of individuals affected by land reform: such as whether they are official beneficiaries or not or whether they are among government’s official target groups, or not. Their stated purpose in doing so is to account for the fact that people’s opportunities to be involved in land reform, and benefit from it, are conditioned by who they are, where they are from, what they need, and the skill sets and resources they bring with them.
- (3) Mapping the intersections of, and teasing out the interactions between, the project trajectories and person types.

2.6 Importance of the livelihoods perspective in the land and agrarian reform debate

The work by Aliber et al (2013:2-3) on the implications of land reform for livelihoods, has shed light on the importance of going beyond analysis of how to fix projects, to stressing the importance of understanding the consequences of the way projects are delivered, the pathways

and trajectories through which projects contribute to improved livelihoods, listening to the views of those directly affected as to how to achieve success and importantly, trying to introduce other criteria for what constitutes 'success'. Their study focussed on thirteen case studies of redistributive land reform in two Limpopo Districts. The study set out to evaluate how land reform has performed in relation to reducing poverty and the reasons for the outcome. The study also considered what could realistically be accomplished through the land reform programme. Their aim was to gauge the impact of land reform, and understand how and why impacts materialise or fail to materialise, in relation to different circumstances, distinct implementation approaches and diverse types of intended beneficiaries. In exploring the implications of land reform for livelihoods and for poverty reduction in particular, Aliber et al (2013) highlight the following three themes that relate (in different measure) to how the aims of land reform are conceptualised and its impact assessed:

'Viability' and 'success'

Under this theme, Aliber et al (2013:3-4) point out that since land reform seeks to provide opportunities to create or enhance livelihoods, what needs to be established is *who* or *what* determines what one of these livelihood opportunities should look like, and what benchmarks should be drawn upon to define 'success'.

They interrogate the practice of determining minimum thresholds that serve to determine whether particular opportunities can be considered 'viable', and question how criteria are arrived at and used to determine what the viability threshold is. They interrogate also the determination of the factors that must be taken into account to determine viability in a specific context?

Aliber et al.'s (2013) view is that there is a need to question the criteria for 'success', and examine whether policy-makers have been too rigid in determining what constitutes success in a particular instance. In offering a more nuanced approach to defining 'viability', they emphasize the need to determine a more reasonable expectation in relation to rate of success, questioning as an example, whether it should be in excess of what is regarded as normal for small businesses and whether it should also be determined in relation to the type of land reform activity.

The case of what has been called ‘Land Reform’s poster child holds some important lessons about timing and expectations about rates of success. The farm *Solms-Delta*, outside Franschhoek in the Western Cape, was hailed as a flagship land-reform wine farm, widely touted as a means of bringing marginalised people into the economy. However, in less than a year the project went into business rescue and in just twenty-two months after its public launch had liquidation proceedings instituted against it. It had been unable to pay its debts despite government’s injection of R65-million through the National Empowerment Fund which brought the workers share of landholding to 50%. It was founded as an owner-worker partnership by Neuroscientist, Professor Mark Solms and British businessman and philanthropist Richard Astor. The failure of the project was attributed to too much emphasis being placed on social responsibilities to the detriment of profitability. There was a drive on the part of Solms to enable workers to see benefits of ownership from the outset. Various educational, healthcare and recreational programmes were introduced for workers before the company reached profitability. The business model has been questioned as has government’s decision to invest money into the project at a time when government had been aware that Solms-Delta had been a loss-making business for the previous seven years and could have been deemed technically insolvent before government made its investment (Jordan, 2017, Merten, 2018). It appears that there is no escaping the long wait before benefits emerge, but within the broad discourse of land reform, the pressure to redress past losses, ensure sustainable livelihoods and provide security of tenure appear to be difficult to balance against popular expectations in relation to rates of success. Data on viability and rates of success from projects such as Solms-Delta are vitally important since, as Aliber et al (2013) point out, policies are often operationalised in ways that seek to ensure that particular definitions and characterisations of viability, with associated thresholds and benchmarks, are meant to be striven for by beneficiaries.

The literature is also replete with references to how often there have been adjustments to the land reform programme, and Aliber et al (2013) make the important point that the tweaking and adjustments to the programme over the last two decades can be understood as responses to changing perceptions of viability. The Government’s Proactive Land Acquisition Strategy (PLAS) is a case in point. The PLAS ushered in the ability on the part of the State to acquire land but allocate it to beneficiaries on a lease-to-purchase basis. In time this policy superseded the previous Land Redistribution for Agricultural Development (LRAD) grant program which was much more demand-led. This shift signalled government’s acknowledgement that it did

not make sense to give beneficiaries private ownership of land when such a high proportion of them had failed to make use of it. Inherent in this approach was that only those beneficiaries who, after short term leases were deemed successful, would be granted long-term leases (Aliber et al. 2013).

Cousins and Scoones (2009) also note that the notion of ‘viability’ has been a central theme in the land reform debates. In unpacking the critical elements related to ‘Viability’ in the land reform context, they note that the term ‘Viability’:

... is a key term in debates about land reform in southern Africa and beyond, and is used in relation to both individual projects and programmes. ‘Viability’ connotes ‘successful’ and ‘sustainable’ - but what is meant by viability in relation to land reform, and how have particular conceptions of viability informed state policies and planning approaches? More broadly, how have different notions of viability influenced the politics of land in recent years?

The questions which Cousins and Scoones (2009) raise in their interrogation of ‘viability’, particularly in relation to the relevance of small-scale, farming-based livelihoods, remain important in the quest to understand and determine what constitutes success of restored farms.

Change and adaptation is the second theme Aliber et al consider. They point out that land reform programmes operate in an environment characterised by numerous fluxes, such as changes in the agricultural sector, the macro-economy and in demographic trends. Given this, they ask how such fluxes affected land reform and what adjustments are required in order to accommodate these fluxes, or to compensate for them. Going further, they ask whether land reform, instead of being seen as simply reacting to changes in the broad environment, ought to be seen as a vehicle for altering the broader reality itself.

Some examples of this state of change-and-response which they offer include changes in large-scale commercial farming in the region, towards fewer, larger and more capitalised units, and in relation to this, they ask whether land reform should mimic this trend in order to succeed, or instead, compensate for the loss of farm jobs by creating opportunities for labour intensity elsewhere, or whether land reform should operate on such a scale that the dominant trend is diluted or halted, challenging the structure of the agricultural sector itself. Similarly, from a livelihoods perspective, Aliber et al (2013) question whether the object of land reform is to

diversify livelihoods to include land-based activities, or is it more strictly speaking to create ‘farmers’.

Under the third theme called *targeting*, they question who land is reform for, referring to the tension between need and opportunity. They argue that it is often felt that the ‘poorest of the poor’ are the most deserving but not necessarily the most able or qualified to make a success of opportunities created via land reform. Given this, they question whether the land reform programme attempts to assist different types of people in different ways (for example, according to their ‘potential’), or does it proceed without drawing any such distinctions at all. They point out that there are other contrasts to be drawn apart from poor/unable versus less-poor/more able, such as between women and men, between farm workers and farm dwellers versus others, and even rural versus urban.

Who benefits, and how?

Walker has drawn attention to some important features that were present in the cases that can be described as successful. In the Cremin restitution claim, the first to be settled in KZN, she notes that the reasons for success “... have more to do with the relative privilege and social cohesion of the claimants – members of that small rural elite known as the *amakholwa* (the (Christian) believers) – than with state policies and bureaucratic performance ...” (2008:28). She explains that among the important reasons for the claim’s success were that among the claimant communities, there was a high degree of internal social cohesion and effective leadership. The claimants possessed the means that enabled them to invest materially in their own institutions, during and after the claim, as well as in their agricultural enterprises. These qualities, for Walker, were important in shaping the outcome of the restitution process in the Cremin case (2008:77-78).

Prerequisites for success in land reform

The prerequisites for success in the literature (Walker, 2008) have been:

- effective leadership, which included characteristics such as a cohesive claimant group, as in the case of the Cremin claim which had NGO support as an enormous advantage. Cremin had AFRA workshopping various development issues and options for their return from quite early in the process (Walker, 2008:91-92);

- social cohesion: numerous cases have exposed the detrimental effects to progress of the lack of cohesion among claimants, such as how deep fault lines among claimants involved in the claim pertaining to the Eastern shores of Lake St Lucia, where claimants wrangled over issues such as historical ownership of the land under claim and future use of the land post-restitution (Walker, 2008:28);
- relatively smaller group size;
- resources which claimants themselves were able to provide such as farming capital inputs towards seeds, labour, fencing and cattle purchases, this made possible by other established livelihood strategies such as salaried employment;
- timing, for the Cremin claim in particular given that it took on a ‘test case’ status and was the subject of intense scrutiny amidst the euphoria in the early days of the land reform process (Walker, 2008).

2.7 What has the land reform programme achieved in terms of livelihood benefits?

The small body of literature pertaining to the South African context which is emerging includes quantitative and qualitative studies, including a small number of qualitative case studies. For Hall (2007), as these diagnostic studies emerge, it is important to begin to chart ways of thinking about and planning for livelihoods.

Aliber and Cousins (2013) carried out a *Livelihoods after Land Reform (LaLR)* study between 2007 and 2009. The study sought to understand the livelihood and poverty reduction outcomes of land reform in three countries, viz. South Africa, Namibia and Zimbabwe. They have argued that a fundamental problem affecting land reform in both South Africa and Namibia is the uncritical application of the Large-Scale Commercial Farming (LSCF) model, which has led to unworkable project design and/or projects that are irrelevant to the circumstances of the rural poor. Nevertheless, some ‘beneficiaries’ have experienced modest improvements in their livelihoods, often through abandoning or amending official project plans.

Neves (2017), examining rural livelihoods in communal areas, investigated which households strengthen their livelihoods over time, which do not and what factors generate these varied outcomes. He stresses that rural households have synergies with resources derived from the

formal sector and urban employment. Given this, Neves argues that the plurality and diversification of rural livelihoods must be recognised in rural development interventions.

The Quality of Life (QOL) surveys commissioned by the Department of Land Affairs (DLA) since 1998 have attempted to evaluate the impact of land reform on the livelihoods of land reform beneficiaries (DLA, 2003, cited in Hall, 2007). The first of the surveys, conducted in 1997-98, was not considered representative or sufficiently rigorous (Lahiff et al., 2003, cited in Hall, 2007). The second found widespread underutilisation of land. Beneficiary households were found to be at alarmingly high levels of poverty. It was conceded that with the assessment being conducted shortly after the transfer of land, the findings were more a reflection of the position of beneficiaries at the time they joined the project. The key findings of the second QOL survey were:

Sixty-three percent of beneficiary households received some form of waged income. Just under 20% of beneficiary households received an income from both agricultural production and self-employment activities. Thirty-eight percent of households were deriving income either from the sale or own consumption of agriculture and livestock, while 62% were not deriving income at all, indicating that livelihood impacts may be very unequal across households, even within the same project. The average household income from agricultural activities for the total sample was R1 146 per annum (Hall, 2007, citing May and Roberts, 2000:15).

The most common land uses were the extension of existing livestock herds and maize production for household consumption, considered to be two important inputs into the livelihoods of poor and vulnerable households. Beneficiaries were selling some of their produce in local markets, similar to practices of subsistence producers generally in South Africa. The study found that land reform beneficiaries were better off than the rural population on average, but failed to demonstrate whether or not this was as a result of their improved access to land – or whether this correlation was due to the better off being more likely to be able to access the programme (May and Roberts 2000, cited in Hall, 2007).

The third QOL survey, while not having been officially released due to having experienced methodological problems, nevertheless provided important recommendations for future impact analysis, including that the DLA needs to collect baseline information on the quality of life of beneficiaries prior to the transfer of land, that the DLA should produce QOL reports on an annual basis using a standard set of survey instruments to reflect the impact of land reform over

time, including all resources made available to beneficiaries and that the QOL survey should be extended to include a control group of rural households and communities that have not benefited from land reform to enable comparisons (DLA 2003, cited in Hall, 2007).

The key methodological dilemmas in relation to the QOL studies for Hall (2007) are as follows:

The QOL studies have shown that those who are richer are more likely to have cattle – but are they richer because they have cattle, or do they have cattle because they are richer? Those in the programme are better off than the rural population as a whole – but are they better off because they are land reform beneficiaries or did they manage to become land reform beneficiaries because they are better off? Redistribution policy, unlike restitution policy, is premised on the presumption that the presence of an own contribution can have a positive impact, but this proposition has not been empirically tested. As Murray observed in the Free State, those who are best placed to participate in the land reform programme, and predominated in an early study of land reform, were those who were literate, had their own disposable resources with which to pursue their applications, had access to telecommunications, transport and officialdom, and had social and political networks (Murray 1997, cited in Hall, 2007:5).

There remain therefore both technical and conceptual challenges in determining livelihood impacts within the context of South Africa's land reform programme. Despite the contributions of the various studies, writers such as Hall (2007) remind us of just how complex the process is:

Existing data from the QOL studies on the livelihoods of land reform beneficiaries demonstrate important correlations, but on the whole fail to demonstrate causal relations that tell us something about the ability of land reform to improve people's livelihoods and lift them out of poverty. In the absence of baseline data – a profile of people entering the programme – subsequent surveys can only provide a snapshot of people's livelihoods, but cannot explain how these have changed as a result of land reform. In addition to the 'before' and 'after' dimension, few, if any, studies have attempted to disentangle or even adequately conceptualise on-project livelihoods in relation to people's overall livelihood strategies – how land reform is one input into wider livelihood strategies – or to theorise the relationship between the two. As a result, impact studies, which would investigate changes over time and determine whether these can be attributed to land reform, have not been possible (Hall, 2007:5).

Available literature also includes studies based mainly on statistical analyses, such as May et al. (2008) and Valente (2011). The study by May et al. (2008) is considered one of the more notable studies and is deemed to have succeeded at measuring the impact of land reform. The study was a Department of Land Affairs (DLA) national household survey of land reform

beneficiaries and found that beneficiaries earned R100 more per year than comparable non-beneficiaries (May et al. 2008, cited in Aliber et al, 2013:12). However, again methodological dilemmas arise. For example, it is argued that such measurement-focused studies tend to shed little light on what accounts for the outcomes, nor do they illustrate how to redesign land reform in order to improve the outcomes discovered (Aliber et al, 2013:8). Studies by Lahiff et al. (2008) and Aliber et al. (2010), undertaken in the land reform and livelihoods mode, have focussed in-depth on the nuances and particularities of local claims and have produced important insights, as has Walker's (2008) work on numerous local claims and are discussed further below.

The Community Agency for Social Enquiry (CASE) survey conducted in 2005 and 2006 is considered one of the most important sources of qualitative information on the outcomes of rural restitution claims involving land restoration. These examined a series of provincial reports on rural restitution claims, the bulk of which had been already settled. One of the study's main findings was:

Of the 128 projects with agricultural developmental aims, 83% have not achieved these developmental aims. Approximately nine percent (12) have partially achieved their agricultural development aims but are not generating any income. A further 5% have partially achieved their agricultural development aims and are generating income. However, these five percent of projects are not making a profit and are not sustainable yet (Aliber et al. 2013:26-27, citing CASE 2006).

The CASE audit found a strong correlation between the degree of support – from state and non-governmental institutions – and the livelihood outcomes of a project (Hall, 2007). Key elements deemed essential for success for the authors include thorough facilitation of decision-making by the community on questions of land use and management and the establishment of appropriate sub-structures to manage land allocation and land use.

A widespread problem found was the reliance (of communal property associations (CPAs) and Trust committees) on representatives who might be skilled but unaccountable, or who may pursue individual rather than collective interests. Extensive reliance on volunteerism and the

demands of time posed substantial barriers to entry into decision-making positions. Women, in particular, are often unwilling to take on positions of leadership or face substantial obstacles to doing so.

Importantly, this research also identified the following variables that influence livelihood outcomes:

- *strong and accountable leadership*: the study concluded that communities with skilled and experienced leaders were more likely to attain their developmental goals and were also more likely to establish positive relationships with external service providers and/or partners (CASE 2006:99, cited in Hall, 2007). The study conceded however that the Regional Land Claims Commission (RLCC) and the Department of Land Affairs (DLA) have limited control over this variable;
- *strong participation by members of claimant communities in decision making*: this was another factor cited as promoting positive livelihood outcomes. The creation of relevant sub-committees or institutional structures with specific areas of authority and responsibility for ‘day-to-day management’ was found to increase participation in and benefits from productive activities (CASE 2006:99, cited in Hall, 2007).

The study recommended that meaningful community decision-making processes must be supported by the state, particularly where large groups of people are involved in projects. Where strategic partnerships and ‘special purpose vehicles’ were considered to manage commercial enterprises in cases where beneficiaries lacked the resources and management expertise to continue with existing operations, CASE stressed the importance of engaging beneficiaries meaningfully on all available options, as well as in the modalities and implications of entering into partnerships. Importantly, monitoring mechanisms and clear conditions for such strategic partnerships were crucial to beneficiaries deriving livelihood improvements from these arrangements (CASE, 2006, cited in Hall, 2007).

Most studies have also made attempts to identify factors that affect land reform projects negatively. The CASE study found that the sustainability of restitution projects is affected by a number of constraints. These include the general lack of attainment of developmental goals,

particularly in agriculture (which includes the majority of the projects) and tourism, coupled with skills shortages (and lack of training), financial constraints, the absence of long-term planning, inadequate access to infrastructure, conflicts within communities (and the absence of conflict resolution strategies), and ineffective communication between beneficiaries and the relevant Regional Land Claims Commission (RLCC) offices coupled with capacity constraints in the RLCC offices. The CASE study concludes that all of these impediments indicate that sustainability is unlikely. For the authors of the study, training and skills development in particular must be addressed to attain sustainability.

A further factor identified that may negatively affect sustainability, if not addressed, is the lack of emphasis on inter-generational skills transfer and the related 'generational gaps' with regard to commitments and understanding of land reform. While some communities currently have qualified and committed leaders, a potential 'new generation' of skilled and committed leaders does not appear to be emerging (Walker, 2008:210-211, citing CASE, 2006).

In a similar vein to other studies, the DLA Land Redistribution for Agricultural Development (LRAD) case studies attempted to uncover why projects failed to take off. The LRAD case studies involved a national 'rapid systematic assessment survey' on LRAD projects and were conducted by the DLA in 2004. This study investigated land use and livelihood impacts on LRAD projects, most of which had been established within the previous two years. Fieldwork for this survey comprised qualitative case studies conducted in nine projects in the Eastern Cape (Hall, 2007 citing Hall, 2004). The study's findings revealed that group-based projects had failed and envisaged livelihood improvements had not materialised due to a lack of infrastructure, training and capital, lack of available water, capital and extension advice to assist in new production and a lack of ready access to local markets. Cost of transport was a significant barrier (Hall, 2007, citing Hall 2004).

In projects involving individual farmers, the main impediments to securing livelihoods improvements were high input costs, little if any extension services, insecure market access and, in some cases, crippling debt. These beneficiaries were hiring labour and diversifying their own livelihood sources by investing in other income streams. The dominant non-farm income sources for beneficiaries in this study were small informal urban businesses, such as taxi businesses and spaza shops, which tended to outweigh the contribution of farming to livelihoods, at least in the initial few years (Hall, 2007 citing Hall, 2004).

2.7.1 National Treasury District Studies

A set of District studies on the impact of land reform were commissioned by the National Treasury in 2005 and were conducted in the Elliot area of the Eastern Cape (Aliber et al. 2006, cited in Hall, 2007); in the Theewaterskloof Local Municipality in the Western Cape (Kleinbooi et al. 2006, cited in Hall, 2007) and at Maluti-a-Phofung in the Free State (Greenberg 2006, cited in Hall, 2007).

For Hall (2007) these studies were significant:

Most studies on land reform in South Africa to date have taken the form of project case studies, household surveys or policy reviews. The key contribution from these studies is to shift attention away from production to the wider distributional effects of land reform – and in so doing, to explore the economic case for land reform. Their findings suggest that in regions where few land reform projects have been established, the impact has been limited. Transferring economic resources into the hands of poorer producers has had little if any noticeable effects on the dynamics of the local economy. In the short term, the major impacts have been the displacement of farm labour, as new owners tend to rely to a greater extent on unremunerated family labour (Hall, 2007:7).

Research conducted in the commercial farming areas of Elliot found a drop in production alongside modest improvements in the livelihoods of those who now own and work the land (Hall, 2007 citing Aliber et al. 2006). In this area, where land reform is relatively advanced, the study recommended that a focus on the livelihood impact of land reform must cover both the situation of the direct beneficiaries gaining access to land and livelihood resources, as well as gaining a better understanding of the wider impact of land reform on local economies. The latter, the study pointed out, is not yet feasible in many other parts of the country where land reform is at much earlier stages. The important contribution made by the study is that such broad impact assessments draw attention to the implications of land reform for the livelihoods of those who are not direct beneficiaries, including current and former employees on redistributed and restored land, and the wider population (Hall, 2007 citing Aliber et al., 2006).

In Theewaterskloof, where no land restitution had taken place but rather other forms of beneficiary inclusion such as farm worker equity schemes and tenure projects for farm workers, the land reform had made modest contributions to livelihoods, mainly in the form of improving quality of or tenure rights to housing on farms (Hall, 2007, citing Kleinbooi et al., 2006).

At Maluti-a-Phofung in the Free State, Hall (2007, citing Greenberg 2006) reports that redistribution of land had allowed the growth of herds of cattle and, in this way, supported accumulation by some beneficiary households. The attainment of greater livelihoods benefits was prevented by such factors as problems relating to debt, escalating costs relating to production and farming support services.

2.7.2 Sustainable Development Consortium diagnostic studies of six community restitution claims settled by means of land restoration

The series of Diagnostic Studies prepared as part of the Sustainable Development Consortium's (SDC) work on post-settlement support focussed on the structure of the projects, how certain key choices came to be made, and what implications these had for the livelihoods of intended beneficiaries. Most of these projects were still at an early state of implementation, and very limited data were available on benefits, at either a community or a household level. Wherever possible, the study attempted to quantify the impact on livelihoods, but in most instances this was not possible due to data constraints (Hall, 2007:9).

At Bjatladi in Limpopo, which involves a restitution claim on the Zebediela citrus farm, the study noted that the project resulted in very little livelihood benefit for the beneficiaries due to the activities of the strategic partner being prioritised over the wider land needs of the community, such as land for housing and for small-scale food production (Hall, 2007 citing Bjatladi Diagnostic Study:24).

At Klipgat in the North West, the claimed land was leased out to a mining company extracting alluvial diamonds but the community were unaware of the obligations of the mining company and whether these were being honoured. The community was found not to be realising their full livelihood potential from the arrangement due to not having sufficient information and understanding of the agreements they or their representatives had entered into, a dysfunctional CPA committee and a lack of effective support and follow-up from the RLCC and other branches of government (Hall, 2007, citing Bakwena ba Mare a Phogolo Diagnostic Study:18).

The Dwesa-Cwebe case study demonstrated several interesting phenomena. It revealed that land reform is happening in a dynamic context where the pressures of HIV/Aids and the loss

of remittance incomes are already causing changes in livelihood strategies. It also showed that ownership is not a sufficient condition for livelihood benefits, especially in settings that restrict and prescribe the use of the land preventing claimants from conducting activities such as cultivation or grazing and preventing claimants from transacting in order to secure a stream of revenue. This case clearly illustrates the need for development of a comprehensive strategy for livelihoods development in the context of restitution which should be accompanied by close attention to detail at all stages of the implementation process (Hall, 2007, citing Palmer et al., 2006).

The eMpangisweni case study in KwaZulu-Natal found beneficiaries deriving benefit mainly from employment as wage workers on the commercial farms which continued to operate and from the use of land allocated to households for grazing and cultivating food crops. The wider livelihood needs of the claimants were found to be pursued largely in an ad hoc and unplanned way and the study found that no needs assessment of the claimants has been conducted to determine what broader development plan would be put in place to support the aspects of the project that fell outside the commercial operation that was taking place on a portion of the land (Hall, 2007, citing eMapangiswene Diagnostic Study:12).

The Groenfontein case study demonstrated that the absence of both post-transfer support and of presettlement planning led to the failure of this project to generate any livelihood improvements for claimants in the first three years after settlement. Instead, claimants pursued the lowest risk option of leasing out their land, first to the former owner, and later to a small group of its better off members. This resulted in a small income stream to the Trust, but no tangible benefit for claimants. The lack of a clear post-settlement strategy on the part of the RLCC had not only prevented the community from moving ahead with their plans, but has been an obstacle in obtaining support from other government agencies, such as the provincial Department of Agriculture and the local municipality (Hall, 2007, citing Groenfontein Diagnostic Study).

The conclusion drawn from the *Sustainable Development Consortium* diagnostic case studies was that the majority of beneficiaries across all the restitution projects have received no material benefit whatsoever from restitution, whether in the form of cash income or access to land. Those beneficiaries who had benefitted tended to be more educated and male.

Factors deemed to be preventing beneficiaries from realising livelihood benefits found in the study include:

- (i) Dysfunctional legal entities such as Communal Property Associations (CPAs) or Communal Property Trusts (CPTs), many of which are not passing income to members. This is challenge recognised as early as 1998 by the then Department of Land Affairs which conceded that many land reform projects were struggling as a result of the different kinds of Communal Property Institutions created after 1994 to take ownership of farms were not fulfilling expectations (Hornby, Kingwill, Roysten and Cousins, 2017);
- (ii) Failure of post-transfer support for independent production by claimants. This has tended to result in claimants tending to engage in a strategy of ‘straddling’ (Hall, 2007:16). In practice, claimants run two separate households. They maintain their existing households and livelihoods, and operate to and fro between their old and newly acquired sites (Hall, 2007, citing Andrew et al. 2003). While conceding that this may improve the livelihoods of beneficiaries, the authors also characterise this practice as essentially a strategy of desperation which drains scarce resources. However, when seen across the spectrum of restitution cases, this really tends to be the default position of most claimants, who, unwilling to forego their previous hard-won livelihood acquisitions, tentatively reach out to the new prospects while clinging on to the security of the known;
- (iii) Claims are settled and land is transferred without clear post-settlement plans and institutional commitments in place which leads to uncertainty. Even where plans are developed, the non-implementation of development plans is widespread and is one reason why the livelihoods of beneficiaries do not improve. There is also a powerful impetus towards joint activities in land reform projects involving large numbers of beneficiaries, and this is frequently fraught with tensions among beneficiaries which leads to failure of productive activities. There appears to be a lack of fit between the vision often evident in business plans of ‘farming’ and particularly ‘farming as a business’, and the realities facing beneficiaries at project inception. There is a view that direct access to land to allow beneficiaries to graze their own livestock and to cultivate individual fields for their own benefit – even where this is alongside commercial

production – is the most secure source of improved livelihoods. This is countered by restitution project planning which is often driven by an emphasis on minimising changes in the use of the land, rather than maximising the change in the livelihoods of beneficiaries;

- (iv) Business planning has tended to focus on agricultural potential (addressing the question ‘*what is the land good for?*’), and relatively little on the production environment – the range of accessible markets, available skills, assets and capital of beneficiaries (addressing the question, ‘*what kinds of land uses or enterprises will work, given this context?*’). The case studies indicate that attempts to regulate land use through business plans have been largely unsuccessful in land reform;
- (v) A common feature of the case studies is that socio-economic differences within claimant communities – in terms of ownership of livestock and access to off-farm sources of income – have been reinforced.

The Sustainable Development Consortium diagnostic studies make the following recommendations:

- New ways of thinking about (and planning for) livelihoods are now needed, and of particular importance is the need to find ‘fit’ between *project design* and the *profiles of participants*;
- Planning must consider not only the agricultural potential but also the production environment;
- Profile participants’ socio-economic status and resource base;
- Prioritise land use and settlement planning in the pre-settlement phase;
- Identify a lead agency to implement each settlement agreement;
- Differentiate between ownership, management and use;
- There is a need to be more vigilant about strategic partnerships entered into;
- Options for direct access to land for livelihood purposes should be prioritised.

A study of four restitution projects in Limpopo where land was restored produced findings not dissimilar to the CASE study referred to earlier (Walker, 2008, citing CASE, 2006), but

contextualises them differently. This study, by Aliber et al (2008) revealed, ‘a rich tableau of complex and contrasting experiences’ in which, overall, only a handful of claimant households had taken up the opportunity to return to the land to farm it extensively, with a somewhat larger proportion deriving supplementary benefits through ‘own-consumption’ of food grown in small garden plots. One of the four projects was being targeted primarily for residential purposes, including by non-claimants who were settling on the land with the permission of the local traditional leader.

The analysis by Aliber et. al. (2008) expresses optimism over the choices made by beneficiaries but expresses scepticism about the efficacy of top-down state development plans. They also make the point that not all claimants necessarily have a particularly strong demand for land, whether for settlement or production. Claimants are eager to see their claims settled and have a keen interest in drawing material benefits from the restored land but not all beneficiaries are necessarily certain about what their future use of the restored land will be. This is a point that must be borne in mind by policy makers, who generally expect rural restitution beneficiaries to enter into agriculture on some scale (Walker, 2008:2011, citing Aliber et al, 2007).

2.8 What has the process achieved in terms of social justice and redress?

Walker’s case studies reveal that:

... the extent to which official settlements have succeeded in bringing closure on the past varies widely, not only across claims but among beneficiaries within the same claim settlement as well. Simplistic notions of a unitary ‘community’ as the social basis of group claims, so prevalent in both state and civil society talk, frequently obscure the very different interests and experiences of the individual members of these groups. The measurement of success is in any case rarely a constant in the post-settlement period: it tends to fluctuate in relation to the unfolding of other circumstances in beneficiaries’ lives. There are indications that where restitution has not resulted in – or coincided with – significant improvements in the material conditions of claimants’ lives, the sense of closure on the past that the programme was meant to bring is likely to be weak and susceptible to further review and re-interpretation. This ... may have a generational dimension as the children of claimants take stock of where they stand in relation to the restitution settlement that their parents accepted. While the literature on the limitations of redress tends to focus on cases where the settlement has involved financial compensation, disillusionment and the re-opening of old wounds may occur where land has been restored as well (Walker, 2008:23-24).

The above considerations have introduced the need to engage with and interrogate the limits to land reform. Available case-study evidence suggests that the take-up by claimants of the opportunity to resettle on or use their land has been very uneven. Moreover, land returned has been used for a variety of purposes other than farming and in some cases, the land has remained unused. Restored land has also at times been taken over by non-claimants. (Walker, 2008:210, citing Aliber et al, 2007 and James, 2006).

2.9 Accepting the limits to land reform

There is continuing debate on the importance of land reform in efforts to reduce poverty and inequality. For some analysts, land reform is key to addressing the current levels of poverty and inequality through addressing the spatially skewed nature of South Africa's rural and urban landscape. Others assert that its role in poverty reduction is necessarily limited in an economy in which agriculture makes a limited contribution to GDP and employment, and in a society that is increasingly urban in character (PLAAS, 2016). This view suggests that post-1994 aspirations among South Africans regarding land have been "... extraordinarily ambitious ... [yet] ultimately unrealistic given the limited material and human resources on which it has had to rely" (James, 2007:1-2). James (2007:2) writes: "An eagerly-anticipated future is built upon unrealised ambitions in the present and fuelled by longer memories of injustice which demand redress." In the same vein, Walker (2008:232) has argued that there must be engagement with "... land reform's limits and [better understanding of] the relationship between land, rural development, urbanisation, economic growth and wealth creation today." She points out that there are limits to what land reform can achieve, arguing that even a successful programme of land reform "... will at best provide only some of the material conditions for the generalised emancipation from oppression and poverty ..." (Walker, 2008:232).

Therefore, in attempting to conduct a fair and balanced assessment of the programme to date, the first thing to acknowledge is that, while the programme itself may have fallen short of expectations, broad land reform should be seen, as Walker describes it, as "... an on-going, open-ended and ultimately inconclusive process that cannot deliver all that is asked" (2008:229). The notion that large-scale commercial farming constitutes the only yardstick for measuring agricultural development is therefore not useful (Cousins and Walker, 2015). Moreover, land and other policies, such as environmental policies, must evolve in tandem with

each other (Cousins and Walker, 2015), and here one can make the same argument for economic development policies.

Walker (2008:235-236) concedes that judged against the initial ambitions for the programme, the task has certainly been too big. The programme has not succeeded in achieving what it was set up to do. In terms of historical reach, developmental impact, contribution to national reconciliation, significance for rural land reform, the programme has fallen short of what was hoped for.

Nevertheless, when a more nuanced assessment is done which takes note of the various types of outcomes across the range of cases that have been settled to date, and one considers the reach of the programme regionally, one begins to see more of a mixed picture of both high and low points when the programme is evaluated in a disaggregated way (Walker, 2008:235-236).

2.10 Way forward – proposals for making land reform work for better livelihood outcomes

In the current context of national and global structural continuities generally, and in the face of global agrarian dynamics in particular, what are the possibilities and prospects for enhanced livelihoods for restitution beneficiaries from their restored land? If the task has been, and still is, simply too intractable, how do we navigate the assumptions and expectations that have led to the current dissatisfaction with progress in resolving the ‘Land Question’ to date?

Cousins and Walker (2015:150) have issued the incisive reminder that we are designing a land reform programme for the twenty-first rather than the twentieth century. What does this mean?

Firstly, it means that we need to take *a realistic view of the potential of agriculture* in addressing problems of rural poverty in South Africa today. In judging the interest in agriculture, we should bear in mind that by 1999, “... over half the South African population was classified as urban, and the trend of rural de-agrarianisation appeared impervious to earnest policy plans for rural development” (Walker, 2008:15-16). Hence, while acknowledging the shortcomings in the manner of implementation of the land reform programme, it nevertheless appears more and more evident that land reform cannot adequately provide reparation for the legacies of past land dispossession, nor tackle systemic rural poverty and inequality effectively

on its own (Cousins and Walker, 2015:150). The demand for land justice should not overshadow other interventions also urgently needed, such as investment in education, health, infrastructure and other services in rural areas (Cousins and Walker (2015:150).

Walker (2008) has eloquently pointed out the complexities of the current socio-economic context that restitution projects have to contend with. She describes, for example, the various dynamics and forces at play in the post-restitution rebuilding of Cremin. Firstly, the rebuilding is taking place in a profoundly different era from the one in which Cremin was originally founded and Walker lists the various threats to the projects continued cohesion:

- different households, as well as individual members within beneficiary households, are straddling the rural-urban interface in different ways. For example, young people are generally less receptive to returning to a rural way of life and to farming as an economic mainstay and the prospect for recreating the agrarian community aspired to by the earlier generations of landowners looks less certain;
- the relative unity that defined the landowners as a community in struggle can be expected to come under increased pressure as landowning families respond differently over time to the opportunities and threats of landownership in the early twenty-first century seeing land not only as a social and economic resource, but also as a liability and a disposable asset;
- those back on the land are confronted with many challenges in trying to make a living out of farming in the contemporary era, and whatever economic benefits have accrued to the claimants have been modest and of their own making;
- there is a strong likelihood that new landowners will face increased pressure from tenancy relationships as well as from informal occupation of unutilised land;
- Walker reminds us that for some claimants, the past land losses were losses of an “... environment which framed a particular understanding of both livelihoods and social identity” (2008:141) and this becomes juxtaposed with the current land reform process which is impinged upon by new social and economic forces and new demands (Walker, 2008:141).

Other factors which militate against the farming sector being a panacea for South Africa's many challenges (economic and otherwise) include population growth which places strain on available resources. At the same time, there is greater capital intensity in crucial branches of the economy, including in farming.

Walker (2008) concludes that these complexities speak to the open-ended and multi-layered nature of the restitution process.

2.11 Suggestions for improving the land restitution process

Firstly, an important argument in the literature is that the state in particular should lead the drive to infuse a sense of *pragmatism* and *reasonableness* into the land reform agenda. When the State, in 2014, amended the Restitution of Land Rights Amendment Act, Act 22 of 1994 and reopened the deadline within which claims could be lodged to mid-2019, the State's own projections in respect of numbers, budgets and the amount of time needed to finalise settlements appeared to continue the trajectory of pursuing unattainable targets, and pointed to state institutional failures to engage with the lessons from the first 20 years of the restitution programme (Walker, 2015). Cousins (2015:253) had warned that the reopening of the deadline within which claims could be lodged to mid-2019 would have placed a heavy drain on the already strained land reform budget and concluded that the new process made possible by the amendment would have collapsed the already struggling restitution programme. In July 2016 the Constitutional Court ruled that the Amendment Act was invalid due to Parliament's failure to facilitate adequate public consultation on the Act.

Analysts have pointed out that for the programme to work, policy must be enabling. Hall (2015) and others have suggested that what outcomes land reform should produce is unclear in policy and has in fact been overlooked in policy (cited in Cousins and Walker, 2015:10). For Hall (2015:144), "... there should be wider change in economic policy so that land redistribution does not remain on the margins. This requires joint policy-making regarding ways to broaden ownership and control of the agro-food system by the Ministries responsible for Trade and Industry, Economic Development and Land Reform."

Secondly, there is a need for new ideas and approaches that will be workable in practice and provide long-term solutions (Cousins and Walker, 2015:16). Along this vein, numerous writers have stressed the importance of *alternatives to land-based livelihoods* (Walker, 2015). Cousins (2015) has proposed, for example, that land be redistributed to a class of small-to medium-scale market-oriented farmers willing and able to engage in ‘agricultural accumulation from below’. This, he argues, would constitute a sizeable minority of the rural population, comprising around 200,000 households. Alternative scenarios include acceptance of the Multiple Livelihood Strategies (MLS) approach. For example, while successful claimants at Cremin managed to overcome challenges to regain their land, they nevertheless also had to re-mobilise their own resources to take advantage of the opportunities of post-apartheid reconstruction. Some retained homes in the townships. Not all who had built houses at Cremin were living there permanently and, for those living at Cremin permanently, farming is not the primary source of income: retired teachers draw pensions, for example. This is confirmed by Colin Murray’s study wherein he has described similar processes in the mid-1990s in the eastern Free State, where the most successful small black farmers, although able to capitalise on the land reform programme, tended not to be fulltime farmers but instead, had external sources of income that enabled them to invest in the land (Walker, 2008:98, citing Murray, 1996).

For the future, environmental climatic factors will be an important consideration. Cousins and Walker (2015:2) remind us further that we need to think about land holistically, in relation to both shifting rural and urban divides and significant economic and ecological challenges that have both local and global dimensions. The contemporary context for land reform therefore, spans the social, economic and environmental domains (Cousins and Walker, 2015:2).

There are nearly ten times more people in the country today than there were at the start of the twentieth century, and in addition, their distribution and density have undergone changes (Hoffman, 2015). Communal land is among the most degraded land in the country, as evidenced by high levels of erosion, general loss of quality vegetation cover and high incidence of alien plant infestation (Hoffman, 2015). Rates of degradation increase as a result of poor governance, lack of state support and continued inappropriate land-use practices including high stocking rates (Hoffman, 2015:57). Apart from patterns of land use affecting the environment and diminishing its potential, climate also influences how much benefit can be derived from the land, and Hoffman (2015:57) points out that across southern Africa, significant changes

have occurred in terms of rainfall, temperature and atmospheric greenhouse gas concentrations. These impacts caused by global factors are likely to continue in the century ahead. The state and land-users therefore need to plan in response to how global drivers of climate change will impact upon agricultural potential. Land reform initiatives should therefore be accompanied by good monitoring programmes - not only of agricultural efficiencies and successes but also of global environmental impacts (Hoffman, 2015). The state has a critical role to play in influencing land-use practices and their impacts, e.g. in areas such as stock reduction schemes, investment in proper farm planning, farmer education programmes, and programmes such as the Working for Water programme (removal of alien vegetation) Hoffman (2015).

Thirdly, while there is no question of the significance of beneficiaries receiving back valuable land assets, they cannot be left in a situation where the cost of maintaining the land is so onerous that they have few resources left over for production. Hall argues further that even without these costs, they would still struggle to make a profit for the other reasons already stated, such as access to markets and debt burdens incurred as a result of start-up costs. The multiple obstacles to profitable agricultural production, if unattended will no doubt pose a perpetual constraint on livelihood improvements (Hall, 2007 citing Hall, 2004). Therefore, support must be enhanced and this must take various forms, including:

- institutional and management support for beneficiaries;
- dispute resolution services for communal property associations and other legal entities;
- basic land-use and farming support such as fencing, bush clearing, water pumps, tractor services, extension advice and training to beneficiaries (Hall, 2015:143-144).

2.12 Addressing gaps in the existing literature

Numerous analysts have drawn attention to the immense complexity and difficulty involved in assessing the success of land reform. Compounding this is the absence of reliable national data on many aspects of the land issue (Cousins, 2018). While interest in the land question remains extremely high, contributions to the public debate are not always informed by evidence. Kepe and Hall (2018) have argued that recent developments in party politics in South Africa, notably the emergence of a challenge to the ruling party from the left by the Economic Freedom Fighters (EFF), has prompted more radical rhetoric but has been short on innovation on the land question:

Both the ruling party and its challenger from the political left have contracted complex debates about land into short slogans, with minimal if any detail, and have shown little interest in who gets the land, what rights they have and how they use it. The EFF has hardly seen fit to engage with the detail of land reform policy or implementation. Instead, it has ramped up the political discourse around land – as symbol, as identity and as citizenship (Kepe and Hall, 2018:129).

The particular methodological dilemmas in relation to measuring the success of land reform have been highlighted earlier in this chapter. Within the literature, there is constant reference to the need for data based on in-depth, comparative research on the restitution dynamics and broader social relationships of particular land beneficiary communities (Walker, 2008:95).

Furthermore, an important challenge for the land reform agenda in South Africa is to develop viable ways of increasing the pace of land reform in order to meaningfully transform the racialized pattern of ownership of productive land and reconfigure the agrarian structure dominated by large commercial farms (O’Laughlin et al. 2013). Empirical data based on assessments and analysis of small-scale land reform projects in different locales is critical to this process.

2.13 Conclusion

Overwhelmingly, studies on livelihoods impacts of land reform have found that settled claims are generally failing to deliver significant benefits of any sort to claimants. This gap between the ambitious promise of settlement agreements and the reality on the ground has been attributed by Lahiff (2007:1) to a range of factors, and the central issues can be summarised as follows:

- inadequate or unrealistic planning at the time of settlement;
- little or no assessment of the needs (or capacities) of claimants; lack of skills and capital on the part of claimants;
- slow release of grants from the regional offices of the Commission on Restitution of Land Rights (CRLR) and other government bodies;
- lack of post-settlement support by the CRLR; and
- difficulties accessing a range of state support services, most notably those of the provincial departments of agriculture, the Department of Minerals and Energy Affairs and local municipalities.

Despite all the challenges mentioned above, analysts such as Cousins and Walker still argue that "... a holistic land reform programme remains of crucial importance for revitalising the countryside, given the depth of the crisis of unemployment in contemporary South Africa and the large numbers of rural people for whom secure access to land continues to underpin livelihood strategies" (2015:150). With appropriate support, the large numbers of black South Africans who wish to farm could make a major contribution to the wider economy (Cousins and Walker, 2015:15). In addition, land reform policies and processes that succeed in creating tenure security and meaningful livelihoods for large numbers of households will also serve to address what Cousins and Walker describe as "... the smouldering discontent over historical land and other racialised inequities that permeates so much of contemporary public life" (2015:15). Importantly, they suggest, land policies should secure well-grounded opportunities for the future (Cousins and Walker, 2015:16).

Land reform analysts stress that there is no easy path. They point out that in undoing the legacy of dispossession, solutions should recognise rather than deny the complexity of the processes involved.

Chapter 3: Theoretical Framework

The review of literature in the previous chapter served to provide an overview of scholarship on the nuances and challenges facing South Africa's land reform programme broadly, and on the state of current debate regarding the question of the most efficacious way of creating livelihoods after land reform specifically. The chapter also looked at how analysts have assessed the successes and failures of the programme to date, considered arguments being raised pertaining to the important notion of the 'limits' to land reform and lastly, dealt with gaps in the literature. This chapter describes the theoretical framework underpinning the study and which was central in shaping the study design and guiding the analysis and interpretation of findings. It discusses the relevance of the chosen theoretical framework for the study and provides justification for its use.

The study explores land restitution within the theoretical and ideological framework of the agrarian political economy of South Africa. The succinct and incisive observation by Swanepoel (2014) about the making of South Africa's agrarian structure provides a useful point of departure for exploring agrarian political economy theory and for discussing its relevance to the study. Swanepoel states: "Nothing happens in a vacuum, let alone an agricultural system" (2014:2). The study aligns with arguments that South Africa's agricultural system has been characterised by a capitalist driven form of agrarian transformation (Du Toit, 2018; Neves, 2017; O'Laughlin et al., 2013, Beinart and Delius, 2018; Jara, 2019 and Hornby et al., 2018). Important social and political dynamics which are seen as underlying agrarian change in South Africa are the incorporation of South Africa's agricultural system into processes of economic globalisation - exemplified by the dominance of large scale, highly capitalised commercial producers and agro-food conglomerates (or 'Big Food') (Hornby et al., 2018, citing Igumbor et al., 2012; Ploeg, 2008) - and the "... concentration, centralisation, and integration of agricultural capital" (Hornby et al., 2018:1, citing Greenberg, 2015). The current structure of the agrarian system is exacerbating existing vulnerabilities of emerging Black producers which were created and entrenched in previous epochs (discussed in section 3.2.1 below) and is offering very limited space for small and emerging producers to thrive due to constraining actors such as the inability to compete at economies of scale, the inability to produce at volumes required by supermarket chains and other retailers who dominate 70% of the food market (Swanepoel, 2014) and practical limitations such as lack of access to capital. The above

theoretical issues are explored in more detail in the sections which follow and their relevance for the study made clear.

3.1 Political Economy Theory

Boyd-Barrett (2008:186, citing Mosco, 1995) explains that "... [i]n its narrow sense, political economy is the study of the social relations, particularly the power relations, that mutually constitute the production, distribution, and consumption of resources." In what Boyd-Barrett (2008:186, citing Mosco, 1995) calls its 'more ambitious form', political economy is "... the study of control and survival in social life" and a critical political economy includes a central concern with "the balance between capitalist enterprise and public intervention" (Boyd-Barrett, 2008:186, citing Golding and Murdock, 1991). Framed by a political economy informed understanding, the agrarian structure of South Africa, both past and present, is viewed not as determined by an uncontested process but rather as reflecting dominant power relations and serving particular interests. This influences and affects patterns of production, circulation and consumption of food at the national, regional and global levels.

The key legacies which account for the current concentration of ownership and control in the agricultural value chain on the one hand and the persistent rural impoverishment, poverty and vulnerability on the other include colonial conquest, various periods of land dispossession and the imposition of oppressive taxation regimes all of which resulted in the destruction of black smallholder production in the twentieth century. Theorists of land reform and agricultural political economy have stressed how access, use and development of land remains socially, politically, legally and economically both constructed and constrained (Hornby et al., 2017) and have argued further that in respect of both land ownership in general and in the agricultural sector in particular, as in the country as a whole, the presence of deep-seated power imbalances and gross inequalities is undeniable (Neves, 2017; O'Laughlin et al., 2013, Beinart and Delius, 2018, Du Toit, 2018; Jara, 2019). Using the notions of 'adverse incorporation' and 'social exclusion' to look at some of the drivers of long term rural poverty in South Africa, Hickey and Du Toit note:

... both 'adverse incorporation' and 'social exclusion' are concerned with a very specific problematic: they focus attention on the relationship between, on the one hand particular impoverished or marginalised groups or individuals, and, on the other, the larger social systems,

networks and totalities (societies, communities, markets, institutions and so on) that shape their social and economic lives. Both terms are therefore particularly useful for the analysis of social and power relations in the context of increasingly complex economic networks; of the implications of globalisation; of the development and restructuring of transnational commodity systems and networks; and of the changing internal structure of the economies of ‘developing’ societies (2007:15).

In relation to South Africa, the land dispossessions of the colonial era and those effected under apartheid (1948-1994) were designed to both entrench a system of racial privilege as well as underpin regimes of capital accumulation (PLAAS, 2016). In what has been termed the ‘Classic’ Southern African Dispossession/Accumulation Model, it has been argued that apartheid era land dispossession was a necessary condition for the continuation of capitalist exploitation (O’Laughlin et al. 2013 citing Wolpe 1972, Amin 1974, Legassick 1974 and Meillassoux 1975). The dispossessions have contributed directly to the current structural problem of inequality in South Africa and set in motion processes that have resulted in massive levels of poverty among South Africa’s black population. For Du Toit (2018), looking at South Africa’s ailing land reform programme and the country’s stalled agrarian transition through the lens of critical theory “... can make visible otherwise disregarded connections between processes of agrarian change and broader contests about the terms of social and economic incorporation into the South African social and political order before, during and after apartheid (Du Toit, 2018:1087). South African agriculture has always been ideologically contested because of its’ relationship with controversial land ownership issues (Atkinson, 2007). The land question therefore needs to be understood as part of a broader spectrum of political, economic and social questions. In particular, as South Africa attempts to address its skewed patterns of land ownership and the legacy of the rural poverty wrought by centuries of land dispossession, it is important to appreciate the agrarian roots of inequality and poverty in South Africa.

Historically, the pervasive and increasingly coercive system of migrant labour cemented the deagrarianisation of most African rural communities and fundamentally restructured their economic and social systems, ensuring that the development of black farming was inhibited even at the most basic subsistence levels (Beinart and Delius, 2018). From the 1950s, the position of Africans deteriorated further as the intergenerational transfer of agricultural skills and resources withered and wages from migrant workers and grants from government became

central to the livelihoods of the great majority of rural families (Beinart and Delius, 2018). More recently, these processes have been exacerbated by long-term declines in the prospects for unskilled, formal sector employment including on large-scale commercial farms and dwindling prospects for agriculture and agrarian-based activities in the face of domination by commercial agricultural conglomerates (Neves 2017). For du Toit (2018), it is important therefore to re-situate land and agrarian politics within a broader understanding of the politics of inequality and social citizenship in South Africa. Drawing on the insights afforded by Marxist political economy and ‘radical’ agrarian social history, together with recent innovations in Global Value Chain (GVC) and Global Production Network (GPN) theory, he argues that policy discourses that naïvely link the prospects for equitable social change in South Africa’s rural areas to prescriptions for inclusion in capitalist growth, access to markets and global financial integration must be subjected to intense critique. He argues further that, within a Marxist account of South Africa’s stalled agrarian transition, capitalist development has led to “... the adverse incorporation of the fragmented classes of labour, locking them into dependence on the capitalist economy while marginalising them as workers, farmers, producers and traders” (du Toit, 2018:1089, citing Murray, 2002; Bracking, 2003; Du Toit, 2004; Bernstein, 2006, Oya, 2009; Du Toit and Neves, 2007; Li, 2009).

The argument being made is that the central features of the *context* facing land reform beneficiaries in South Africa today derive firstly, from the specific character of historical processes of agrarian change in South Africa, and secondly, from specific agricultural policies adopted since 1994 (such as the prioritisation of large-scale commercial enterprises). These legacies and features, it can be argued, continue to shape the exclusionary and unequal context within which land restitution beneficiaries are attempting to create livelihoods.

3.2 African Land dispossession: Manifestations and Effects

There are arguments that much of the structural poverty we see in South Africa today has its roots in land dispossession. The central thrust of this view is that when black South Africans were deprived of their land under colonialism and apartheid, they were in effect deprived of a *means of livelihood* from the land.

3.2.1 Forced de-agrarianisation and the structural roots of poverty, inequality and impoverishment of black South Africans

The proportion of land allocated to Africans was initially 13 per cent of the country's land area (provided for in the Natives Land Act, No 27 on 19 June 1913) and was increased to 13.5 per cent by the Native and Land Trust Act of 1936. Within this devastating provision, in places where agricultural production and other land-based activities did persist despite the context and weight of de-agrarianisation, it was modest and involved mainly women and older people (Neves, 2007). Some subsistence production by dispossessed Africans also survived in commercial farming areas through labour tenancy arrangements (O'Laughlin et al., 2013).

Inherent in the land dispossession was a decimation of local production systems and the loss of opportunities to establish networks and markets which for decades the white, capitalist agricultural sector was able to take advantage of and benefit from, and, as is argued in this chapter, continue to benefit from. Traditional crops were sidelined while the State actively promoted crops with commercial potential through agricultural market boards and the provision of various forms of support (Swanepoel, 1994).

Having been forced out of agriculture occupationally, socially and economically (Neves, 2017), for over a century, black Africans were incorporated into economic systems which kept them at the brink of survival. Neves (2017) writes:

Soon after the formation of a unitary South Africa, the 1913 Natives Land Act initiated the land dispossession and displacement that was to deepen throughout the twentieth century. Shrinking prospects for rural subsistence drew men into migratory labour, and African society into the systems of money and market exchange (Neves, 2017:20).

The highest and most remunerative levels of agricultural production (especially cattle ownership) are still the preserve of relatively better-off households and conversely, the poorest of households are estranged from agricultural opportunities (Neves, 2017). Other key features of rural poverty in South Africa today include the heavy reliance of almost all rural households on non-agricultural sources of income including social grants, the absence of vibrant rural markets and dependence on mass-produced commercial foods (O'Laughlin et al., 2013:4).

3.2.2 African land dispossession and the development of capitalist agriculture and industry in South Africa

For the vast majority, being trapped in low-skilled work in the labour markets they found themselves in, and subjected to the brutal forces of racialised capitalism, poverty and impoverishment was further exacerbated and entrenched. In what has been termed the ‘Classic’ Southern African Dispossession/Accumulation Model, it has been argued that apartheid era land dispossession was a necessary condition for the continuation of capitalist exploitation (O’Laughlin et al., 2013, citing Wolpe, 1972, Amin, 1974, Legassick, 1974 and Meillassoux, 1975). O’Laughlin et al. (2013) clarifies this point as follows:

Our understanding of the political economy of Southern Africa was shaped by the work of earlier scholars, many of them Marxists, who saw apartheid not as an aberrant Afrikaner innovation of 1948, but as the continuation and reworking of earlier forms of domination. They focused on the question of labour, and particularly on the pervasiveness, durability and eventual vulnerabilities of migrant labour ... They saw the constitution of the ‘Native Reserves’, both social and physical spaces, as central to the functioning of colonial capitalism. The account that they provided helped us to understand that the poverty and misery of black rural areas were not the residual result of an absence of development but, rather, manifested a particular pattern of capital accumulation on the back of land dispossession (O’Laughlin et al., 2013:5).

Bundy (1988) has elucidated the role of capitalism in undermining the potential of black agriculturalists and much has been written about the systematic creation of inequality in South Africa particularly in the homelands and communal areas, much of which implicating racialised capitalism. As Neves (2017) writes:

Rather than the current state of the homelands representing their exclusion from the economic mainstream, a long analytic tradition stresses how their underdevelopment was historically functional to the growth of the South African economy (Wolpe, 1972; Beinart and Bundy, 1987; Westaway, 2012). Analysis of livelihoods in the former homelands therefore needs to appreciate the manner in which they are intertwined to urban migrant ‘receiving’ areas, markets and employment (Neves, 2017:19).

Neves’s (2017) analysis of the structural determinants of poverty and vulnerability within the former homelands can be similarly applied to other rural areas of the country which have borne the brunt of the country’s colonial and apartheid past. For example, Aliber et al. (2013:59) make the observation that in the Limpopo Province, the commercial agricultural sector owes far less to proficient farmer support than to land dispossession and the process of attrition that

followed. Hendricks (2013) denotes the link between land dispossession and the growth of commercial agriculture as follows:

Historically, white farmers were a crucial support base for both segregation and apartheid policies, including being defenders of the bantustans and the migrant labour system for purposes of ensuring a cheap labour supply (pp. 14).

The usual tendency is to attribute the underdevelopment and impoverishment of the former homelands and communal areas to forces of economic disconnection and exclusion. However, for Neves:

... a political economy perspective rejects this, and instead understands rural underdevelopment as a consequence of the growth of racialised capitalism in South Africa (Wolpe, 1972; Bundy, 1988). The former homelands are not disconnected or excluded from the 'first', formal or mainstream economy, but rather integrated into it, only on disadvantageous and adverse terms (Du Toit and Neves, 2007). This point is not simply of arcane theoretical interest: it implies that efforts to tackle rural underdevelopment need to be informed by a clear understanding of the relationship between these locales and the larger structural context. This relationship defines the prospects and points of leverage for achieving rural development (2017:19).

O'Laughlin et al. (2013) stress that questions pertaining to labour and social domination must be seen as at once both economic and political in character rather than as separate or binary. Authoritarian political regimes were simultaneously maintaining the social and political order and creating enabling conditions for the accumulation of capital. Capitalist enterprise benefitted through the sourcing of scarce labour from rural reserves at below the costs of reproduction while a favourable political and social order for this to succeed was being maintained by governance through a decentralized and sharp political division between citizens and 'tribal' subjects (in Mamdani's description of the character of colonial rule in Africa) (O'Laughlin et al., 2013:5, citing Mandani, 1996). This enabled South Africa to develop into the most important centre of capital accumulation in the region with the strongest industrial base and most powerful commercial agriculture sector (O'Laughlin et al., 2013).

African political violence has also been explained and understood by historians and social scientists within this framework. The segregation and apartheid that were facilitated by the creation of Bantustans were an attempt to quell anti-apartheid struggles at the point of

production and restrict ensuing conflict to manageable zones. For Beinart (1992:466, citing Guy, 1979 and Beinart, 1987), the Bantustans were meant to be sites where Africans would “... struggle against each other for the political goods of the Bantustans, instead of for those of the whole country.”

In the view of the labour reserve theorists, key to the profitability of capitalist enterprises in Southern Africa in the nineteenth century and much of the twentieth century was the availability of cheap migrant labour. This necessitated the dispossession of Africans from their land and was effected partly by taxation and partly by coercive, state-managed systems of transnational recruitment, which encompassed other Southern African countries as well (O’Laughlin et al., 2013). Cheap labour was available because children and dependants were nourished and cared for by the non-commodified work of rural women. Low wages were also sustained by the availability of cheap domestically produced food, much of it grown by peasants confronting highly regulated monopsonistic markets (O’Laughlin et al., 2013).

In later years, from around the 1970s, conditions in the labour reserve areas had declined due to erosion and declining food production. This resulted in more people moving out of rural areas in search of jobs, this at a time when demand for labour started to decline in mining and manufacturing which translated into cheap labour no longer being scarce and therefore removing the necessity of systematic state intervention to maintain supplies of cheap labour that were previously required (O’Laughlin et al., 2013:6). This led to South Africa in the following 40 years being characterised by a high labour surplus, unemployment and job casualization which entrenched Africans in perpetual poverty traps.

In this type of structuralist analysis on the functions of rural areas for accumulation, the unique social dynamics of the former reserves or former Bantustans must also be borne in mind and the work of O’Laughlin et al. (2013) draws attention to the importance of also noting the diversity, complex social dynamics and divisions of class, gender and generation among inhabitants of the rural reserves and cautions that their histories are not written by capital alone. In summary, the eroding of the African population’s links to land and farming was essential for the development of capitalism in South Africa, including the development of capitalist agriculture. For Du Toit (2018), this has created conditions wherein present-day South Africa is contending with the socio-economic dynamics of ‘jobless deagrarianisation’ while

attempting the incorporation of landless black people within the South African social and political order.

3.3 The post-1994 South African Agrarian Landscape

South African post-apartheid rural development strategies have been caught between neo-liberalism and developmentalism (Hendricks, 2013). Post 1994, the "... occupational, social and economic move out of agriculture and agrarian-based livelihoods or 'de-agrarianisation'" (Neves, 2017 citing Bryceson and Jamal, 1997; Bryceson, 2002) has continued in South Africa. De-agrarianisation has actually been evident across the global South (Neves, 2017 citing Li, 2009). At the international level, emerging food empires, buoyed by the expansion of global markets for agricultural and food products, are currently engaging in what is likened to a type of imperial conquest of the domains of farming, food and nature (Ploeg, 2008). In South Africa, propelled by a legacy of land dispossession and displacement, the effects of the above processes are particularly pronounced.

3.3.1 Continuities with the Capitalist Agriculture of the past

Bernstein (2005:118) has argued that post 1994, there has been a process of 'normalisation' of capitalist agriculture (agrarian capital and agribusiness) in South Africa. In this respect, as in many others, the end of apartheid was 'both historic and compromised' Bernstein (2005) argues. He contends that South African agrarian and agribusiness capital with the support of the last apartheid government, effectively and strategically (re-)positioned itself to face the post-apartheid period on many fronts: – economic, legal, political and ideological. He concludes that the removal of restrictions on the mobility of capital and commodities imposed on South Africa in the apartheid era benefited agrarian and agribusiness capital and provided new opportunities for trade and for inward and outward investment. The effect of this, together with agricultural and economic policy more generally since 1994, has done little to 'transform' the circumstances of South Africa's dispossessed majority, "... who remain enmeshed in the inheritances of racialised inequality" (Bernstein, 2015:118-119). Further, he contends that the forms of further capitalist development of agriculture since 1994 "reinforces the obstacles to the viable growth of production by small-scale farmers – their prospects of 'accumulation from below'" (2015:119). Swanepoel offers the following analysis of this reality:

The South African agricultural system has developed in a particular paradigm of modernist farming, which has been skewed by colonialism, constrained by apartheid and strangled by globalism. While policy might paint a vision of a viable system that is inclusive, productive and sustainable, the on the ground reality is that of a constrained system monopolised by corporate players, particularly in the value chains of the country's staple food crops. South African agribusinesses are also expanding onto the African continent exporting a culture of consolidation with them. Space for smaller players and alternative paradigms and visions is exceptionally limited and becoming more so. The more concentrated a system becomes, the less likely it is to allow in new players, instead becoming increasingly regulated and catering to the needs of the "mega" players. These corporate actors have only one mandate and that is to return a profit to shareholders. This has implications for food security, social equity and environmental sustainability in South Africa (2014:11).

This scenario does not only play out in agriculture. Phillip (2018), in explaining why the rate of small enterprise failure is so high, suggests that small enterprises operate in the shadow of South Africa's highly concentrated core economy. Small enterprises producing even the most basic products in local demand, operate in direct competition with the giants of the South African economy. The distribution networks of the large corporations reach deep into the most remote areas. Phillip argues that this scenario requires a shift in strategy, away from the 'local production for local consumption' model, to identify alternative market opportunities. This must involve exploring the potential for local entrepreneurs to break into higher value, external markets that avoided direct competition in markets for basic consumer goods, where monopoly companies held sway. For Phillips, this also includes local producers securing access to global markets for better returns.

3.3.1.1 Neoliberal state policies on agriculture

The uneven course of the post-apartheid political settlement (O'Laughlin et al., 2013) has meant that a neoliberal agenda has persisted (together with its international dimensions and influences) and has held up progress in resolving the land question in South Africa. Following Harvey (2005), Cousins (2013:59-60) defines neo-liberalism as "the contemporary form of global capitalist accumulation characterised by the expansion of opportunities and options for private capital accumulation."

The World Bank has been instrumental in advising the South African Government on land and agricultural policy. Given the World Bank's stance and outlook, the effect of the World Bank's involvement has been the neoliberalisation of agrarian policy in the recent period in South Africa, and this neoliberal approach has encroached on the land reform programme as well (Hebinck, 2013). Key features of the market-based approach evident in the South Africa agrarian landscape have been the preference for commercial forms of production and a prominent role for the private sector in the provision of services such as credit and extension to beneficiaries (Kepe and Hall, 2016 citing Lahiff, 2007). Cousins (2013) has argued that when the land discourse is located within the political economy of South Africa's transition to majority rule, it becomes evident that neo-liberalism has provided the 'organizing framework' for the transition (Cousins, 2013 citing Marais, 2011).

For Moyo (2003):

... the land question and persistent rural poverty in Africa highlight the neglect of social justice and equity issues which underlie the unequal control and use of land and natural resources proscribe neoliberal development policy agendas and which represent external dominance of African governance reforms. The growth of resource conflicts in Africa increasingly reflect contradictions steeped in both colonial and post-colonial land policies and the significance that land concentration takes in contemporary struggles over 'development' and accumulation under global capitalism, as well as struggles for democratization. These contradictions question the capacity of neo-liberal market and political regimes to deliver land and economic reforms which can address both inequity and poverty. The widespread demand for radical reforms in other continents- notably Latin America and Asia- underlines the significance of the wider global level persistence of unequal class and race relations over land and resource control (Moyo, 2003:1).

Many writers have been critical of the adoption of a neo-liberal, market-led approach to land reform in South Africa (Lipton, 2009, cited in Hebinck, 2013). Critiques of the neoliberal approach to land reform in South Africa have served as an important conceptual frame for interpreting and understanding the interests, roles and relationships of the actors in the land discourse, and indeed the manner in which some have gained advantages over others. In the main, smaller scale producers have been pushed to the margins while the large commercial farming sector has continued its historical domination. Particularly important for contextualising and understanding local land restitution dynamics is the assertion of Hebinck (2013:8) that "[a] major consequence of neo-liberalism is ... [the state] applying a standardized

set of methodologies, which tends to disconnect dynamics from context and history, as well as from power relationships.” A strong call has therefore been made for land and agrarian reform to address structural unequal power relations rather than uncritically pursue the type of market-led agrarian reform championed by the World Bank. This will culminate in what many have described as reform ‘from below,’ i.e. “[n]ot the markets but people’s livelihoods and their well-being should inform the state’s reform agenda” (Hebinck, 2013:8).

While there has been some change in the recent period, South Africa remains with what is known as a ‘dualistic agrarian structure.’ There is a relatively small number of large-scale, white-owned commercial farms occupying the majority of the country's agricultural land, and a large number of small-scale black farmers largely confined to the ex-bantustans. This latter group is quite diverse both in scale and in commercial orientation, with most producing for subsistence and a smaller number producing to derive an income (Aliber et al, 2013). Initiatives such as the State’s Comprehensive Rural Development Programme (CRDP) aimed at creating ‘vibrant and sustainable rural communities’ has been found to be doing nothing to address structural realities (Cousins, 2016).

Drawing on Stats SA data, Aliber et al (2013:14) highlight that the 2002 agricultural census revealed that about 5% of commercial farming units accounted for about half of aggregate gross farm income and for more than 60% of aggregate net farm income. A skewed picture emerges therefore between large-scale and small-scale farmers when examining remuneration and livelihood related to agriculture. Moreover, there appears to be in the data an indication of a lesser degree of livelihoods derived from the agricultural sector as compared to the retail sector which has implications for the popular discourse on land reform. One striking feature of the data is that livelihoods associated with large-scale commercial farms are in decline, while those in ex-bantustans and other areas are on the increase, particularly among subsistence-oriented farmers. This phenomenon requires further research and enquiry. However, there is evidence that the commercial farming sector is changing in a manner that is widening the agricultural dualism noted above, as commercial farms tend to become fewer, larger and more capital intensive. This draws on data over the period 1971 to 2007 (Aliber et al, 2013).

3.3.1.2 The advantaged position of the large-scale agricultural sector vis-à-vis emerging land restitution beneficiary producers

New and upcoming restitution farm projects are competing with an extremely well positioned commercial agriculture sector. The structural realities to be taken account of which the Institute for Poverty, Land and Agrarian Studies (PLAAS, 2016) highlights as necessary to address in order to effect the requisite agrarian transformation include the concentration of agricultural production by capitalist farming enterprises and the closed network between these enterprises and a few large agribusiness companies. Concentration has been driven by integration into global markets, increased competition, economies of both scale and scope, and specialisation. These have been accompanied by a drastic reduction in the number of permanent jobs in agriculture.

The advantageous positioning of commercial agriculture during the lead-up to the post-apartheid dispensation has been a deliberate and well-orchestrated manoeuvre. ‘Organized agriculture’ which refers in the main to the white large-scale commercial farming sector, effectively repositioned itself for the new dispensation with the help of the last apartheid government. This effort was buoyed by several other factors which converged to give organized agriculture a distinct advantage going forward (Bernstein, 2013). These included the conversion of the biggest agricultural co-operatives into companies listed on the Johannesburg Stock Exchange (JSE) enabling them to reinvent themselves as private agribusiness corporations. Together with this, Bernstein (2013) points out, came some strategic branding exercises to enable organized agriculture to fit into the new dispensation. The South African Agricultural Union (SAAU), which had enjoyed close relations with the apartheid state, rebranded itself in 1999 as Agri South Africa (Agri SA). Then, importantly, there was a removal of limits on the international mobility of South African capital and commodities that had been imposed on the apartheid regime. This had the effect of freeing commercial agriculture from the former constraints of trade sanctions on agricultural exports, and of barriers to inward investment by international agribusiness and to outward investment by South African farmers and firms elsewhere in Africa and further afield. Bernstein concludes that capitalist agriculture production and accumulation have flourished post-1994 “... accompanied (or accomplished) by concentration of both farming and agribusiness, technical change, and the reduction of the farm labour force...” (Bernstein, 2013:25) and these shrewdly designed

measures to safeguard capitalist farming and agriculture in the post-apartheid period, he argues, and have continued since 1994.

In the post-1994 period, deregulation to dismantle the different kinds of commodity-based state marketing schemes, with their administered producer prices and other forms of subsidy, meant that new players would not have the same support that had been so integral to the success of white farmers during apartheid. Emerging black farmers found that the ladder had effectively been pushed away after others had ascended it.

The large-scale agricultural sector is not the panacea that government has made it out to be. In addition to the disadvantages it is creating for the land reform beneficiaries detailed above, the sector is also shedding jobs. Employment creation in the agricultural sector was particularly hard hit by post-apartheid rapid agricultural market deregulation as it triggered a consolidation of commercial farmers, and with it, declines in agricultural employment (Neves, 2017 citing Greenberg, 2015). To make matters worse, post-apartheid trade and industrial policy have also served to reinforce long-term structural biases towards capital intensive production within the South African economy and by the 2000s, the fastest growing sectors of the South African economy were finance, insurance and real estate and telecommunications – sectors un conducive to low-skilled or labour intensive growth (Neves, 2017), citing Aliber, 2003; Black, 2010; Philip, 2010). Rural labour, ‘once so eagerly desired has become a burden to the state and an irrelevance to capital’ (Neves, 2017 citing Bank and Minkley, 2005).

3.3.1.3 The power of the agri-business complex, agro-food markets and value chains

Another important aspect of South Africa's agrarian structure is the impact of what is described as the agri-business complex. This refers to the domination of the agricultural and food sector by large corporations and is a global phenomenon. O’Laughlin et al. (2013) write:

Small fruit and vegetable producers in Malawi, Mozambique and Zambia find their access to urban markets blocked by the neatly packaged South African produce imported by supermarket chains with higher volumes and lower transport costs (Miller 2008). South African capital also supports the acquisition of land for tourism ventures and biofuel production schemes throughout the region (Hall 2011).

In South Africa's dualistic agriculture system, a small cohort of (largely white) capital-intensive commercial farmers produces the majority of the nation's food. It is processed and distributed in a concentrated and vertically integrated agro-food system, and retailed by corporate supermarket chains, whose reach extends into township and rural markets (Greenberg, 2015). In respect of agro-food markets, South Africa, having followed the international trend, has seen concentrated supermarket-linked value chains gaining dominance over time (Aliber et al, 2013 citing Du Toit, 2009; Greenberg, 2010). These are mirrored by a similar concentration of agro-input supply chains such as those for fertiliser and seed (Aliber et al, 2013 citing Greenberg, 2010). As detailed earlier, much of this has been made possible by removal of restrictions on the mobility of capital and commodities imposed on South Africa in the apartheid era and has benefited agribusiness capital providing new opportunities for trade and investment.

The liberalisation of South Africa's agro-food markets since the early 1990s brought with it a lowering of tariff barriers across agricultural and food imports. South African producers in some sub-sectors consequently find themselves competing against cheap imports, either those from countries with low cost-of-production structures (for example, Argentina and Brazil) or those which heavily subsidise their farmers (USA and EU). The argument has often been made that these processes further prejudice the chances of small-scale farmers, and by extension land reform beneficiaries (Magingxa & Kamara, 2003; Jacobs, 2009), though some analysts also point out that small-scale farmers are rendered worse off when they do succeed in linking to formal value chains through the process of 'adverse incorporation' (Du Toit, 2009).

Given the above context, analysts stress the importance of further opportunities for smallholders which make them less dependent on formal marketing networks.

3.3.2 Other Aggravating Factors in the Land and Agrarian Environment

In the context of globalisation, as concentration of ownership and control is taking place in the agro-food system, localised food systems have come to be based on the principles of comparative advantage, standardization, geographical division of labour and are increasingly being controlled by a few hegemonies (Cousins and Borrás, 2015; Swanepoel, 2014). Farmers are being sidelined and power and control of the food and agricultural system has increasingly become vested in those "... controlling the means of co-ordination rather than the means of

production” (Swanepoel, 2014: 2). In South Africa, this has included political elites, corporations, food processors and even retailers.

3.3.2.1 Elite capture, ‘uneasy truces’ and competing interests

In many locations in South Africa, there has been a so-called ‘elite capture’ of the land reform process along a class basis. There are claims that officials of the Department of Rural Development and Land Reform have been directed to prioritise land for Umkhonto weSizwe veterans (MK – the armed wing of the African National Congress) and claimants who are willing to partner agri-business (Hornby, 2014). Cousins states that “... populist discourse masks the reality that the rural poor, and potentially highly productive, small-scale farmers are not really intended to be the main beneficiaries of government’s land redistribution policies, which, as in other sectors such as mining, are aimed at promoting the interests of an emergent black bourgeoisie” (2013:19).

As outlined in Chapter 1, land reform in South Africa has been described as a shifting terrain of power, actors and discourses (Hall 2011). The period of multiparty negotiations leading up to the 1994 election saw important shifts taking place in the South African political landscape which influenced the stances of different political groupings in relation to land and agriculture (Cousins, 2013:47). These “contending political forces” (Lahiff, 2007, cited in Cousins, 2013) persist in what Hall (2010:189) describes as “uneasy truces between competing interests.” Control over land has in practice meant control over both productive resources and also power over people (Cousins, 2008).

Not everyone benefits equally in land reform projects. Beyond local dynamics that create complexity, social inequalities and the marginalisation of rural people are being perpetuated by state policy choices and elite alliances (Hall, 2010; Claassens, 2015). Certain pieces of legislation governing traditional authorities and traditional courts are further exacerbating the problem (Hall, 2010; Jara, 2011). These include the Traditional Leadership and Governance Framework Act, the Communal Land Rights Act of 2004 (CLaRA), several provincial traditional leadership laws and the Traditional Courts Bill all of which have been viewed as oppressive and have been the subject of challenges by civil society institutions such as the Alliance for Rural Democracy (ARD), rural and land activists and university-based researchers (Mogale and Cousins, 2018; Land and Accountability Research Centre, 2019). After concerted

opposition, the Constitutional Court struck down the CLaRA in 2010 on the grounds of incorrect process and insufficient public consultation in its promulgation.

To complicate matters further, in its recent submission to the Constitutional Review Committee dealing with proposed amendments to Section 25 of the Constitution, the National House of Traditional Leaders have strongly criticised the manner in which communities are creating parallel power structures in relation to land management bypassing the authority of traditional leaders. The National House of Traditional Leaders put forward a position that any legislation enacted to effect expropriation of land should exclude the 13% of land under the custodianship of Traditional Councils.

For many analysts, the above contradictions call into question the capacity of neo-liberal markets and political regimes to deliver land and economic reforms which can address both inequity and poverty.

3.3.3 Locating restitution beneficiaries within the historical agrarian context and the constraints of the current macro-environment

Where does this leave emerging land reform farmers? How have they been incorporated into the above scenario characterised by forced de-agrarianisation ‘occupationally, socially and economically’ in the past and declining opportunities for agricultural production in the present (Neves 2017, citing Bryceson and Jamal, 1997; Bryceson, 2002)?

The foregoing discussion gives important context to the efforts of the new class of black farmers who are trying to make land reform projects work, and to say that they are beginning on the back foot understates matters somewhat. Neves (2017) makes this point succinctly, albeit in the ‘rural development’ context in general but which is nevertheless highly applicable to the fortunes of land reform beneficiaries. He contends that land reform will not automatically yield livelihood benefits given that “... the prospects for inclusive rural economic growth are highly dependent on the specific nature and characteristics of the structural context and characteristics of the larger trajectory of development (Neves, 2017:5 citing IFAD, 2016).

The theoretical context sketched out in the preceding sections are particularly germane to thinking about land reform and livelihoods in contemporary South Africa. Present day South

Africa has been a good example of how agricultural modernisation and processes of economic development can simultaneously bypass large territories and vast swathes of the rural population, and leave them mired in poverty and privation, as Neves (2017) has pointed out. He has argued further that:

... the century-long trajectory of industrialisation and economic development in South Africa has occurred alongside, and even in spite of, chronic rural underdevelopment. In other words, rural underdevelopment has hardly proven inimical to industrial modernisation; indeed many would argue that rural underdevelopment has been coterminous with South Africa's trajectory of unequal, racialised capitalist development (Neves 2017:5).

It is therefore conceivable that land reform beneficiaries could suffer the same fate, that of being *bypassed* if both rural development policy generally and agrarian reform initiatives in South Africa are not attentive to the particularity of the South African agricultural context. Of importance for the study, is the fact that, precipitated by the series of structural determinants discussed earlier, restitution projects are starting from a position of extreme disadvantage. Neves (2017:21) details how the enduring process of de-agrarianisation with its interlocking social, institutional and economic dynamics, dissipated the social arrangements and cultural precepts that historically enabled agriculture. It also involved decades of underinvestment in homeland and small-scale agriculture. Further, declining industrial employment undermined rural back investment and procuring of crucial inputs. For land reform beneficiary groups, as with other rural subsistence farmers, declining wage labour opportunities means that their small-scale agriculture is constrained by reduced levels of non-agricultural income to draw on for purchase of farm inputs (O'Laughlin et al., 2013).

Then, as if it is not difficult enough being adrift in a sea of starkly unequal world market conditions (Neves, 2017 citing Greenberg, 2015), locally, they find themselves pitted against the entrenched dominance of the commercial agricultural sector which exacerbates their disadvantage. Emerging farmers are competing on uneven ground with agrarian and agribusiness capital which have had the accumulative opportunities and head-start positions described by Bernstein (2015) and others. The effect of this is that the prospects for small-scale agricultural production are severely undercut by the highly concentrated agro-food system (Neves, 2017).

3.4 Conclusion

Having been disadvantaged by a debilitating historical structural context in the past, and ‘caught by continuities’ with capitalist agriculture in the present (Hebinck et al., 2011), advancing the material well-being of land reform beneficiaries and other previously marginalised groupings will certainly require “... a radical political and macroeconomic project centred on public investment and redistribution” Bernstein (2015:119). However, resolving the land and agrarian questions may only be a modest part of that project despite their weight in the historical making of the South African socio-political order (Bernstein, 2015; Walker, 2008). Of particular concern is the increasing consolidation of the African agribusiness market by corporate capital which will be pushing smaller players to the margins (and even excluding some completely) and will ultimately determine the structure of any future system (Swanepoel, 2014).

There remains ambivalence on how much the land reform process will achieve in South Africa. It has been said that the programme is being expected to deliver the impossible. For O’Laughlin et al. (2013) land reform can be seen as “... simultaneously both central and marginal (or ‘necessary but not sufficient’) to meeting South Africa’s crises of employment, livelihood and social reproduction.” The so-called ‘limits to land reform’ argument which has arisen in debates on land reform requires serious engagement with. Even in relation to more recent developments pertaining to the question of *land expropriation without compensation*, while supporting the principle, the ruling party has been cautious in its approach. Discussions on the matter have been tempered by more pragmatic factors such as who will be responsible for paying off mortgages on expropriated land and considerations regarding the extent of the impact of the expropriation of farmland on food security. Further, President Ramaphosa has been at pains to assure investors internationally that property rights were not under threat in South Africa. Having previously used strong language that land expropriation would not be a “smash and grab” attempt, and having introduced an element of delay into the heated arena of debate on the issue by announcing that “many consultations” will still take place to ensure the process does not harm food production and the economy (Cilliers, 2018), he has effectively deflected the responsibility to the populace to take responsibility for the process when he mentioned that “[O]ur people are going to engage in an unled revolution because they will be fighting for what rightfully belongs to them” (Friedman, 2019).

The theoretical framework sketched out above brings into focus the urgent need to consider how land reform projects are incorporated within the larger South African context of established industrialism and other forms of capitalist accumulation. It will be important to understand the linkages of struggling rural communities, including beneficiaries of land, to the larger economy, markets and urban areas (Neves, 2017). Possessing legal title to land alone will certainly not guarantee wealth creation and improved livelihoods in an unaltered structural environment. Radically reconfiguring the country's agrarian structure has therefore been indicated as an important focus for future land and agricultural policy.

The following chapter describes and reflects upon the research design and methodology that were selected based on the theoretical orientation of the study.

Chapter 4: Research Methodology

Introduction

The preceding chapter covered the theoretical framework selected to analyse and explain the aspects of land reform being focussed on in the study. I argued that political economy theory is useful for contextualising and elucidating the manner in which key historical legacies which generated rural impoverishment, poverty and vulnerability and resulted in the destruction of black smallholder production in the twentieth century, continue to shape the context within which livelihoods after land restitution are being constituted.

The purpose of this chapter is firstly to discuss the research paradigm which served as the frame of reference to organise observations and guide reasoning processes in this study. I explain why the selected research paradigm was deemed appropriate for the chosen area of enquiry. Secondly, the chapter provides justification for the research methodology that was deemed appropriate vis-à-vis the underlying philosophical assumptions of the selected research paradigm and thereafter proceeds to systematically describe the design and methods employed in the study. This entails a discussion of all procedures used to answer the research questions and arrive at the findings and conclusions. It covers the chosen research design, case selection, sampling, data collection, data analysis, ethical considerations as well as challenges encountered in the study and the manner in which these were surmounted.

4.1 Research Paradigm

It is accepted that social science research involves far more than the mere application of technical procedures, a narrow focus on which has been termed a form of ‘methodolatory’ (Terre Blanche and Durrheim, 2006 citing Danziger, 1986). Rather, wider social and political forces influence the production of knowledge and these have been described as paradigms, defined as “... all-encompassing systems of interrelated practice and thinking” (Terre Blanche and Durrheim, 2006:6). These systems, for Terre Blanche and Durrheim, define for researchers the nature of their enquiry along the following three dimensions:

Ontology specifies the nature of reality that is to be studied, and what can be known about it.

Epistemology specifies the nature of the relationship between the researcher (knower) and what can be

known. **Methodology** specifies how researchers may go about practically studying whatever they believe can be known (2006:6).

In seeking to conduct research therefore, Weinberg (2002 citing Kuhn, 1970) reminds us that "...determinations as to both the importance and the veracity of a discovery are inevitably made with recourse to an extant set of presuppositions regarding the already known." Socio-historical conditions too are important in the process of scientific enquiry to the point that it has been averred that the controversies over scientific method cannot be properly understood outside the context of socio-historical conditions (Weinberg, 2002 citing Feyerabend 1975 and Haraway 1991), and further that scientific methods find their utility and validity within the specific social contexts of their actual use (Weinberg, 2002).

These overarching paradigms constitute the "... general theoretical assumptions and laws, and techniques for their application that the members of a particular scientific community adopt" Willis (2007:8 citing Chalmers 1982) and are generally composed of the following five important components:

- Explicitly stated laws and theoretical assumptions.
- Standard ways of applying the fundamental laws to a variety of situations.
- Instrumentation and instrumental techniques that bring the laws of the paradigm to bear on the real world.
- General metaphysical principles that guide work within the paradigm.
- General methodological prescriptions about how to conduct work within the paradigm (Willis, 2008:8 citing Chalmers 1982).

There are a rich variety of theoretical paradigms that underlie social theories and inquiry and which are brought to bear on the study of social life and behaviour. These may gain or lose popularity and become the subject of challenge and critique, as occurred notably with positivism. Notwithstanding such challenges and the identification of errant assumptions made, in the social sciences the major theoretical paradigms are generally recognised as contributing alternative or complementary perspectives of social reality, suggesting different theories and inspiring different types of research (Babbie, 2013). Some of the theoretical paradigms used in the social sciences include: Conflict Paradigm, Symbolic Interactionism, Ethnomethodology, Structural Functionalism (sometimes called social systems theory), Feminist Paradigms,

Critical Race Theory, Postpositivism, Constructionism, Interpretivism and Critical Theory (Babbie, 2013; Terre Blanche and Durrheim, 2006; Willis, 2007).

Paradigms have an influence beyond simply serving as foundational beliefs and assumptions. Firstly, they guide the process of theory construction or theory choice in the course of social enquiry. Theories therefore, for Babbie, are constructed within particular paradigms and “flesh out and specify paradigms” (2013:69) providing concepts to explain phenomena viewed within a particular frame of reference. Secondly, in the course of scientific research, the choice of methods and practices are also influenced by and based on the paradigmatic assumptions about the nature of social reality (Babbie, 2013; Willis, 2007). There is thus a close relation and influence between the various levels involved: at the level of the paradigm, the theory and the associated research framework and its application to practice with each level influencing and being influenced by all the other levels (Willis, 2007).

Guided by the above understanding, and having regard for the assumptions underlying the major social science paradigms mentioned earlier, the *Interpretive* paradigm was identified as being the most appropriate paradigm for the study. This frame of reference with its underlying assumptions consequently influenced the choice of theoretical framework and the overall methodology employed. The reasons that the philosophical assumptions underlying this study derive principally from Interpretivism will now be discussed.

A central focus of this study is to understand the dynamics associated with the Richmond project beneficiaries deriving livelihood benefits from land restored through the land restitution programme. In order to achieve this, it was important to understand intimately participants’ human experiences and discover their reality through their own views within their unique contexts. This objective resonated with the Interpretive frame of reference based as it is on the assumption that social reality “... is not singular or objective, but is rather shaped by human experiences and social contexts (ontology), and is best studied within its socio-historic context by reconciling the subjective interpretations of its various participants (epistemology)” (Pelz, 2019). Moreover, an interpretive approach gives the researcher greater scope to address issues of influence and impact, and to ask questions such as ‘why’ and ‘how’ particular trajectories are created (Deetz, 1996). This frame of reference also accords well with the approaches followed by other analysts of land reform, who, to study the effects of land reform, have used research approaches and enquiry which draw on the key theoretical precept of ‘livelihoods’

(Aliber et al., 2013; Aliber and Cousins, 2013; Fox and Shackleton, 2017). Neves (2017) characterises this type of enquiry as follows:

The livelihoods concept entails analysis focused on the contextual dynamics of household survival, including (but not limited to) employment, informal economic activities, agricultural production and migratory urban linkages. The focus on livelihoods is further expanded through analytical attention to the macro-structural context, by drawing on an account of rural and agrarian change that is informed by attention to issues of political economy. In this, questions of livelihood diversification and social differentiation are prominent (2017:x).

In respect of the links between theory, research findings and the mode of enquiry adopted to reach conclusions in a study, an *inductive* approach is preferred in interpretive research in that the researcher, having begun with only vague speculations about a research question, attempts to make sense of a phenomenon by observing, from an empathetic or interactional epistemological stance, a set of particular instances (Babbie, 2013; Terre Blanche and Durrheim, 2006). Moreover, within an Interpretive paradigm, *qualitative* methods are preferred for their usefulness in eliciting data rich in detail in respect of experiences and associated meanings (Sutton and Austin, 2015). These are gathered using techniques such as interviewing, focus groups and participant observation. In order to achieve the objectives of this study as they related to investigating the endeavours and accomplishments of land restitution beneficiaries at the Richmond projects, obtaining rich experiential data from each of the unique project contexts was necessary. This contrasts with the *deductive* emphasis of positivist research where the researcher adopts an objective and detached epistemological stance and employs methodology relying on control and manipulation of reality (Terre Blanche and Durrheim, 2006).

Accordingly, in summary, an interpretive paradigm was decided upon as best suited to investigate the experiences of the land restitution beneficiaries. This was achieved through the use of qualitative data gathering and data analysis techniques. The type of study decided upon was thus a *descriptive* qualitative study intended to gather primary data through an in-depth *case study* design. This design was seen as fitting within the logic on the interpretive paradigm and with the purpose of the research. It was believed that the data from the chosen study would provide valid answers to the research questions, and that there would be consistency between the paradigmatic assumptions, the objectives of the research, the methods applied and the eventual conclusions reached. I reflect on the above once again in chapter 7.

4.2 Research Methodology

The main types of research methods used are broadly distinguished as *qualitative* and *quantitative* methods, differentiated principally by the type of data generated and analysed. It is generally accepted that data that can be numerically represented and to which various statistical techniques can be applied are quantitative. In practice, a large number of respondents (e.g. individuals or households) are usually targeted in quantitative data collection processes commonly using the survey method of data gathering and the results are often generalised to a broader population. On the other hand, qualitative research usually involves the collection and analysis of in-depth information pertaining to a smaller group of respondents. The results usually cannot be generalised to other non-participating individuals or groups. Rather, a detailed understanding of a phenomenon is gained in a particular context and issues emerging may be explored further in other settings. The use of a combination of both *qualitative* and *quantitative* methods is also accepted as valuable in providing a more complex understanding of social life (Greenstein et al., 2003).

A qualitative approach was taken in this study and a brief discussion of the main attributes of the qualitative approach as they relate to the aims and objectives of the study now follow. The qualitative research approach is suited to gaining an understanding of social and human interaction from the perspectives of insiders and participants in the interaction, recognising that people have unique ways of interpreting their own actions and those of others (Greenstein et al., 2003). The key features of qualitative research methods noted by Greenstein et al. (2003) follow. Qualitative research methods strive to be as non-intrusive, non-manipulative and non-controlling as possible, and in this sense are seen as *naturalistic*. Qualitative research is oriented towards studying processes over time rather than outcomes, and in this sense is *process oriented*. Importantly, in-depth or '*thick*' descriptions and understanding of actions and events are made possible through qualitative methods. Such detail includes quotations and other rich descriptions. Qualitative research is *context sensitive* placing strong emphasis on the importance of social, historical and physical context for understanding the social world. Qualitative research follows an *inductive approach* with hypotheses and theory emerging during the data collection and analysis through which important categories, dimensions and interrelationships are discovered.

The use of qualitative research methods is favoured in investigations which are aimed at describing and interpreting respondents' experiences rather than those which seek to measure their external characteristics (such as income or level of education) (Greenstein et al., 2003). A key weakness of qualitative research is that the (usually) smaller sample size makes it difficult to aggregate data and make systematic comparisons (Greenstein et al., 2003).

4.3 Research Design

As discussed earlier, research design is, firstly, closely associated with the paradigm identified to serve as the framework of a study and with the choice of theoretical framework. Secondly, research design choices are guided by the nature of data required to answer the research questions of a study and must consist of methods suited to gathering the relevant data and should allow for techniques of analysis that enable the research questions to be answered through the use of the data. The case study design was selected as most appropriate for this study for the reasons provided below.

4.3.1 Case Study Design

Case studies provide 'thick description' and assist in explaining how events and experiences represent "webs of meaning" for the actors (Geertz, 1973). The case study method includes the context as a major part of a study. Case studies can be explanatory, exploratory, or descriptive. Parthasarathy (2008) points out that the case study approach enables the investigator to:

... look for patterns, describe local relationships (formal and informal), understandings and meanings (tacit and explicit), and try to make sense of a place and a case in relation to the entire social setting and all social relationships. They also contextualize these in wider contexts (e.g., the wider economy, government policies, etc.).

4.3.2 The Richmond Case Study Site

In terms of the selection of the study site, the following fortuitous circumstances led to the selection of the Richmond area from where the case material was eventually drawn. Enquiries made with the KZN Land Claims Commission concerning the spread and location of Restitution projects within the UMgungundlovu District alerted me to the existence of a secondary cooperative, *viz.* the *Amandla Richmond Farmers Association*, which had as

members a number of CPAs and Trusts representing restitution beneficiary groups. Enquiries with the Association confirmed this and thus began the process of negotiating access to the Richmond projects for purposes of the case study. A major advantage of the Richmond site was the fact that the projects were within a 20km radius of one another, and this was expected to make the logistics of fieldwork easier. Also, with the projects being members of the secondary cooperative, it was believed that this would facilitate easier access to individual projects than if farms and projects were more disparately located and needing to be identified separately and individually engaged to participate. Permission to attend and address a meeting of the secondary cooperative as to the purpose and scope of the research project was granted. Without exception, all project representatives present were amenable to being part of the study.

The case study was intended to gather data from the individual land restitution projects in Richmond. Each project was associated with a single beneficiary group and consisted of one or more portions of restored land. At the time the study was conducted, there were eight land restitution sites in Richmond and the study analysed seven of these eight projects. The eighth project was not analysed due to constraints of time and resources. The Chairperson of the CPA of the project that was not included had not acceded to a request for an interview in or around Richmond by the time the fieldwork phase was concluded. Due to him residing a considerable distance from the study site, travel costs would have exceeded the available fieldwork budget, and moreover, a prolonged postponement would have delayed the final analysis. The excluded project was also not present on the occasions when I engaged with the *Amandla Richmond Farmers Association*. Nevertheless, the sample of seven out of the eight restitution projects in the Richmond area – constituting 87.5% - was considered a large enough sample to enable the detection of similarities and differences and to draw conclusions.

4.4 Sampling and Study Participants

Once it was decided that the cluster of restitution projects in Richmond were both amenable to the study and logistically practicable, the study used the non- probability sampling techniques of convenience sampling and snowball sampling. Convenience sampling occurs when the persons needed for the research are selected because of their proximity and accessibility. A snowballing sampling technique is used by researchers to identify other potential participants with the assistance and networks of participants already identified and engaged. These

sampling technique were used to select 20 land restitution beneficiary respondents from the identified projects. The criteria for the convenience sampling were that these respondents had to be members of the beneficiary communities of the identified Richmond land restitution projects, had to be willing and available to participate during the fieldwork phase of the project and were located in the UMgungundlovu District and surrounds for logistical reasons. Contact details of beneficiaries were sourced from the KZN Commission on Land Restitution, the CPAs, project mentors, strategic partners, through my attendance at project meetings and from other beneficiaries identified and interviewed. These contact lists were utilised to make telephonic requests for interviews. Two or more beneficiaries per project were targeted for in-depth interviews. All respondents were adults. Both males and females were represented, with 16 of the beneficiary respondents being males and 4 being females. The gender balance skewed towards men by virtue of the convenience sampling technique employed and due to a higher number of men represented in the CPAs than were women. The study concedes therefore that analysis could not be extended to include findings on the gender dynamics within the restitution landscape of the study area.

In respect of the non-beneficiary respondents who were interviewed by virtue of being associated with the land reform sector and/or the Richmond restitution projects, a purposive sampling technique was used to select these respondents given that they possessed unique and rich information of value to the study. This included a Restitution Commission official with knowledge of the projects, a mentor who had worked with the projects and a strategic partner associated with several of the projects.

4.5 Data Sources

4.5.1 In-depth interviews

Twenty-three in-depth interviews were conducted in total. Respondents comprised of:

- twenty land restitution beneficiaries drawn from the seven projects in the case study. Restitution beneficiaries interviewed were both Communal Property Association (CPA) members (N=14) and ordinary beneficiaries, i.e. those not serving on the CPAs (N=6);
- one KZN Restitution Commission official;

- one mentor closely associated with the Richmond restitution projects;
- one strategic partner working with the Richmond restitution projects, who has also served as a mentor to several of the projects.

4.5.2 Documentary analysis

This entailed analysis of information on the individual projects which was sourced from the KZN Commission on Land Restitution. This included the details of CPAs, the Property Descriptions and the recapitalisation amounts granted to projects where applicable. Where CPAs held information relevant to the study, these were accessed and information about the projects gleaned. Other relevant documents included published and unpublished government documents and annual reports.

4.5.3 Photographs

The actual physical states of the restored farms were captured through photographs after obtaining consent of the respondents from the respective projects. These are included as Figures in chapter 5 which reports on results.

4.5.4 Direct observation

All seven restitution sites were visited to become familiar with the land restored and to make direct observations of what was reported in interviews and gleaned from other sources. It was during these visits that photographs were taken. I also attended a general beneficiary meeting pertaining to one restitution project as well as a meeting of the Amandla Richmond Farmers' Association (secondary cooperative) to become familiar with the workings of these structures.

4.5.5 Focus groups

Two focus groups were held with beneficiaries consisting of between 8 and 12 persons in each group. They were conducted at a quiet location with due regard for privacy. They were conducted in IsiZulu with the assistance of two first language IsiZulu-speaking research

assistants fluent in both English and IsiZulu, both with Post Graduate academic qualifications in the Humanities and Social Sciences respectively. Digital recordings were made of the focus group discussions for transcription purposes using both a primary and a back-up device. The set of six open-ended focus group questions provided a guide to facilitate the desired interaction during the sessions, in particular among the participants themselves.

The project which was ultimately selected for the conducting of the two focus groups was *Inkanyezi Yamahobe*. The reason for the selection was due to the fact that the focus groups were intended to elicit respondents' assessments of the livelihood benefits that they had derived from the project and to determine through the groups' interactions in the focus group setting whether the views which emerged were either widely held or contested by fellow-beneficiaries in any way. In order to achieve this outcome, the focus groups necessarily had to garner responses from beneficiaries associated with a project that had already achieved some measure of success. It would not have served the study's purpose to duplicate efforts in covering ground relating to projects which had either stalled or were mired in severe dysfunctionality - which in any event would have been dealt with adequately in the in-depth interviews already conducted in relation to each of the projects. The expectation was that not a great deal more about *improved livelihoods* would be gleaned from the effort of bringing together large groups of respondents involved in projects which had achieved little or no progress. Further, the number of focus groups had to be restricted due to the sheer logistics of bringing together larger groups of people living in different locations. Women were well represented in the focus groups at almost a 50-50 ratio with men. Fewer youth respondents acceded to the focus group invitation, and this will be an interesting area for exploration in future studies given the importance placed on younger people in beneficiary communities playing a more active role in sustaining projects into the future.

4.6 Data Collection, Management and Analysis

4.6.1 Research Instruments

Research instruments refer to the specific tools used in the application of particular research methods to collect data. These range from structured questionnaires used in survey research to discussion guidelines and moderating instructions used in focus group discussions (Greenstein et al., 2003). Importantly, Greenstein et al. (2003) stress that the *researcher* is the primary

‘instrument’ in qualitative research processes in respect of the important role of collecting and analysing data. The personality, skills and attitude of the researcher is vital in gaining access to and engaging in the natural settings of respondents who are expected to divulge their feelings, attitudes and personal experiences. Important skills include listening, observing, questioning and interpreting. Establishing rapport and trust with those participating in the study is important in order to gain access to the context which is central to gaining in-depth insights (Greenstein et al., 2003).

In this study, a semi-structured interview schedule was used in the conducting of the face-to-face oral interviews with project beneficiaries. It was designed to elicit data on the historical aspects of the case, the beneficiaries’ experiences of challenges in the context of their restored land enterprise developments, their experiences of participating in the groups’ processes and the rationale behind their choices of particular project strategies. Data was gathered from the non-beneficiary key informants (project mentors and Restitution Commission official) in face-to-face oral unstructured interviews through the use of open-ended questions. The topics which were covered in these interviews were intended to obtain data on questions such as project trajectories since inception, levels of support provided to beneficiaries in achieving their goals, assessments of the viability of the projects for the future livelihoods of the beneficiaries and assessments of progress achieved together with contributory factors which aided or hampered progress.

In respect of the focus group discussions, a discussion guideline consisting of a set of six open-ended focus group questions were used to facilitate exploration of the above-mentioned key issues targeted in the study. Moderating instructions were included with the questions where required. The interview schedule and focus group guidelines are appended as annexures.

4.6.2 Scheduling and conducting of interviews

Individual interviews were arranged and conducted with due regard for privacy, convenience for the respondents in respect of the physical arrangements (time and place), the establishment of trust and rapport and recording procedures. Depending on the language ability of the respondents, interviews were conducted in either English or IsiZulu. The IsiZulu interviews were conducted with the assistance of the two research assistants mentioned above. The English language interviews were conducted and transcribed by the researcher. The IsiZulu

interviews (and focus group discussions discussed below) were translated into English and transcribed with the assistance of the two research assistants.

4.6.3 Transcription of interview and focus group data

For Oliver et al. (2005), transcription practices span a continuum from naturalism on the one end, where as much detail as possible is included in the transcription, to denaturalism, where idiosyncratic elements of speech such as stutters, pauses, and involuntary vocalizations are removed. These two positions correspond to certain views about the representation of language, with a naturalized transcription approach seeing language as representing the *real* world and a denaturalized approach suggesting that speech contains meanings and perceptions that construct reality (Oliver et al. 2005, citing Schegloff 1997 and Cameron 2001). Oliver et al. (2005) stress that each method is relevant to specific research questions, have constraints and opportunities in respect of research outcomes and research participants and that transcription style must match research objectives and concerns for participant confidentiality.

A denaturalised transcription approach was taken in this study. The accuracy sought was in respect of the substance of the interview, meanings and perceptions created rather than the ‘mechanics’ of the conversations which are more relevant to the work of conversation analysts, as elucidated by Oliver et al. (2005). The nature of the research questions and the data being sought in this study lent itself to a denaturalised transcription approach which was adequate for the study and provided the informational content sought. Handwritten field notes taken during interviews aided in the production of accurate transcripts.

4.6.4 Data management

All documentary material was securely stored in a lock-up cabinet. The list of participant codes was also stored similarly. Electronic files and back-up copies thereof were password protected.

4.6.5 Data analysis

The semi-structured interviews, focus group discussions and the documentary analysis described earlier yielded data in the form of transcripts and excerpts of documents respectively. The transcripts were repeatedly read to achieve familiarisation with the data. Notes were made

and tables drawn where applicable. Key quotes were highlighted during this process in preparation for the analysis stage.

The data was analysed using thematic analysis. The purpose of thematic analysis is to identify patterns of meaning across a dataset that provide an answer to the research question being addressed. Patterns are identified through a rigorous process of data familiarisation, data coding, and theme development and revision (Braun and Clarke, 2008). Thematic analysis can be approached inductively where coding and theme development are directed by the content of the data, or deductively where coding and theme development are directed by existing concepts or ideas (Braun and Clarke, 2008).

Following Braun and Clarke (2008) the approach to thematic analysis taken in the study involved the following processes:

Coding: This phase involved generating codes that embodied important features of the data that might be relevant to answering the research questions. The data was coded by hand. Key words and concepts were highlighted and assigned codes in the form of words or short phrases. These were reconfigured in subsequent cycles, checked for consistency, illustrated with relevant data extracts and thereafter collated in preparation for thematic analysis.

Determination of themes: This phase involved examining the codes and collated data to identify patterns of meaning after which data relevant to each emerging theme was collated. Themes and sub-themes were then decided upon, their scope and focus determined and named appropriately. Once described, the themes were illustrated with quotations from the original text, and assessed in relation to their relevance in answering the research question. Themes were refined as necessary and the result formed the basis for the writing up of the results. Organising principles were guided by the flow of the research questions.

Analysis: The analysis phase sought to explain what the results mean conceptually. The research findings were analysed in relation to the research questions, literature and theoretical framework. The narrative was checked for contradictions, instances of over-interpretation and prejudices (Greenstein et al., 2003). The analysis also sought to develop converging lines of enquiry as espoused by Yin (2003, cited in Braun and Clarke, 2008).

4.7 Creation of a Case Study Database

A formal, presentable database has been created based on the data and is available for scrutiny by others. This includes transcripts, case study notes and documents. Case studies provide ‘thick description’ and assist in explaining how events and experiences represent "webs of meaning" for the actors (Geertz, 1973). The case study method includes the context as a major part of a study. Case studies can be explanatory, exploratory, or descriptive. Parthasarathy (2008) points out the following important aspects of the case study approach, as employed by ethnographers:

Ethnographers look for patterns, describe local relationships (formal and informal), understandings and meanings (tacit and explicit), and try to make sense of a place and a case in relation to the entire social setting and all social relationships. They also contextualize these in wider contexts (e.g., the wider economy, government policies, etc.). While a full-fledged ethnography typically demands long-term engagement in the field, ethnographic case studies can be conducted over shorter spans of time to explore narrower fields of interest to help generate hypotheses. But the critical feature of ethnography — seeking to contextualize the problem in wider contexts — also extends to ethnographic case studies.

4.8 Research Evaluation: Trustworthiness of the Study

Credible research for Kelly (2006 citing Habermas, 1991) requires reflection on the interpretive process and the effects this has on the emerging interpretive account. A central concern in qualitative research is that it may not be objective since the researcher’s biases and values may influence the results, even if through unintended distortions (Greenstein et al., 2003). There are important measures that must be taken in the course of qualitative research to ensure that the findings accurately reflect the evidence. For Greenstein et al. (2003), systematic checks on evidence must be included in the research design in the following ways. The researcher should examine all existing evidence and attempt to identify *internal consistency*, i.e. check whether the data is plausible given all that is known about the persons or situations being studied. Likewise, the researcher should strive for *external consistency* by verifying or cross checking evidence with alternative sources of data, including whether the evidence confirms field observations made. The use of multiple perspectives against which to check one’s own position is referred to as *triangulation* (Kelly, 2006). Types of triangulation include: data triangulation, investigator triangulation, theory triangulation and methodological triangulation (Kelly, 2006

citing Denzin, 1970). Other processes to accurately reflect evidence include inviting respondents to read and confirm the details being reported on and where possible, by allowing independent researchers to reflect on material supplied to them in the form of theoretical notes, raw data and interpretations in order for them to point out biases, flaws and other problems in the study. In addition, the keeping of extensive field notes enhances the validity and reliability of research undertakings and the ongoing maintaining and continuous reading of such field notes also develops the intimate knowledge of events, people and events required in qualitative, descriptive research (Greenstein et al., 2003).

While the above safeguards are taken, interpretivist researchers do concede that ultimately that their research conclusions are subjective and coloured by choices made by the investigator about how data will be gathered, analysed and interpreted (Thomas and Hodges, 2010).

This study utilised a range of ways to attain critical perspective in the interests of trustworthiness. From the possible types of triangulation listed above, *data triangulation* was a practical and feasible approach permitted by the study design (over the other more resource-intensive methods of triangulation). To achieve this, a range of data sources were targeted in the study. This was achieved by interview data being confirmed where possible by documentary analysis, photographs, field notes based on observations made during project visits and focus group discussions. The research process itself was continuously reflected upon in the course of the investigation to guard against common research pitfalls including *premature foreclosure* – the collapse of interpretive processes due to pressure to reach a conclusion; the so-called *vicious circularity of understanding* – where the researchers own beliefs and prejudices are projected onto the world and rediscovered as ‘findings’ and *dialogical imbalances* – the domination of the enquiry/dialogue by one party or perspective (Kelly, 2006 citing Addison, 1989). Continued engagement with emerging literature through the course of the study as well as regular discussions on interpretation of the data with my Supervisor also served to achieve and maintain a critical process of enquiry.

4.9 Ethics

Ethics in the research context is an important consideration and seeks to ensure that rules are followed and behavioural expectations met regarding the most correct conduct towards experimental subjects and respondents and others associated with the research process (Munro 2011, citing De Vos et al 2005). Research ethics draws on the philosophical principles of autonomy and the respect for the dignity of persons; nonmaleficence; beneficence and justice (Munro 2011, citing Wassenaar, 2006).

Ethical clearance for the study was obtained from the UKZN Humanities and Social Sciences Research Ethics Committee after following due processes. A copy of the ethical clearance certificate is attached as an annexure. Regard for autonomy of participants was ensured by firstly seeking permission from the secondary cooperative to which the restitution projects belong to engage with the various Communal Property Associations and project beneficiaries. This took the form of a personal address to a full meeting of the Amandla Richmond Farmer's Association during which I explained in detail the purpose and processes of the research.

Secondly, once such permission had been granted, an informed consent process was engaged in with the individual participants at each of the projects. This included the provision of a written participant information sheet in both IsiZulu and English which provided information about the project and conveyed details pertaining to the study's principles of confidentiality and anonymity. The informed consent process also provided respondents the opportunity to formally indicate understanding and a willingness to participate by means of an informed consent document which was signed by respondents. Permission to record interviews was also obtained through this process. The above processes were conducted in IsiZulu in most instances.

In the interviewing process, respect for participants was maintained in the manner of approach and address engaged in. The participants' comfort with the process was confirmed as and when necessary. Considerations pertaining to confidentiality and anonymity were followed through in the writing of the thesis through the use of participant codes rather than names of respondents and the use of project numbers instead of project names when sensitive content was being dealt with.

4.10 Limitations of the study

The study did not gauge the number of beneficiaries still interested and active. Sheer numbers of beneficiaries, in some projects amounting to hundreds of people, simply did not allow for this. An analysis of the experiences of farm workers displaced through land restitution would be an interesting area of further study, as would a detailed gendered analysis reflecting the specific narratives and perspectives of female participants in the restitution process. A final limitation of the study was that it proved impossible to reconstruct income and expenditure of the projects as these records were not available for analysis.

This chapter has outlined the research paradigm, research methodologies, strategies and design used in the study, including methods, sampling, participants, data collection tools, data collection, handling and analysis techniques and the principles that were taken into consideration in order to ensure the trustworthiness of the study. Working in the interpretive paradigm, the purpose of the study was descriptive and the study employed a case study design to gather and analyse qualitative data to answer the research questions. The following chapter presents an overview of the findings generated by the processes described earlier at the Richmond case study site.

Chapter 5: Research Results

Introduction

This section presents the findings from the in-depth case study of the seven Richmond, KZN restitution projects. It presents data gathered through in-depth interviews with beneficiary group members and other key respondents, as well as data gathered from focus group discussions, documentary analysis and observations during project visits. In line with considerations pertaining to anonymity, participant codes have been allocated and used rather than names of respondents. Project numbers instead of project names are also used when sensitive content is being dealt with. Focus groups were also allocated numbers and the participants similarly allocated codes linked to each numbered focus group. The coding method entailed each participant being randomly allocated a number and this was intended to accord anonymity by not including project details or other identifying information.

After a brief description of the Richmond area, the first part of this chapter provides some descriptive data on the individual projects in order to provide an overview of the nature and character of each of the projects analysed. Thereafter, the results are presented in line with themes as guided by the research objectives as well as new themes which emerged.

5.1 Study Site and Individual Project Descriptions

5.1.1 Richmond

In the version of Participant 20, in the 17th century, members of the Dlamini family moved to Richmond. They were originally from Swaziland and were also known by the clan name *Emakhuzeni*. They came in hiding (as *AmaBhaca*) due to conflicts in their previous settlements and were either accompanied, or later joined by, several other clan groups. They farmed vegetables and witnessed the town grow exponentially from around the mid- to late- 1800s. The expansion of the area into what became the more formal town of Richmond (Fig. 38 and Fig. 39) accelerated around 1850 with the arrival of the British Byrne Settlers. These settlers came from Beaulieu, the seat of the Duke of Buccleuch in Richmond, and the settlers were linked to many leading colonialist families in what was then called 'Natal'. The settlers were drawn to Richmond for its picturesque rural setting close to the Illovo and Umkomazi Rivers (Fig. 1) (Zululand Tourism, 2011).

The early 1900s also saw a concerted dispossession of the African population of their land around Richmond. A poll tax was introduced and generated resistance during which time 11 Dlamini's died from the ensuing conflict. In 1921, *Inkosi* Maskofini of the Dlamini's was hanged, and the Dlamini's scattered. Participant 20 relates how his great grandfather went with his wives to live at Kwa Mchobololo (present day *Highover Farm*, see Fig. 2), where his grandfather, and father had also lived. The land came to be eventually controlled by *Inkosi* Vusindaba Dlamini before they were forcibly removed in the apartheid era. Some went to KwaGengeshe and others to nearby Pietermaritzburg and surrounding areas (Participant 20).



Figure 1: The scenic Umkomazi Valley, seen from the *Hela Hela* pass. The two projects - *Mchobololo* and *Mgxobeleni* - are in this vicinity are capitalising on the eco-adventure and tourism potential of the area.



Figure 2: Umkomazi Valley and Hela Hela pass.
Two restitution projects, viz. *Mchobololo* and *Mgxobeleni* are indicated (Source: Google Earth)

Project 1: Mchobololo (Highover)

Property Description and Beneficiary Group

The restored property (Figures 3 – 9 and Fig. 37) is described as *Portion 1 of the farm Herbertsleigh No. 9436, Umnyesa A No. 7642, Rem Farm Umnyesa B No. 7744, Highover No. 5658, Highover No. 4 No. 11418 and Farm Arnoldsdale No. 11418 and Farm Bartman Beneficiaries No. 9147. Remainder of the farm Herbertsleigh No. 9436.*

The Mchobololo Project spans some 600 hectares of land purchased by the State for approximately R10 million. The land was restored to eight households and cash settlements totalling R 25 million was paid in October 2017 to the remaining 114 households in the claim. Restitution of the land took place in 2011 and the project has had recapitalisation funding of R4 136 415.

The restitution award which was granted to the claimant community included the 3000 ha Highover Wildlife Sanctuary which had been an operational private nature reserve immediately prior to restitution. The claimants have continued operating the nature reserve post restitution. The nature reserve has a variety of accommodation types including a lodge, riverside cottages, chalets, bunkhouses and camping. It has Natural Heritage Site status on account of its scenic beauty and numerous rare and endangered plant species. It adjoins the Soada State Forest consisting of 500 hectares of spectacular mist belt forest. The reserve is situated on the scenic

Hele Hele (Hella Hella) route between Richmond and Donnybrook and has spectacular river frontage, straddling 11 km of the Umkomazi River. It is a truly magnificent destination with dramatic landscapes comprising cliffs and mountain tops, waterfalls and rocky river beds. On offer are river activities such as white water rafting, canoeing and fly-fishing, 4x4 trails, mountain biking, indigenous tree trails and birding with over 240 recorded bird species, including being a nesting site for the rare and endangered blue swallow. The Wildlife Sanctuary has a string of accolades including having been named a Best Value Richmond Establishment by *Afristay* and joint winner of the national Sappi Tree Trail competition. It is a member of the Endangered Wildlife Trust's Blue Swallow protection program and official custodian of the Blue Swallow.

Project trajectory

The primary economic activity taking place on the Highover Wildlife Sanctuary portion remains ecotourism. Partly assisted by the local municipality, they expanded their accommodation facilities in 2015. The beneficiaries are conducting vegetable and cattle farming on other portions. One portion consists of 35 hectares of gum trees. Three (of the available twelve) hectares on one portion have crops of tomatoes, cabbages, spinach and green pepper which are sold at the Pietermaritzburg market. They cannot plant mealies or tomatoes due to the risks posed by monkeys and wild pigs. The gum trees are being sold to SAPPI for paper production. They fetch a better price for logs from small scale buyers, but the terrain is difficult for small trucks to access and they are forced to sell to SAPPI at lower prices when small scale buyers are not available.

Of the 100 head of cattle bought with government's assistance, they lost about 50 due to a disease. They have managed to generate some cash flow from cattle sales over time. Post restitution, the project has had a strategic partner who is an experienced accommodation establishment owner and cattle farmer. He had a contract of one year with the project.

Progress and challenges

The main income has been from the wildlife sanctuary business and the sale of cows and gum tree timber. There are cash flow challenges that are preventing the expansion of vegetable farming. The nature reserve experiences high and low periods, and is less busy than it was under previous ownership. The project has a full time receptionist and a small cleaning staff that work

several days a week. They are hoping for further assistance from government to keep the project afloat.

Livelihood benefits

No distribution of funds has occurred and income has been re-invested into the wildlife sanctuary and farming operations. The cash settlement in respect of the claim took 19 years to finalise. An 81-year old beneficiary who has been among those forcibly removed from the land personally received the cheque from the KZN Land Claims Commission, citing how his pregnant wife lost the child she was carrying at the time as a result of the trauma of being forcibly removed from the land (Nsele, 2017).

IMAGES OF THE MCHOBOLOLO RESTORED PROPERTY AND SURROUNDS



Figure 3: On the Hella Hella pass, with part of the Mchobololo restored land indicated above



Figure 4: Mchobololo has planted 3 hectares of vegetable crops for market



Figure 5: Mchobololo restored land above the Hela Hela pass, used for cattle grazing. The cleared forested area in the foreground also belongs to Mchobololo, but not the tree compartments in the background.



Figure 6: New accommodation facilities at Mchobololo built in partnership with the Richmond Municipality



Figure 7: Pre-existing lodge facilities at Mchobololo

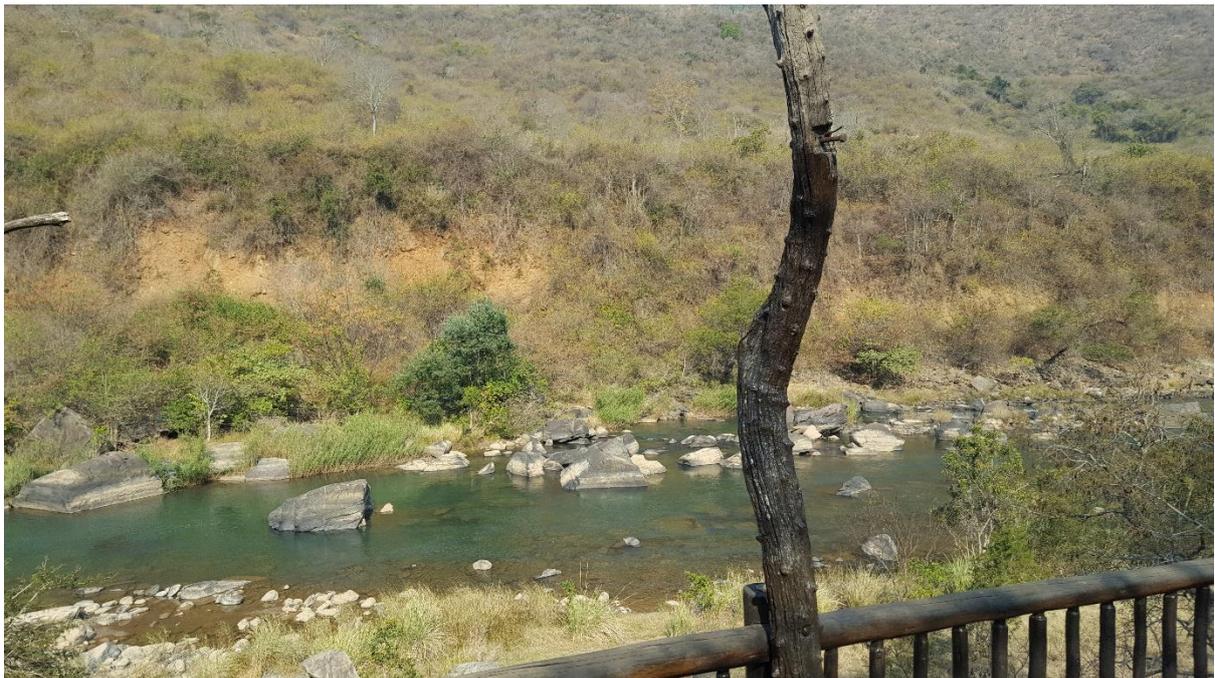


Figure 8: The Umkomazi River than runs next to the Highover Lodge at Mchobololo



Figure 9: Pre-existing lodge facilities at Highover, Mchobololo

Project 2: Mgxobeleni (Hella Hella)

Property Description and Beneficiary Group

The restored property (Fig. 37) is described as *Portion 1 of lot WS 4 and lot WS 4 No. 6363, remaining extent of lot 128 No. 1831, farm lot WS 3 No. 7161 and lot WS 6 No. 8402.*

The beneficiary group consists of 55 households. Restitution of the land occurred in 2008 and the project has not received recapitalization funding. According to the Land Restitution Commission, funding is in the process of being considered. The Project spans 2006 hectares made up of various farm portions. Much of the land is along the Umkomazi River. Prior to restitution, the various portions had been used for cattle and vegetable farming (oranges and cabbages). The land was restored with a 5-hectare property that consists of various buildings that had been run by previous owners and tenants as an outdoor and adventure education centre for school and church groups, as well as corporate teambuilding (Figures 10 – 12). The establishment, called the *Hella Hella Eco-Adventure Centre*, has been running ecological adventure activities for some 20 years. This business had been running for several years with various different owners prior to the land being restored to the current beneficiary group.

Project Trajectory

When the land was restored, the beneficiaries' initial plan was to use the land for cattle farming and expand with time to include other farming activities. There is however only a limited amount of (mainly beneficiary-owned) cattle grazing on the land due to recapitalisation delays that prevented the purchasing of cattle for the project. On the portion with the environmental centre, the beneficiaries chose to continue with this activity which they are still doing. Since obtaining the property, they have leased the environmental centre to numerous tenants to run independently. The environmental centre has been yielding a steady income for several years with rental being approximately R15 000 per month. They rely solely on the contacts of the tenants to source school groups and other clientele for the educational centre. The centre conducts marketing through social media. The Land Restitution Commission has assisted them in leasing the property to tenants.

The project has had difficulties with previous tenants, with one failing to fulfil his lease obligations. The committee appears satisfied with the current tenant. Eight beneficiaries are employed at the centre. This includes the chairperson of the committee who is an eco-education facilitator. The other beneficiaries are general workers at the educational centre performing work such as cleaning and building maintenance. They have received some training in relation to their work.

Further, a company called Putosa (Pty) Ltd has been formed under the auspices of the CPA with three of the beneficiaries nominated to manage it. The intention is to run a cattle farming operation through this company. The company has made a request to government to finance the purchase of cattle and tractors, but approval has been withheld pending a proper handover by the former CPA. The company will be accountable for management of the funds received for the farming venture. The Restitution commission assisted in the set-up of the company, including the appointment of an accountant, which the respondents themselves have considered critical for their success.

Progress and Challenges

The project has not made any disbursements to the beneficiary group. Leasing the educational centre has proven tricky. A previous lease agreement went awry and they ended up in court to litigate against a previous tenant. Infrastructural risks common to most other projects are also

encountered such as inadequate fencing resulting in theft of cattle and damage by straying cattle.

The educational centre has worked, despite the business having its fair share of ups and downs, and they routinely receive school groups from around KZN. The educational centre had been more popular under previous ownership and business appears to have slumped in the recent period. This may be a reflection of the depressed economy in general. Nevertheless, at the time of the study, the tenant was erecting new accommodation facilities which does indicate that there was sufficient cash flow that made this possible, and prospects of future business income that made this necessary. The tenant's role in bringing in clients through their own client base and established networks is pivotal.

The farming efforts have not worked. They attribute farming challenges to government not having funded them. Vegetable farming had also not been thriving when on the land when it was restored. The previous mentor indicated that the terrain is difficult in parts for farming as some of the property is almost vertical cliff. Moreover, the previous owner of the portion that previously had vegetable crops had sold off assets and had left the farm quite bare. The current committee believe that there is potential for subdivision. They do believe the land is good for vegetable farming. The beneficiaries of the Mgxobeleni project are also intending to lay claim for restitution of other portions of land.

Livelihood benefits

Apart from the creation of eight beneficiary jobs, there are beneficiary-owned cattle grazing on the farm. There has been training offered to the beneficiaries who work at the educational centre. The chairperson has been trained as an ecological and nature education facilitator. He has learnt much about the industry from previous tenants as well as the current one. Some of the other beneficiaries employed as general workers have worked for this and neighbouring farms and businesses prior to the restitution and do bring experience into the equation that would benefit the project in years to come should they become independent.



Figure 10: Entrance to the Hella Hella Eco-Adventure Centre



Figure 11: This building was restored together with the various land portions and has been leased to various tenants operating the Eco-Adventure Centre



Figure 12: Accommodation facilities at Hella Hella restored with the claim. New facilities are also being added.

Project 3: Inkanyezi Yamahobe

Property Description and Beneficiary Group

The restored property (Figures 13-16 and Figure 34) is described as *Portion 2 of the farm Long, Portion 2 of the farm Hartebeesfontein No. 1055, remainder of portion 6 of the farm Keerom No. 1190, Portion 14 of the farm Keerom No. 1190 and remainder of Portion 1 of the farm Hartebeesfontein No. 1055*. A total of 848.2108 hectares was restored. The various portions were restored between 2009 and 2012. The beneficiary group consists of some 36 households totalling about 160 individuals.

The project has not received recapitalisation finance. The various portions restored had been working farms with timber and a small amount of sugar cane at the time of restitution. There were approximately 600 hectares of gum trees on the farms and from some portions, the group was able to harvest and draw income almost immediately. Other portions had crops of small trees. Two houses and four cottages also came with the farms. One of the houses, although partly vandalised at the time of receipt of the farm, is currently in good condition and is used by the committee. The second is leased to Mondi. There was a hangar at the time of receipt which has since been converted into a shed. The small airfield that the previous owner had used

was converted into additional tree crop land. There was some sugar cane growing on the farm as well but it was being stolen by the neighbours and the beneficiaries decided to remove the sugar cane and plant trees in its place.

The cottages which came with the farm appeared in poor condition when viewed in 2018, some nine years after the restitution of the farm. The respondents indicated that the previous owner had vandalised the buildings. There was a prevalence of wild tree growth and a severe weed problem with *Jikjol* and *Bhongabhonga* growing in some of the tree compartments.

Project trajectory

The beneficiaries had from the outset decided to continue with the farm as a business which they would manage and run themselves. The intention was to continue the tree farming business given that previous owners had made successes of their ventures. They also took a conscious decision to not allow people to live on the property and to plant on all available land making efforts not to leave any areas of the farm as vacant land. The beneficiaries have begun the process of repairing what had been vandalized. They removed weeds with the assistance of the Department of Agriculture (Cedara) who provided chemicals. They planted approximately 55 hectares of trees in open spaces where the previous owner had harvested, where there had been sugar cane previously and on the site that had formerly been an airstrip. Currently the farm has 700 hectares of trees. Some 30 head of cattle has been purchased for the project over a period of time.

The majority of the farm consists of Eucalyptus (gum) trees, both *Eucalyptus dunnii* and *Eucalyptus smithii*. Internationally the *Eucalyptus dunnii* species has become increasingly popular due to its naturally good form, high wood density, adaptability to a range of site conditions and tolerance to pests and diseases. *Eucalyptus smithii* is a good species for second rotation coppice crops (shoots from stump or root when cut). Its wood density is above average and the species has good pulping characteristics (SAPPI 2018). The farm has a contract with SAPPI to provide the gum trees for paper pulp. Gum trees have an 8 to 12-year cycle. The tree grows for about 8 years and can thereafter be cut over the following four years (years 8 to 12). If cut in the 11th or 12th years, they are generally used for sawn timber products (planks) due to their size.

The project's first gum tree harvest of 40 hectares was in 2013, and they have subsequently harvested 40 hectares annually since then. The harvesting is conducted on a rotation basis and

40 hectares are cut annually to ensure a constant income stream. Project success was attributed to both the training received as well as the fact that a contract was secured with SAPPI to provide timber for pulp. Wattle has been sold to NCT annually. Pine has been sold about every three years and is normally used for sawn timber. A portion of the farm, including one of the main houses, is also on lease to MONDI for tree plantation. Once the term of the lease with MONDI ends, the committee will then take a decision on the future of that portion.

Vehicles purchased include a bakkie (van), a tractor and two trailers - one for log transportation and the other for firefighting. Equipment purchased include firefighting equipment, chainsaws and picks. Income has been used for staff payments towards farm restoration, controlled burning of firebreaks during fire season, tree maintenance and tending to fields as well as for tool purchases. The project has had a steady income stream from tree harvests since 2013. Workers on the farm have included both beneficiaries and persons from the area and were hired periodically as the need arose. Relationships among beneficiaries are has varied. Among some relations are good, with many families of beneficiaries related through marriage.

Challenges

They have been awaiting government support in the form of a recapitalization grant for some five years. Around 2012, they also requested for funding from the IDC and the DTI. Department of Rural Development and Land Reform had promised to provide funding and this is still awaited. However, it does appear that the DRDLR has repaid a loan from the IDC on behalf of the project. The strategic partner and mentor on the project, SAPPI, has assisted in completing the required business plan for funding. Individuals have loaned the project money at the early stages which is still to be repaid.

Fire is a huge risk for the project and they are constantly attempting to detect fires as early as possible and conduct burning of firebreaks. Young boys using smoke to access beehives for honey also cause some of the fires. Local people are also involved in timber theft from the farm and they have introduced some security measures to curb this. Some steal poles for other uses and others steal timber for firewood. Cattle straying onto the farm is a further risk and they engage the community on this. Access roads had to be developed at substantial cost especially for firefighting, as at one point, the water truck could not access all areas and in case of fire, water would have had to be carried by hand in buckets.

Livelihoods benefits

This is one of the few projects that have made some disbursements to beneficiaries. Cash payments have been made to the 36 beneficiary households twice since 2013 when the first tree harvest was undertaken which yielded the first bit of income. The first payment made five years after the restitution in 2015 and was R6 000 per household. The second payment to beneficiaries was R10 000 per household made in 2017. However, a challenge emerged (although at a small scale) which involved heads of households not distributing cash payments received from the project to beneficiaries within their families. The committee had to intervene and resolve this matter. The project has paid for security officer training for six people and the project has also hired some young people as security officers. The project has funded ten beneficiaries to obtain drivers licences and has sponsored school uniforms for 50 children of beneficiaries. Two university students have been awarded bursaries. As Participant 11 proudly stated:

Even our beneficiaries, if we do well, we make them happy by giving them dividends. We've done that twice, and we help the youth to improve their lives with skills. (Participant 11)

Four beneficiaries gained employment on the farm. MONDI has sponsored school uniforms for approximately 120 learners and also sponsored the building and furnishing of a crèche for the beneficiary community at Elandskop. The committee does feel pressure from beneficiaries wanting further benefits from the project and has the onerous task of taking decisions as to when to make payments to beneficiaries. Beneficiaries are also routinely provided with firewood once tree-felling has completed.



Figure 13: Inkanyezi Yamahobe was restored with vast tracts of tree compartments. The forest in the background is on lease by the project to MONDI, including the buildings at the centre of the picture.



Figure 14: Various buildings were restored with the claim and these are in use by the beneficiaries in the forestry business



Figure 15: Properties were vandalised during the course of the claims process and even after the land was restored



Figure 16: The hangar converted into a warehouse after the airstrip was dug up and the space used for additional tree crops

Project 4: Emasosheni

Property Description and Beneficiary Group

The restored property is described as *Portion 2, 3, 6, 7, 8, 9, 10 of the farm Process Kraal No 1059* (Figures 17-21 and Figure 36).

The beneficiary group consists of 78 households. Beneficiary status in respect of the restored land was initially a subject of bitter contestation. One family in particular had asserted a sole right to the restored land having disputed the beneficiary status of others who had come forward to join the claimant group. This family maintained *de facto* control of the restored land in the early period, during which time the buildings and equipment received with the land, notably on the former Sapekoe Tea Estate, had been severely vandalized and looted. The claim in respect of the former Sapekoe Tea Estate (the Sapekoe/KwaLoyi portion), the first piece of land restored, was finalised in 2007. Ebhunwini and Kwa-Mafunwayo (Greenvale) were restored in 2009. The project has not received recapitalisation funding. Overall, the Emasosheni Project spans 1385 hectares consisting of seven restored land portions as described below.

- *The Sapekoe Tea Estate portion*

The largest and most developed of the portions restored is the former Sapekoe Tea Estate comprising 550 hectares. The Sapekoe farm had stopped tea production in the final years preceding the handing over of the farm to the claimants, this under circumstances of a depressed tea market and rising production costs. This context has a bearing on how one assesses the gains derived by the beneficiaries from this asset and is explored in Chapter 6. Another important factor relates to the actions of Sapekoe in relation to the preservation of the value of the tea farming operation immediately prior to the handing over. One respondent indicated that Sapekoe's previous owners stripped the operation of the bulk of its equipment prior to restitution. It is very likely that this did occur as, in another of Sapekoe's operations in Limpopo, there is evidence that during the course of a land claims process, Sapekoe's former owners stripped that operation of items of value and the significance of this for this project will also be dealt with in Chapter 6. Notwithstanding the preceding references to the factors which had a bearing on the true value and potential of the Sapekoe portion at the time of the handing over, this portion nevertheless was high value land which was handed over with buildings, equipment and a crop of tea plants.

In the prime of its operation, the Sapekoe Tea Estate (Kwa Loyi) had been a significant tea producer. It had a factory, houses and other building for staff accommodation, security infrastructure and a warehouse. The land was restored with buildings, trucks and some equipment. However, the tea farming operation was not continued by the beneficiaries. What in fact happened was that buildings and equipment was severely looted and damaged and the property began a long process of deterioration which continues to the present. The tea trees became overgrown. Among the looted items were irrigation pipes, roofing material and other equipment. There was reference to a ‘pump’ that was removed and is held in safekeeping by one of the original committee members.



Figure 17: Timber being harvested at Emasosheni



Figure 18



Figure 19

Figures 18 and Figure 19: Vandalised buildings that used to belong to the former Sapekoe Tea Estate. Overgrown tea trees are also still visible on the property.

- *The Ebhunwini portion*

The Ebhunwini portion is a farm of about 750 hectares. It is relatively flat and next to Umkomazi River and has grain silos on the property. About 15 Km of good gravel road leads

to the farm from the Ixopo road which I first visited on 24 June 2016. The field was uncultivated and the three concrete silos stood unused, overgrown with vegetation from within. Some buck had passed by, and later cattle and herdsmen on horses. One of the beneficiaries had informed me that the cattle belonged to some of the beneficiaries. He had remained behind on that day to dip his cattle in the dip on the property. Another beneficiary informed me that he had grown up around this farm and that on that very portion, there had been a school and a shop which had been washed away by a flood in 1987.



Figure 20: Emasosheni's fertile Ebhunwini portion located next to the Umkomazi River has been lying idle for many years.

From Ebhunwini, the restored land extends up the hill to the former Sapekoe tea estate and surrounds, including portions previously farmed with vegetable, sugar cane, gum trees and which had been used for cattle grazing. A portion called Kwa-Mafunwayo (formerly Greenvale) was restored around 2009 with small gum trees.



Figure 21: The Emasosheni restored land stretches from the Umkomazi River up the hill to the former Sapekoe Tea Estate – 1385 hectares in total.

Project Trajectory

In the early years, the project suffered timber theft of an estimated value of between R300 and R400k. The Sapekoe Tea Estate trucks were sold and no information was available on income derived.

To date, the project has seen a fair amount of income. During the term of the first Committee, it is estimated that approximately R4 million was generated. During the term of the current Committee, R800 000 is estimated to have been generated. In total, timber sales over several years would have brought in up to R1.5m (Participant 23). Timber was harvested between 2011 and 2017 from the portion called Kwa-Mafunwayo and sold to SAPPI's SAICCOR mill for paper production. On a soft loan basis, SAPPI removed wattle and planted gum tree compartments in some portions of the restored land. SAPPI's soft loan of R 600 000 involved the provision of seedlings to plant gum trees, assistance with weeding, firebreak maintenance and fencing to keep cattle out. The Trust still owes SAPPI the R600 000, and the arrangement is that they will pay it back from timber sales.

Thin poles (*droppers*) were sold to Natal Forestry Products (NFP) between 2015 and June 2016 earning an income of R200 000 (Participant 7 and Participant 2). Some of the tea tree timber

was also harvested and sold as droppers to a pole plant in Richmond. Some land is leased as grazing land to neighbouring white farmers. Payment details were not available although Participant 2 estimated that it generated about R40 per head of cattle per month, which given the number of cattle grazing on the land, amounted to some R 40 000 p.a. Wildlife hunting rights are sold which generates approximately R3000 per buck (depending on the animal size). Requests made by farmers to lease the land for various other crops such as sugar cane and avocados were turned down.

The main expenses incurred include: diesel, the purchase of a Bakkie at R300 000, Electricity costs paid to Eskom, payment towards a water licence, fencing, purchase of tools and equipment (4 chain saws and 2 brush cutters), firebreak maintenance, payment to Richmond Fire Protection at R4000 p.a. and payment of Committee meeting allowances of R300 per meeting. SAPPI has been assisting the project since about 2009.

Progress and Challenges

Fire is an ever present risk to the tree crop as is theft of timber which has occurred since the beginning of the project. Beneficiaries have also been implicated in timber theft. The removal of alien vegetation (*Lantana*) is an ongoing challenge, and the Department of Agriculture has helped with chemicals at times. Other challenges include illegal hunting and theft of game (mainly buck).

Beneficiaries are still not completely sold on the idea of investing for long term gain; they want more immediate cash benefits for personal use. Moreover, additional beneficiaries are coming forward, and these beneficiaries want cash payments and are not interested in farming. There is a feeling that the vandalism which has occurred has been a result of disgruntled beneficiaries not having received any benefit while perceiving others to have benefitted in underhanded ways. Respondents have spoken of challenges of learning how to respect each other as beneficiaries and of learning how to manage businesses. Undercurrents of conflict exist over the loss of value of the project and the perceived benefits accrued to a few.

Income has been generated but has not filtered to ordinary beneficiaries. The reason provided for this is that income has been used to recapitalise the project. There are plans to plant cabbages and other vegetables on the Ebhunwini field with the help of the Mchobololo projects

which will lend them a tractor to plough. They have had discussions with *Shoprite*, facilitated by the then Department of Land Affairs, but the project needs funding to begin vegetable crops. The projection of income for the beneficiaries from this project will be between 5 and 20%. Eucalyptus trees for the production of *Vicks* have already been planted. SAPPI has submitted a business plan for the projects to government. It was approved but nothing has come of it. The projects will continue with gum tree farming due to a perceived good market and the availability of SAPPI to support the Trust with strategic advice. They want to continue to engage SAPPI to assist them with marketing.

Livelihood benefits

The trust has not distributed money to beneficiaries but has opted to reinvest in farm operations instead. They host a party in December every year for beneficiaries and some distribution of meat takes place (Participant 2). There is some beneficiary-owned cattle grazing on the farm, but it is minimal (approximately three beneficiaries) as most beneficiaries live quite a distance from the restored land, mostly at Esimozomeni, Pateni and Ndalen. Some 20 to 30 beneficiaries have been employed sporadically on the timber plantation to do planting and harvesting. However, the beneficiaries were said to be lazy and felt they could put in effort on their own terms as it was ‘their land’. SAPPI, which managed the workers later changed its hiring practices to hire non-beneficiaries instead.

Participant 2 wants the children of the beneficiaries to learn to be business-minded and run operations. They also want to establish an educational trust fund and do insurance and housing.

Project 5: Endodeni

Property Description and Beneficiary Group

The restored property ((Figures 22-25 and Figure 34) is described as *Portion 7 of Illovonek No. 1056*. The single property restored spans 23 hectares, with 14 hectares considered arable land. The surrounding forests are owned by SAPPI. The farm was restored in 2013 and the beneficiary group consists of 108 households. The farm was received with three houses and a cottage. As with other claims, the previous owner neglected the property while the claim was in progress. The farm had not been adequately fenced. There was alien vegetation on the farm and few crops had been planted except for a few orange and lemon trees around the houses.

Project Trajectory

The first task undertaken was to safeguard the property upon receipt, which Participant 8 undertook. The beneficiary group were asked to contribute money for initial costs and about R2000 was collected. The initial amount requested from beneficiaries was R500 each but most could not meet the amount. Some managed to contribute between R50 and R200. The R2000 was used to plant a vegetable crop and pay electricity charges. They began some clearing of alien vegetation. There has been no funding received to date. The group had wanted to plant sugar cane on the 23 hectares but this was not seen as viable by the Restitution commission and the business plan was turned down. Although not coherently undertaken, the original plan had been to plant beans, mealies and other vegetable but this was made difficult by the lack of fencing among other things. The beans and cabbage crops that were planted eventually failed.

After the failure of the vegetable project, they began looking for someone to rent the farm. In 2014, they began renting to 'Tenant A1' (now deceased). The arrangement was that he would not pay rent but rather pay towards the accumulated electricity arrears owed to the Municipality / Eskom. The arrangement included repairs to the property by the tenant in lieu of rental payments over the three-year lease period. Tenant A1 paid electricity arrears amounting to R17 000. Tenant A1 ran a Bed and Breakfast establishment on the farm. Participant 8 also got employment at the property during Tenant A1's tenancy for about one year. He was also asked by the beneficiary group to remain on the property while it was leased out. Two financial investors also came onto the scene to partner with Tenant A1 in running the B&B. While Tenant A1 did improvements to the property including repairs and setting up the B&B premises, it was not a busy establishment, possibly due to its location – it was out of town and had to be accessed partly via a gravel road. Tenant A1 was also not experienced as a B&B operator. Tenant A1 was reluctant to hire beneficiaries, although he did hire one female beneficiary to clean and do laundry. When the establishment became busy, he would hire his family members.

Tenant A1 ran the establishment for about a year and a half after which he passed away. Soon after Tenant A1's death, the electricity bill was discovered to still be quite high with about R32 000 owing. Participant 8 returned to live on the property in 2016, during which time he maintained the farm and tended to the property. Another tenant emerges on the scene at about mid-2016 and eventually moved in in December. This tenant rented the farm on the same terms,

i.e., that he would pay the electricity arrears in lieu of rent. A year and a half later, by May 2018, the electricity bill stood at R16 000, which meant that the second tenant had paid R16 000 over eighteen months, a rate of under R1 000 per month which seems low as a replacement for actual rental.

Progress and challenges

The beneficiaries do not appear to be a coherent grouping. Meetings of beneficiaries were poorly attended, with about 30 in attendance. Beneficiaries live far from the property and some have no interest in farming. At the time of the inception of the claim, the beneficiaries were not aware that they could claim for cash payment.

There are others outside the group who claim to be legitimate beneficiaries and want to get a stake in the claim. There is vandalism of the farm emanating from Kwa Gengeshe. There are clashes of ideas among beneficiaries. Participant 8 mentions that his ideas are challenged by people who don't present alternative ideas. The relations among committee members is fine and they work well together. The Restitution Commission provided a course on plant production which was attended by 14 beneficiaries. This involved training in vegetable, cattle and pig farming.

Participant 8 feels government failed them in terms of support. They began with no equipment and the farm had been vandalised when they received it. They would have been better off had government supported people to occupy the farm and also pay expenses such as electricity which became an onerous responsibility for them as new owners. For their part, they have realised that it was a mistake to have permitted Tenant A1 to run the place. He was supposed to employ beneficiaries and transfer skills but he did not. He was actually a relative of some of the beneficiaries and that is perhaps how he managed to get the property leased to him on such good terms. There are challenges with the status of beneficiaries with not all seen as bona fide beneficiaries.

Livelihood benefits

No money has been distributed to beneficiaries. One beneficiary was hired as a worker at the B&B and Participant 8 got short term employment there as well.



Figure 22: Entrance to Endodeni. The name of the now closed Bed and Breakfast, 'Shona Langa' that leased the property still remains.



Figure 23



Figure 24



Figure 25
Figures 23-25: The various buildings that were restored at Endodeni

Project 6: Ngqabeni

Property Description and Beneficiary Group

The restored property (Figures 26-29 and Figure 34) is described as *Remainder of portion 2 of farm Keerom No. 1190FT and Portion 12 of farm Keerom 1190FT*. The Project spans 598 hectares and the land was restored in 2010. There are 36 beneficiary households. One hundred and ten hectares of the farm is under eucalyptus trees grown for the production of essential oils.

Project trajectory

The farm was returned with an essential oils factory on the premises. The previous owner of the farm had run the factory then and continues with production of essential oils leasing the factory from the beneficiaries. The beneficiaries are currently farming eucalyptus and cattle. They are supplying the eucalyptus leaves to Busby Essential Oil Company and the oil company pays them rental for having its factory on the farm premises and also rents the house of the former farm owner. The eucalyptus leaf-growing operation is completely run by the beneficiaries. The cattle farming operation involves 153 cattle which they sell when funds are required for farming operations. Their expenses involve labour and equipment for fire-breaks, electricity and licensing costs of the trailer, van and tractor.

The project has received recapitalisation funding to the value of R2 507 892 in about 2013. Upon receipt of recapitalisation funding, they acquired 100 female cattle, 5 bulls, a tractor, a

water cart, a trailer, grass cutting equipment, water spraying equipment and fencing for the 600 hectares.

There had initially been a number of beneficiaries who had the impression that they could come and settle on the farm post restitution. However, the decision was taken to continue the farm as the previous owner had run it. They decided that they would not allow new residences but leave the oil company to continue running its' business on the farm playing a caretaker role as well in short term. They saw this period as an opportunity to learn how to cultivate eucalyptus trees which is used in the manufacturing of body lotion, Vicks and Zambuk.

In order to manage the project, they established a company appointing one of the beneficiaries as the Chief Operating Officer who reports to the CPA. This project does the farming of eucalyptus trees, conducts maintenance of the farm and handles issues such as fencing. They would like to introduce sheep, goats and pigs in the future. They had heard their grandfathers tell tales of there being a spring water source on the farm and should this be the case, they will in the future establish a spring water bottling business on the farm as well.

Progress and challenges

The project started with difficulty. The new trust initially formed had created many problems. They hadn't paid electricity and had created animosity. The new trust has improved relations among beneficiaries. Usual farm related-problems are present such as the stealing of their fencing. There has also been a drought but the group managed to maintain some grazing land and they continue to prioritize the cultivation of grazing land in case of future droughts. There has been mention of a previous CPT having misused income generated from the project and it was reported that the current Trustees are taking steps to rectify the situation and prevent further similar occurrences.

Another challenge which emerged was that during the claim process they had failed to distinguish those beneficiaries who had wanted cash settlements from those who wanted land and this led to some conflict during the term of the previous committee as some were demanding cash payouts after the claim has been settled by means of land restoration.

They were not able to improve roads on the farm required to facilitate better access for fire protection. They attribute their setbacks to the poor management of project income by a previous committee. They have received some training from government. This included bookkeeping finance.

They have a good relationship with the factory operator. He has provided assistance to the beneficiary community such as by assisting with his own tractor during fencing operations. Fencing has been an important achievement because previously, cattle belonging to neighbours was grazing on the land to the detriment of crops.

They earn around R110 per ton for the eucalyptus leaves. In terms of future planning, they would like to continue the essential oil operation. Cattle farming will also continue and they would like to add sheep and goats. Capital with determines whether able to establish a henhouse and piggery because start-up costs for egg and pig farming are high. They have received training on pig farming and have the necessary information and knowledge but are waiting for capital. The rental income goes to the trust and is used to run the farm and purchase items such as diesel for the farming operations. The cattle operation and day-to-day farm management is undertaken by one of the beneficiaries under the direction of the committee. This committee is eager to give beneficiaries a return from the proceeds of the operation.

Some risks include neighbours hunting illegally on the farm and burning the grass to facilitate easier hunting. There are people who try to extract honey from the trees and burn objects in order to create smoke and first divert the bees, and these cause fires. Others come to steal firewood and chop trees when doing so. Some damage the fencing while trying to access the farm. An additional difficulty faced by the committee is that many beneficiaries are getting old and there is pressure on the committee to begin paying beneficiaries before some pass on.

Livelihood benefits

They have not made any payments to beneficiaries as yet. They had intended to have some savings to pass onto beneficiaries but the previous trust had mismanaged money. There is hope that the current trust will make some financial disbursements to beneficiaries in the current year.

Most workers at the oil factory are beneficiaries. In all the factory employs approximately 10 beneficiaries. Beneficiaries are not the best workers and are hard to manage and the farm therefore employs beneficiaries seasonally.



Figure 26: Workers about to depart to the Ngqabeni Eucalyptus fields



Figure 27: Cattle kraal at Ngqabeni



Figure 28



Figure 29

Figures 28 and 29: The essential oils factory at Ngqabeni

Project 7: Emagxabeni

Property Description and Beneficiary Group

The restored property (Figures 30-33 and Figure 35) is described as *Portion 55, 59, 177, 178 and rem of Ptn 64 Farm Dunbar Estate 1478*. The restored land amounts to 169 hectares and recapitalisation funding to the value of R2 468 665 has been received. The beneficiary group

consists of some 165 families. The beneficiaries have vivid memories of having grown up or having worked on the farms now restored.

We knew this farm as we were born here, but when we had grown up, the whites evicted us. We worked on this farm. We were milking cows; it was running perfectly. (Participant 18)

There are other beneficiaries who had opted for cash rather than the restoration of land and this group is still awaiting payments, which they were informed will be made in the coming months. The largest of the restored farm portions borders a forest owned by Mondi and is surrounded by other medium to large-sized farms. There is a small river running along the property. It had previously been a dairy and cattle farm with about 2 hectares of oranges and a large area which had been used for vegetable crops. When restitution took place, the property had several buildings all of which had been in a poor condition and remain so. The farm was received with a water-pump but the engine no longer works. They also received the farm with irrigation pipes in the ground with valves for water connection which had been installed by the previous owner. It was mentioned that when the restitution claim was instituted, the former owner had either neglected or vandalised the property and buildings. The orange crop was no longer there when the land was restored.

Project Trajectory

When they received recapitalisation funding, the beneficiary group had continued to use the area on which the previous owner had grown vegetables to grow cabbages, potatoes, calabash, beans and carrots. They had sold these crops to the markets in Pietermaritzburg and Durban. However, when funding dried up, they stopped vegetable farming, and this area now lies unused. Money was also spent on water and electricity. At some point, they also harvested and sold timber from trees.

Lack of profitability of the operation coupled with theft by workers also contributed to the failure of the vegetable farming venture. The tractor and plough which they had purchased with recapitalisation funding now lies unused. The beneficiary group also bought livestock with the recapitalisation funds and continues with cattle farming on a small scale. The projects records have been stolen during a burglary at the project office.

Progress and Challenges

Cash flow has all but dried up. *Participant 18* indicated that he is not being paid for work done due to cash flow problems. The project is deeply divided over allegations of mismanagement of funds. Some loss of value has been attributed to theft of vegetable produce by workers who had stolen in large volumes for resale. Some felt that government did not do adequate monitoring of the project (*Participant 3*). Loss of documentation has been a challenge. A further challenge is that the farm experiences difficulties operating in winter due to the lack of water in winter months. A neighbouring farmer has also built a dam upstream which has reduced their water supply.

The receipt of the land generated conflict on many levels. Some of the conflict set in due to claimants who had originally opted for cash payments not been being paid out. These beneficiaries came into conflict with the committee having gained the impression that the committee had received money intended for them. The current position adopted by the committee is to halt new grant applications until claimants who had originally opted for cash payments have been paid out, to avoid further conflict. This is a sore point for current committee who feel hamstrung by this issue. Another development is that those who opted for cash payment have also begun using the land as well. There are also beneficiaries who have since become disillusioned with the project's failure and who now are no longer interested in farming, but want cash instead. The project is in a state of non-cooperation according to *Participant 3*, who says that money has caused the conflict.

There are allegations of mismanagement of funds against certain members of the committee. Respondents suggested that when the project was doing well financially, certain committee members failed to disclose information on the project's finances to beneficiaries. Further allegations relate to non-consultation of beneficiaries and fellow-committee members in relation to various project affairs (such as hiring of the mentor, income from sales, salary amounts paid).

Vehicles would come here to load stuff and I would be just sitting side-lined; even when people were paid salaries, I did not know how much they were paid. (Participant 4)

Our treasurer is person x who is also a beneficiary. In 2013 we generated R370 000 and in the subsequent year they did not disclose it and we are now penniless. (Participant 4)

Outsiders were preferred as workers over beneficiaries which has also become a sore point. The old committee has refused to vacate office. A mediator has failed to resolve the impasse. In the future, the beneficiaries would like to continue with livestock farming. They would also like to resume the vegetable crops including cabbages and potatoes, and add mealies and beans, funds permitting.

Livelihood benefits

No funds have been distributed to beneficiaries yet. The committee intends distributing cattle born from the current herd to the beneficiaries as part of the process of distributing benefits. There is currently some beneficiary-owned cattle grazing taking place on the farm.



Figure 30: Farm infrastructure restored at Emagxabeni



Figure 31: Emagxabeni cattle grazing fields



Figure 32: Farm infrastructure restored at Emagxabeni



Figure 33: The Emagxabeni field where crops ceased after 3 years of intensive production by the beneficiaries. The project had received a capital grant of R2.4 million but could not sustain production.

5.2 Findings in respect of research objective pertaining to original post-restitutive goals and subsequent performance against these

The set of interview questions pertaining to this research objective related to the background and production history of the restored land, goals set post-restitution as well as achievements to date. These questions were intended to gather some baseline data as to the state of the land at the time the beneficiaries had received it, how they decided to chart a course of development with what they had received, what their original plans, goals and projections had been and to what extent they have been successful in achieving those. Some of this data has been reflected in the section entitled '*Individual Projects Descriptions*' above, and other results follow in subsequent sections of this chapter in a more aggregated form.

5.2.1 Status of Projects and Trajectories of Choice

Table 1 below describes the trajectories chosen by each of the projects making comparisons between the beneficiaries' original goals and achievement against those.

Table 1: Summary of Project status				
Project Name	Original goals post-restitution	Achievement against original goals	Activity details	Additional information
Mchobololo	Ecotourism	Achieved	<i>Highover Wildlife Sanctuary</i> fully operational	Project existed prior to restitution
	Vegetable farming	Partial achievement	Vegetable crops for market on a small scale	
	Timber farming	Partial achievement	Harvested existing crop - no new crop planted	Crop existed prior to restitution
Mgxobeleni	Outdoor adventure and ecological education centre	Achieved (through various leases with industry experts)	<i>Hella Hella</i> Eco- adventure centre fully operational	Project existed prior to restitution
	Cattle farming	Not achieved	-	Lack of funds
	Vegetable farming	Not achieved	-	Lack of funds
Inkanyezi Yamahobe	Timber farming	Achieved	Previous crops harvested and replenished; Timber growing areas expanded and new crops planted	Majority of timber crop existed prior to restitution
	Lease farm portions and building	Achieved	The project is leasing land for timber crops and a house to Mondi	Some of the timber crop and the house being leased out was restored in the claim
	Cattle farming	Partial achievement	Small cattle herd	
	Vegetable farming	Not achieved	-	

Emasosheni	Timber farming (Gum and Eucalyptus trees)	Partial achievement	Harvested old crop received upon restitution	Crop existed prior to restitution
			New gumtree crop planted on small scale	Soft loan provided by SAPPI
	-	-	Lease out cattle grazing land, and sell wildlife hunting rights	Occasional
	Vegetable farming	Not achieved	-	Lack of funds
Endodeni	Leasing of buildings	Achieved	Tenants have been sporadically secured, although at lower than market-related rental	The building was leased out as a B&B establishment, and later as a private residence
	Vegetable farming (dryland crops and other crops)	Attempted and ceased	Small scale with funds contributed by beneficiaries	
	Farmhouse, storage and workshops (utilising the house and cottages)	Not achieved	-	Earmarked for the next phase upon restitution of neighbouring property
Ngqabeni	Leaseback of essential oils factory	Achieved (Leaseback arrangement with former factory owner)	The factory was leased immediately at the time of restitution	Factory was functional prior to restitution
	Tree farming (Eucalyptus trees for essential oils production)	Achieved	Farm run by beneficiaries	Expanding on existing crop of trees

Emagxabeni	Cattle farming	Partial achievement	Small cattle herd	Land use prior to restitution included dairy farming; vegetable farming and small fruit orchard (oranges)
	Vegetable farming	Attempted and ceased	Vegetable farming ended after 3 years	Failure attributed to lack of capital

As indicated in Table 1 above, all projects have made achievements, albeit minimal in some cases. The strides made by Mchobololo, Mgxobeleni, Inkanyezi Yamahobe and Ngqabeni are commendable. In other cases, many of the projects' initial goals have been achieved or partially achieved. Where project goals have not been realised, the lack of finance was cited as a significant factor.

5.2.2 Extent of Beneficiary Managed Projects

This section presents and compares the extent to which beneficiaries are managing projects independently and utilising/leasing land.

Table 2: Extent of Beneficiary Managed Projects on Restored Land		
Project management type	Number of Restitution Sites	Name
Beneficiary managed projects only	1	Mchobololo
Beneficiary managed projects using the larger share of the land and some land leased out	2	Inkanyezi Yamahobe; Ngqabeni
Little or no beneficiary managed projects on the land with some land leased out	3	Emasosheni; Mgxobeleni; Endodeni
Minimal use of land by beneficiaries, no land leased out	1	Emagxabeni
TOTAL	7	

Table 2 shows the extent to which beneficiaries in the 7 restitution projects are either running projects independently or are deriving benefit from the land via leases. In only 1 of the 7 projects do beneficiaries have sole use of the land with productive activity taking place and income being earned. The second category - where two beneficiary projects occupy the larger share of the land restored while leasing out some land - appears to be a safe start-up option where the project generates some consistent lease income as a safety net while venturing into unknown terrain as a group-based venture.

Three projects find themselves in the position of having lease income being the main source of revenue. Emasosheni has previously generated timber revenue but only from tree crops that came with the land upon restitution. Their own timber project will only yield results in the years to come and the Trust will need to settle the amount that they owe SAPPI from future timber sales as well. The lease income they derive is minimal and may be less than true value, as explained later in this chapter. Also in this category is Mgxobeleni which has not been able to initiate beneficiary projects and requires capital to begin its intended cattle farming and vegetable projects. The beneficiary group is also not confident enough to take over the Eco-adventure centre completely. The lease income is just enough to keep the centre functional. The third project in this category, viz. Endodeni, could not maintain a small area of vegetable crop it had begun in earlier years and the crop eventually failed. The group has not been able to do much else with the small portion restored. The building rental income does not accrue to the project but is off-setting electricity arrears and is below value for the property being leased. The Endodeni group now have their sights on the next piece of land under claim which they believe will hold greater potential for productivity and financial returns. This land under claim is over 200 hectares in size. In the last category, that of *'Minimal use by beneficiaries, no land leased out'*, Emagxabeni uses a small portion for cattle grazing, while large tracts once used for vegetable crops now lie unused.

5.2.3 Farm State at time of Restitution

The study also captured beneficiaries subjective rating of the state and quality of the farm infrastructure when they took ownership. Table 3 describes these findings.

TABLE 3: Summary of Beneficiaries' Rating of Farm Assets (various individual portions)				
PROJECT	LAND	FENCING	IRRIGATION	BUILDINGS
Mchobololo	Good.	Average/ none	None	Good
Mgxobeleni	Poor.	Poor/ none	None	Good
Emagxabeni	Poor	Poor	Fair	Dilapidated
Inkanyezi Yamahobe	Some portions were excellent; some average, some neglected.	Average	Average Dams on some portions	Some good, some poor
Emasosheni	Average/ poor	Average/ poor	Fair	Some good, some poor
Endodeni	Average	Average	None	Good
Ngqabeni	Good	Average	None	Factory and farmhouse house - good; other farm buildings - average

The physical condition of restored land, the infrastructure received and the state of projects thereon varied from excellent in the case of some farms, notably at Inkanyezi Yamahobe, to extremely run down and dilapidated in others. Bringing the properties up to an acceptable level has been an onerous and costly task in the early years for the poorly established projects while properties and projects better-off at inception were able to begin extracting revenue quite soon after they were restored. The images taken during fieldwork are intended to convey a sense of the condition and the value prospects at each of the seven sites and are presented in the section on 'Individual Project Descriptions'.

As would be expected, Mchobololo, Inkanyezi Yamahobe and Ngqabeni, being the projects that were received with good physical infrastructure (Table 3) and well-established projects in place at the time of restitution (Table 2), were also the projects where beneficiaries are

managing operations on their own and revenue generation is in progress on a consistent basis. Where these three projects have resulted in the creation of jobs, these jobs have also tended to be more permanent in nature, even if fewer in numbers than other projects with higher numbers of people employed but for shorter periods. Moreover, among these three projects, one also finds the only project that generated and distributed tangible returns for beneficiaries, namely, Inkanyezi Yamahobe. The other two projects in this category are also most likely to distribute some benefit in the not too distant future. Mchobololo has a very small, close knit beneficiary group who are related through clan ties, and considering that it is generating income from multiple sources, viz. ecotourism, vegetable farming, timber sales and cattle farming, it is not inconceivable that the project will disburse significant financial and other benefits for its members in the not too distant future. This might also be spurred by the fact that the other beneficiaries originally part of this claim have received cash pay-outs and some comparison is likely to be taking place generating a certain level of expectation among the eight families who form the land restoration beneficiary group. Lastly, Ngqabeni, which includes the essential oils factory, is a project generating consistent income due to its well-established tenant who is running a successful business on the property. Some older beneficiaries in this group have died while awaiting some tangible benefit from the restored land and this is placing enormous pressure on the Communal Property Association (CPA) to disburse some tangible benefits soon, at least to the older beneficiaries.

Emasosheni did have value at the time of restoration which has generated income and the management of this income is dealt with under 'Project Descriptions' as well as in chapter six. This project should have fared as well as the three projects mentioned above, and it has clearly not lived up to its true potential. Mgxobeleni and Emagxabeni were received with poor physical farm infrastructure and unsurprisingly, these projects have not been able to develop (Mgxobeleni) or maintain (Emagxabeni) their vegetable farming aspirations. While Emagxabeni has engaged in cattle farming, it has declined over time. The last project in the case, Endodeni, had little more than buildings upon restoration and the beneficiary group used the lease option as a last resort, and in desperation are not deriving full value from lessees.

Respondents were usually not sure whether the property acquired was actively farmed up to the time when it changed hands. What respondents were able to comment on was *farm state* as presented in Table 3. The status of project activity at the time of restoration is also dealt with under individual project descriptions. However, it is self-evident that if infrastructure was

received in good condition, there would have been ongoing productive activity on the land at the time of handover to the claimants. State of farm when received was found to correlate positively with later project progress and level of difficulty experienced in making projects work.

Apart from the above results pertaining to ‘material elements’ generated from analysis of the data, the study also gathered data on the emotional responses of claimants to the restitution of their land which is considered a critical dimension of the land question. The study found that the sense of ‘dignity restored’ referred to by Walker (2013) is starkly perceptible in all projects. The results of this line of enquiry are presented in the last section of this chapter.

5.2.4 Assessing project state

Three of the seven projects appear to be working well, even if through projects on a limited scale and only on part of the land restored. In relation to the remaining four projects, one project did take off but ground to a halt, and the remaining three have struggled since inception and have suffered losses. The varying projects states are presented in the proposed typology of Richmond restitution projects in Table 5 of chapter 6.

Emagxabeni beneficiaries felt the project had made money, and still had the potential to do so.

There were the lines of [worker surnames mentioned] ... during harvesting even forty people would be hired, especially for [green] pepper which had to be harvested much quicker. We planted cabbages, spinach, green pepper, and we made a lot of money to tell you the truth. (Participant 4)

5.3 Efficacy of strategies employed and support received

The next set of questions addressed the research objective seeking to elicit data on the particular strategies employed on the restored farms towards achieving durable outcomes, and respondents’ assessments of what effect these had had to date. Data pertaining to assistance received and efficacy thereof were intended to be gathered through these questions as well.

Earlier sections in this chapter have indicated what beneficiaries have attempted to do with their restored land. Overall, in terms of initial land-use strategies employed, most projects have striven for continuity with the previous owners' land use choices. This appeared to be the safest starting point and occurred in 6 of the 7 projects in the study. The exception, the Endodeni project, had received back a small piece of land previously used as a private homestead with little farming potential. Out of sheer desperation to derive income (however small) from the property, the beneficiaries opted to lease the property to tenants to utilise as they wished.

Residential occupation of the land has not been a popular choice. In fact, at several projects the decision was taken not to allow beneficiaries to live on the restored properties. This was made easier by the fact that beneficiaries already had homes elsewhere. At Inkanyezi Yamahobe, the group took a conscious decision to plant crops on all available land and made efforts not to leave any areas of the farm vacant. This was ostensibly to generate maximum income. However, it is conceivable that those in charge presumably did this as a strategic move to deter any residential settlement by beneficiaries. It is also interesting that none of the cottages which came with this farm were ever made habitable. A similar arrangement was evident at other projects.

Most of the people were thinking that since the farm has come back to them, they could come back to the farm and build small houses. ... So, we said to them, that will be very stupid for us to do. So the best way is, let's not destroy the farm. Let's work the farm as the old Umlungu [white person – making reference to the former owner] was using it. (Participant 16)

5.3.1 Beneficiary own contributions

Many beneficiaries have pointed to the sheer grit and hard work that they have had to put into the projects to keep them afloat.

I worked day and night, not even going home. At night I would be ploughing; in the morning we would start planting. When things started growing, I would stand watch over the fields so that the wild animals did not graze on them, and at night, because there was no fencing. (Participant 4)

The work is difficult. Farming is difficult. You must be there all the time. You take a lot of responsibility you must always go check, even if you have workers. (Participant 15).

Endodeni have had an uphill battle with the project since inception and have even called upon its beneficiaries to invest small amounts of money to get things going:

We tried to request the community to contribute financially so we could work the farm but the community had no money. We requested R500 from each household but we did not receive anything. Some gave R200, R100, and others R50. We used the funds that we got - which was approximately R2000 - for a plant project we were working on. ... we were struggling even to pay electricity. The farm needed to be maintained and we didn't have tools for maintenance. We also had water challenges because we get water from a borehole and this needs electricity and this had been switched off by Eskom because of failure to pay. That's when we decided to get someone who can rent the place and take care of it ... (Participant 8).

5.3.2 Support received from previous landowners

There has been some goodwill extended to beneficiaries from previous owners of the restored land. The Emagxabeni project for example received guidance from the previous owner as to the viability of farming vegetable crops using the irrigation equipment received with the restored land. At Nqabeni, the tenant leasing the essential oils factory (which belongs to the beneficiaries) has provided the use of his equipment at times and has provided jobs for beneficiaries at the factory among other forms of support and assistance to the beneficiaries.

5.3.3 Mentor assistance

SAPPI has been assisting the Emasosheni and Inkanyezi Yamahobe projects since inception as mentor. SAPPI has trained beneficiaries in areas such as firefighting and tree farming and has put them in touch with relevant business contacts. SAPPI has also been assisting with business planning, market access and harvest planning. At Emasosheni, SAPPI wrote to the Department of Water Affairs requesting exemption for water payments.

SAPPI trained the farm manager at Inkanyezi Yamahobe extensively. This included a Supervisor Development Programme (SDP) that ran for two years and included courses on the

growing and cultivation of trees (silviculture), farm management, chemical usage, first aid, chain saw use, bookkeeping and firefighting. SAPPI has also provided projects with seedlings. MONDI also contributed training to the Inkanyezi Yamahobe farm manager and seven trustees, as did Forestry South Africa, who used a training provider to train the beneficiaries between 2016 and 2018. Mondi provides helicopter assistance in case of fire.

5.3.4 Sense of mutual support among restitution projects

The formation of the *Amandla Richmond Farmers Association* has created an important network for the projects. At meetings attended, there was a congenial atmosphere and sense of comradeship among the project representatives. There were also indications of willingness of groups to assist one another. The Emasosheni project indicated that the Mchobololo project would lend them a tractor to plough when they were ready to plant cabbages and other vegetables on their Ebhunwini portion. Clearly this sense of sharing, mutual support and cooperation must be built upon and strengthened. Networks built and shared would auger well for project success in the long term. This was also evident at Inkanyezi Yamahobe where it was indicated that the project works well with neighbours, even sharing machinery.

5.3.5 Government assistance received

The Restitution Commission official dealing with the seven projects in the study has established close working relationship with all projects and she has clearly been accessible. Beneficiaries routinely mentioned her assistance and interventions and she is positively regarded by the beneficiary groups. Government has provided training to most projects and has facilitated mentorship assistance. At Endodeni, the Restitution Commission provided post settlement support by way of a course on plant production which was attended by 14 beneficiaries. This involved training in vegetable, cattle and pig farming. The Department of Agriculture has assisted with chemicals to eradicate weeds at Inkanyezi Yamahobe.

Notwithstanding their appreciation for the assistance from the Restitution Commission official, government's performance has not been spared criticism by respondents. At Emagxabeni, the disapproval emanated from some beneficiaries not having received sufficient information at the time of the hand-over of the land. Criticism was also levelled in relation to government's excessive reliance on the CPAs. At Ngqabeni, it was felt that government does not follow up

and meet new requirements as projects progress, with the respondent suggesting further that government must reward success with additional funding and resourcing.

At Emasosheni, despite the avoidable internal losses and leakage from the project, blame was directed at government with the indictment that government doesn't follow up and assist sufficiently. Likewise, at Emagxabeni, which had been a recipient of a substantial recapitalisation grant of R2.4 million, government got the blame for funds that were lost with the accusation that government did not do adequate monitoring of the project.

Government made the mistake of not teaching people how to run a farm when handing back. (Participant 2)

Respondents have indicated that government has been quite rigid in what particular activity or crop it guided the projects towards and supported. For example, at Emasosheni, the beneficiaries had wanted to plant sugar cane which has a shorter (two-year cycle) for a quicker return. They were however guided both by government and SAPPI as mentor to plant gum trees instead. The same applies to Inkanyezi Yamahobe where government had specified the trajectory to be pursued:

Our wish was to do whatever we felt like doing on our farm, but the government has its own rules and regulations in terms of how to use the farm. The government indicated that we must continue with what we found on the farm. So, if the farm comes with gumtrees, then that means you must continue with growing gumtrees. (Focus Group Male Participant).

It does appear that Emasosheni was diverted away by government from planting sugar cane due to the ready availability of SAPPI to both mentor the project in the timber industry as well as purchase timber products from the project. In fact, in more than one project, government has expressed concern that the sugar cane industry was less viable than the timber industry in the study area. Section 6.2.1 elaborates on the complexity of such choices.

5.3.6 Financial accounting support

Another important success factor was the availability of a project accountant. This has been raised by CPA members in hindsight perhaps after witnessing the losses and unaccounted funds experienced during the tenures of previous CPAs.

The accountant has helped us with money issues because if he was not there, maybe we would not be able to deal with money accordingly because we are humans at the end of the day, and we make mistakes here and there. [The Accountant] has assisted us a lot in terms of how to deal with and handle money. (Participant 13)

The next set of questions sought to gather data on the complexities involved in the process of land claim beneficiaries converting restored land into productive assets. The themes generated are presented below.

5.4 Findings in respect of research objective pertaining to complexities and challenges affecting progress on land restitution projects

5.4.1 Insufficient capital inputs

At most projects, the insufficiency of capital was identified as hindering the achievement of goals.

If we get loans we will be fine. People now have no hope. Even the [non-involved beneficiaries] will have interest if the farm runs; now they feel disillusioned. There is general negativity about the future of the farm. (Participant 8)

This was a theme that emerged at all seven projects in the study, including projects which had received fairly substantial amounts of recapitalisation funding.

5.4.2 Overreliance on government for assistance

Recapitalisation funding has been finalised in 3 of the seven projects. Government's fiscal constraints are well known and the prospect that government will be able and willing to finance many more projects in years to come is highly unrealistic. Almost without fail, on every project, respondents have indicated that slow progress has occurred as a result of not being financed

sufficiently or timeously by government. However, not all beneficiaries shared that view and the sense over dependence on government for support has been criticized at times.

According to me, we could have managed to do this farming without government assistance, but because they expected government to inject money, that is why the project failed. (Participant 4)

5.4.3 Mismanagement, lack of accountability and poor record-keeping

There have been accountability challenges on most projects, particularly in the early stages. At three of the seven projects in the study, either resources acquired with the land upon restitution, or project income, is reported to have been lost or mismanaged. On those projects where theft and looting have been alleged by respondents, it is usually the first CPAs established which have been implicated. At Project 4, the first CPA is said to have not accounted for up to R4 million rands that passed through its books. The Master of the High Court has requested an audit of this project, but due to a lack of proper records, the prospects of uncovering much of the wrongdoing looks grim. One beneficiary expressed this as follows:

Management also was bad; the trust we selected, the first, second ... the third committee we have in my view is doing well. The mess was done by the first one because when they came everything was there: machinery, tea plants compounds etc., by the time the third committee came, there were crumbs of what was there before. (Participant 5)

There was part of the farm which was growing tea, called Sapekoe Tea. So, the surrounding communities like Ndaleneni started looting the farm, stealing cable, even some who are beneficiaries were stealing from it. The [group name] cut the gum trees that was there and no money was seen. ... The farm was producing tea and the owners left it after it was claimed, they left everything the house, compounds, machinery such as tractors. And everything was destroyed. The [group name] were the first committee of the farm, and they treated the farm as their own. When the [group name] were still the reigning committee, they cut trees without consulting the community and they took the money for themselves. (Participant 6).

They pocket it [income] for themselves. The new committee - their term is ending in February. They have got nothing to show for the past four years, besides training youth to grow crops.

Even [name withheld] is supposed to pay for keeping livestock on the farm but he is not. Communication is so poor there is no success. At some point there were people who wanted to start a fish dam but they were turned away, others wanted to grow crops and bring in money, they were also turned away, all these people are outsiders both Africans and Whites. The other outsider was [LL], he offered to grow avocado but he was also turned down. SAPPI is part of the gum tree forest owners; when the forest burnt, insurance was paid but no one knows what happened with the money. On the farm there is game for which they are getting paid for shooting. ... now if proper farming would take place, they won't be able to pocket money and they will have to remove their cattle too, they have their self-serving plans. (Participant 6).

At Project 7, despite having received a substantial grant, the project has stalled and many attribute this to a lack of accountability.

At some point we hired people to cut trees and sell them for us, but they ran off with money and we cut ties with them. There was money made; it's the money that was given to Person X. Half of that money bought potatoes, and the other half, we don't know what happened. (Participant 3).

Eventually I decided to quit because when the money started coming in, they became greedy. I did not even know where the money was going and I got annoyed; that is why we are still fighting. (Participant 4)

Record-keeping has been scant in most projects. At Project 7, there was also an alleged theft of documents, and this appears to be a convenient development if the income was in fact embezzled.

The land has got a lot of money; I am telling you from experience. You can make a lot of money. But it requires people to not play each other. It requires people to be honest working together. What I would like to see happening is that when land is given to people, government must follow up on issues of bookkeeping, etc. That is what knocked our project down; there was no proper bookkeeper and money was squandered. (Participant 4).

In half a year we made R300 000 on this farm. It's just that the trust won't be open about the money that was made because they are devious. (Participant 4).

Inkanyezi Yamahobe indicated that the project has an annual financial audit. This also happens to be one of the more successful projects having also made cash disbursements to beneficiaries. All projects have now indicated that accounting services are in place. A full meeting of the CPA and all beneficiaries at Emasosheni was attended where the accountant did indeed provide a report on the state of the projects finances.

5.4.4 Conflict

The literature is replete with reports of conflict-riddled land reform projects. The fight for control of resources has crippled numerous projects and the problem of the powerful elite in CPAs side-lining ordinary claimants has been widely identified (Beinart et al., 2018; Aliber et al., 2013). The KZN Land Claims Commission has confirmed that in KZN, it has found fighting amongst claimants a common feature after settlement, and this occurs mostly over funds for community projects. An interesting claim made by the Commission is that their intervention into conflicts is sometimes prevented by court interdicts sought by claimants (Ntuli, 2018). This is yet another dimension to the complexity that needs to be managed in group claims going forward. Conflict and tension within the beneficiary groups (although low in some cases) is evident in all projects in this study and this conflict is being generated by a myriad of factors.

5.4.4.1 Factors generating conflict

5.4.4.1.1 Constitution of the beneficiary group: dynamics of inclusion and exclusion

Firstly, there are undercurrents on many projects that the claim processes and outcomes have excluded persons who may have had rightful claims to the land (and in some cases, appear to have included persons who may not have had beneficiary entitlements). For example, at Project 3, there are a number of people who feel excluded from the claim settlement and who want to be included in the project and its business activities. These individuals have formed themselves into a ‘concerned group’ and have the potential to become a threat to the stability of the project. The history of relations on this project is worrying as Participant 9 explained:

There is a group of beneficiaries who say they have been left behind by developments regarding the claim to the farm. We fear that one day they will go and burn the farm because they are angry that they are not part of the group. Some of them we know. The problem is when I first

started and called the meetings, they told me it will never happen that I get the land back that belongs to white people. I wish government can assist us with this group. I was young when I put this claim in, in 1998. It was soon after the time where there were faction fights between the ANC and the IFP. I was forced to use a car driven by someone else and to hide myself because of the danger. I put the claim on the last day. It was also very hard for me after because I had to collect people who belonged to the land and also the history of the land. I used my own car to go around showing the government officials the grave sites. I would call people to come with me but they refused. Even when I was registering beneficiaries, they did not come. Come 2009 when I received the farm, then they started to appear. I don't care for them now, they are there and they are my brothers but I don't care anymore. (Participant 9).

The disgruntled group of beneficiaries have protested to government indicating that they are entitled to be included. The project has attempted to resolve this tension addressing the issue at its meetings. Participant 11 indicated that this kind of tension is inevitable and that in the lifetime of the project, more people will make claims to be part of the project. There have also been individuals who have gone to beneficiaries and instigated trouble saying that huge sums of money have been carelessly utilised, thereby creating suspicion among beneficiaries.

Other tensions on projects have arisen where beneficiaries have been unhappy with the nomination of particular committee members. There are some beneficiaries who don't regard others in the group as legitimate beneficiaries, and committees have had to step in to clarify how persons and households have come to be beneficiaries through family networks. It appears though that the challenge of those outside the beneficiaries group claiming to be legitimate beneficiaries and wanting to get a stake in the claim is a problem that is going to persist.

The people that were left behind when we were doing the claim are causing a lot of problems. At times, they cause confusion and discourage people. They caused conflict among beneficiaries whereas they are not aware of what is happening on the farm. We ended up being insulted for no reason by the people that refused to add their names onto the [beneficiary] list and said instead, 'it will not work out'. (Focus Group Female Participant).

5.4.4.1.2 Allegations of mismanagement of project income and resources

This was the most frequently cited generator of conflict. It is probably going to be the most protracted type of conflict to resolve given that record-keeping has been poor or non-existent particularly in what has been described as the *project hiatus* phase.

There is no co-operation. Money has caused conflict. (Participant 3).

Much of the animosity is directed at the CPAs. The present CPA committee of Project 2 has pointed out errors made by the previous one. They had used equipment for their own gain, used income for self-enrichment and had employed non-beneficiaries. Tensions also arise when some beneficiaries secure jobs on projects and others don't, as has happened at Project 2. At Project 2, the conflict has resulted in a change of committee membership. Members of the first CPA appeared to have been self-interested and the achievements of that committee are viewed in a poor light by the current CPA.

What we were happy about was the election of a new committee, because the first committee was not elected by the beneficiaries; they just picked themselves because they had more knowledge. The new committee was elected in the presence of government officials and community members. And what we are also happy about is that it wasn't the same surnames in the committee. (Participant 13)

At Project 3, the lack of group coherence and a common vision for the project resulted in losses. Participant 9 indicates what took place during the projects early period:

Beneficiaries finished the sugarcane plantation that we had, using force saying that the land belongs to them, no one will stop them. They also take logs from the plantation saying they are going to build houses with them because the farm is theirs. Even those we hire cannot be controlled because they just work anyhow and say the land belongs to them. (Participant 9)

5.4.5 Inadequate experience

Inadequate experience was one of the challenges identified. At Emagxabeni, Participant 3 indicated that one of the reasons they ceased vegetable farming operations was that they had

inadequate experience. Although he and others had some experience of small scale farming, they had little knowledge of farming on a large scale for market. This insufficiency of knowledge and experience affected farm management and equipment maintenance and repair. It also affected basic decisions such as how many employees to hire at a given time.

At Inkanyezi Yamahobe, the beneficiaries initially felt overwhelmed by the project. They are still keenly aware that they have a long way to go in order to acquire the skills required to run the timber farm efficiently. In the view of Participant 11:

... the land was taken from people who were not in the business - it was only houses then when our forefathers were removed from the land - when the land came back, it was a business. It's coming back to people who do not have a clue that since this is a tree, they don't know what you are supposed to do for this tree to grow to be like this. So the land is coming back to people who do not have knowledge. So we got big support from Sappi as a mentor who trained us. Since now we have the land back, it is running as a business, not as a place for people's houses. (Participant 11)

At Ngqabeni, the factory producing essential oils purchases some of the eucalyptus leaves required for production from the beneficiaries. However, the oil factory being leased by the former factory owner sources leaves from other unknown suppliers as well. This places the beneficiary group in a difficult position to take over the factory should they wish to because they are unsure about where they would obtain the volume of leaves required for production. There is also the issue of there being two sections in the factory, one being the refinery section and the other handling the crude oil. Regarding this, they also are not sure which is a more viable option and therefore reliant on the current lessee to make a success of the operation and they are reluctant at the moment to consider taking over production themselves even on one section of the operation.

However, on some projects there does appear to be beneficiaries who have experience, or who are willing to be trained to make projects work.

We know a lot about planting and growing crops and we are still willing learn more. We want the youth to be trained as well. Land returned can improve people's lives. When we grew up here, there were forests here. We slaughtered cows for food, or chickens. We grew all types of

crops and we had a lot to eat from; don't listen to people saying that we won't manage to do farming. What were we eating before whites came? We were not buying maas [soured milk, a food product produced from the acidification of milk] in this area, we did not buy milk. ... chickens, there were a lot of them, goats, sheep, etc. (Participant 4)

At Mgxobeleni, experience has been gained among the beneficiary group in managing the educational centre. There has been training offered to the beneficiaries who work at the centre. The young CPA chairperson, who is also employed at the centre, has been trained as an ecological and nature education facilitator. He has learnt much about the industry from previous tenants as well as from the current one. Some of the other beneficiaries employed as general workers have worked for this and neighbouring farms and businesses prior to the restitution and do bring experience into the equation that would benefit the project in years to come should they become independent. One of the beneficiary-workers at Mgxobeleni has substantial experience in the hospitality industry including at the very same establishment where she is now a beneficiary.

Before the land came back, and after the land came back, I have been working here. ... maybe 20 years. (Participant 12)

Hence, despite skills deficits, beneficiaries nevertheless have skills to contribute to the projects. Business acumen is also available at some projects. At Inkanyezi Yamahobe, success was attributed to the fact that the Chairperson of the CPA has some business experience (although not in forestry) and was able to put the project on a sound business footing.

Another thing is to find a chairperson like [Participant 9] who knows how business works. He has been running up and down. If there's fire, he is there, and he's been giving us that hope that this thing is going to be a success, like it has been. (Participant 10)

There were several projects where the unwillingness of young people to get involved in projects was decried. Participant 9 states:

Our future is looking good. The only problem is that our youth do not want to work in this business; they are not interested. This breaks my heart because I am getting old and I fear that

if I were to leave this place, the farm business will fall apart. ... The youth would rather wear ties instead of working the farm. (Participant 9)

One young focus group participant in particular expressed a deep disdain for farming:

Facilitator: You have also been hired to work on the farm; what do you do there?

Male Focus Group Participant: Harvesting trees.

Facilitator: How is it that you agreed to work on the farm when it has been said that other young people are refusing?

Male Focus Group Participant: It was because I was struggling to find a job, but otherwise I would never have worked on a farm.

The question of inadequate skills affected planning at Endodeni as Participant 1 indicated:

Remember also we are dealing with the elders.... Now can you imagine taking these elders - of which some of them they did not go to school - and tell them to go and do a business plan; it doesn't make sense. Some are 77 years old ... and ... government ... will tell them to do a proposal; that was very difficult. Recently, when we did a business proposal for the sugarcane, it is because the beneficiaries who are young people stood up and got an NGO that really assisted us to design a business plan for sugarcane. (Participant 1).

5.4.6 Mistakes

The beneficiaries have acknowledged mistakes and shortcomings readily. At Emasosheni, they are keenly aware that on the Ebhunwini field, having ended the old sugar cane crop in order to take on a cattle grazing tenant had been a mistake which led to lower earnings. The tension between keeping the old farm strategy and making drastic changes has arisen often. Respondents also felt regret at the choice of initial CPA members, especially where projects had suffered losses or where resources had been mismanaged.

5.4.7 Initial hiatus

Analysts have pointed to a phase described as a period of initial hiatus on land reform projects (Aliber, 2013). During this initial hiatus, little coherent activity or proper planning takes place.

This occurred most distinctly at Emasosheni when, upon restitution of the land, there appears to have been a complete lack of accounting and accountability. This period of initial hiatus at Emasosheni involved an enormous level of loss of value of project resources as individuals helped themselves to resources from the various restored portions of land including the Sapekoe Tea Estate equipment and building infrastructure.

Linked to this hiatus, and found in other studies of land reform projects, are the inevitable frustrated processes resulting in what Aliber et al. (2013:226) describe as the ‘non-trajectory of waiting’, when nothing happens on the project for lack of common will, expected resources or someone to take decisive action. This phenomenon has been observed to varying degrees, in all projects in the study. In some cases, activity may begin on one portion of land while others lie unused in a ‘waiting’ stage. At Mchobololo, the working *Highover Nature Reserve* which came with the land continued functioning under beneficiary-ownership in much the same manner that it had been doing under previous ownership, while other large tracts of land remain un-used. Cattle and vegetable were added to some portions later, but large areas of land remain unused and the ‘waiting’ phase is evident regarding these portions. The explanation from beneficiaries has been that the project requires capital to expand its activities to these portions. At Mgxobeleni, the Eco-Adventure Centre is functioning but the rest of the land is in a ‘waiting’ phase with cattle and vegetable farming on hold pending the availability of funds. Inkanyezi Yamahobe seems to have avoided the ‘waiting’ hiatus phase, with activity taking place fairly soon after restoration of the land. They were however fortunate in that they received tree crops in place almost ready for harvesting. Emasosheni, due to the initial pandemonium, has stagnated apart from the compartment of trees planted with SAPPI’s financial and technical assistance. The rest of the land, apart from some rental activity (cattle grazing and hunting), has fallen into a ‘waiting’ phase. In the case of Endodeni, the ‘waiting’ is in respect of the neighbouring land still under claim which, when restored, will enable them to use the portion already restored as administrative offices, workshops and storage facilities.

5.4.8 The role of outsiders in project losses incurred

Where outsiders (to the beneficiary groups) have been involved, one cannot help but wonder whether their presence is negative or positive for the projects. For example, Participant 3 indicated that workers had stolen from their Project when they had been conducting vegetable farming. He makes the point that in previous years, when he himself had worked on farms, his

experience was that farm workers would generally help themselves to farm produce but only for *own* consumption. However, the workers on their restitution project were stealing in large volumes for resale. At Mgxobeleni, some tenants at the Eco-adventure centre had let the project down.

Participant 13: Last year we appointed Mr T2 [tenant at the educational centre] who came to us with promises and we trusted him and seconded him to be on the lease because Mr T1 [a previous tenant at the educational centre] was so close with the first committee [CPA] and was secretive, but Mr T2 ended up not renting, and all his promises he did not keep, so he ended up leaving before his lease ended.

Researcher: What did he promise you?

Participant 13: He said he was going to hire 38 people and bring about a lot of other job opportunities but he did not, and he did not pay rent.

Some projects have not been able to extract the correct amount of revenue from tenants and other users of the restored land (e.g. from game hunters). At Endodeni, the beneficiaries rented the farm to its first tenant to run a Bed & Breakfast (B&B) establishment with an arrangement that the tenant would pay the electricity arrears in lieu of rent. This was repeated a year-and-a-half later with another tenant whose electricity payments in lieu of rent translated to a rate of under R1 000 per month which seems low as a replacement for actual rental.

At Inkanyezi Yamahobe, there were indications that the beneficiaries would realise a greater return from the property if it was not leased out.

Another thing is ... these farms we are renting out ... is killing us, because we have been able to stand on our own two feet for 9 years. We can be able to take over from them. But because of the agreement that has been signed that they will only leave after 20 years, it's killing us. (Participant 10)

At Emasosheni, the project suffered illegal hunting and theft of game. Participant 7 indicates:

We don't have fencing and some of the game go onto [neighbouring property] and he takes them as his. (Participant 7)

Even paying clients may be hunting far more than what is actually being paid for at Emasosheni. It is difficult to manage such a challenge without the means to determine the exact wildlife population. It is presently difficult for the beneficiaries to assess losses and thefts or to determine whether they are being short-changed by their hunting clients. One got a sense from respondents that they were aware that they were being short-changed but could not estimate the extent of their losses, or do much to prevent it.

Surrounding communities also pose a risk for projects in various ways. This includes theft, fire and cattle damage to crops among others. The projects are keenly aware of how important it is to maintain good relations with their neighbours and they make efforts to do so. Participant 9 explains the sensitivity of the risks involved as follows:

And those that are our neighbours use the farm to put in their cattle and we are scared to question them because we are afraid they will burn the farm. (Participant 9)

5.4.9 Downward spiral and running down of original infrastructure and equipment

There is frequent mention in the literature that most land reform projects almost predictably enter a downward spiral and lose value soon after transfer. This has in fact not been the case with the seven projects in this study. In fact, the opposite happened on some projects. Mchobololo increased the accommodation facilities at the Highover Wildlife Sanctuary. Similarly, at Mgxobeleni, while the farmland portions remained undeveloped, the accommodation facilities at the educational centre were expanded post-restitution. Inkanyezi Yamahobe expanded the tree crop area, removing sugar cane and planting on land that had once been an airstrip. (In contrast to its farming successes, some of the smaller houses however, remain in the dilapidated condition in which they had been received some 9 years ago).

Endodeni has maintained the buildings, and there has not really been a loss of value in the rest of the property since it is a small plot of land and there was not much else in the way of productive activities taking place on the rest of the land anyway. Ngqabeni has maintained the

factory through its lease with a reliable tenant and has expanded the eucalyptus tree crop, with plans to do so even further.

The exceptions on this aspect are Emagxabeni and Emasosheni, and to a much smaller extent, Inkanyezi Yamahobe. At Emagxabeni, Participant 3 indicated that there had been a small amount of working irrigation equipment that fell into disrepair over time. The main items were the water pump and pipes for the vegetable crops. The system collapsed and they did not have the funds to repair it. Emasosheni lost value in the former Sapekoe Tea Estate, particularly in relation to the buildings, vehicles and machinery. In relation to farm viability and losses in relation to the demise of the tea farming enterprise, the intricacies of this are discussed in Chapter 6. It is argued that the Tea Estate was already becoming un-viable even before transfer to the restitution beneficiary group. In respect of the tree crop, some success has been achieved in replenishing the harvested timber plantation albeit on a smaller scale than was originally harvested soon after restitution. At Inkanyezi Yamahobe, beneficiaries initially through a sense of entitlement did help themselves to project resources during the early hiatus period of the project. Participant 9 describes what took place as follows:

We also needed security to watch over the farm because some of the beneficiaries would go to the farm and take some materials like roof material from the houses and say that they want to go build their own houses; or they would take logs. I was forced to work with [SS Security Company] and it used to cost me R60 000 per month for 5 months. People then started behaving after that. I was also forced to remove the sugarcane that was there because people were taking it because they said it was theirs. And I saw that someone will get hurt if I keep fighting them with the sugarcane issue. (Participant 9)

So, the commonly held perception in relation to land reform farms of an inevitable downward spiral of infrastructure leading to the eventual destruction of once productive land does not apply in respect of the majority of projects in this study. Where this has occurred, it has been on a small scale on one project (Emagxabeni) and although slightly more significant on the other project (Emasosheni), it has mainly affected one restored portion.

5.4.10 Group project dynamic

For the majority of groups, it has been challenging to cohere. Divisions have set in from quite early in most projects.

We failed to manage each other. That is why we did not achieve what we wanted to. We also failed consulting people who were working, like you would place people on a spot to do something and another one would remove them. Because of that, even weeds would grow and destroy crops. Every day we would experience losses. (Participant 3)

At project 4, there were two beneficiaries inciting others to demand cash from the committee and the committee had to convince them to let the money work. There are routinely contrary views expressed in relation to project ideas proposed as these have to be managed by the CPAs. At other projects, animosity and suspicion is directed at committee members, as Participant 9 indicated:

There are a few who like to cause trouble by always wanting money, especially if they see you in a car, they immediately think you must be using their money. (Participant 9)

Project 2 continues to experience divisions and dissent, and there has been some expression of a desire among some beneficiaries to split the land and the beneficiary group. The portion that is generating income, namely the Eco-adventure centre, is a focal point for the entire beneficiary group to derive benefits. However, some beneficiaries feel that beneficiaries should benefit from the portions that they were originally dispossessed of.

What doesn't make me happy is the fact that all beneficiaries are looking to benefit from this place [Hella Hella] where we are working; but that's not how it's supposed to be; people must benefit where they are from, but everybody is looking at Hella Hella for a benefit and it should not be like that and this is usually what causes conflict amongst us. (Participant 13).

What we have also not achieved is for government to separate our land. When the land came back, it came back under one name. But the reality is that it is different portions of land that we as beneficiaries hail from. For example, family graves – of my grandfather and great-grandfather - are here. And for other beneficiaries, their portion of the land is at Matolweni.

Here we are at Voko. There is also Matolweni; there is Gqumani and Nsingozi. When government returned the land, it did not return all of the land. For example, Nsingozi has not been returned, which deals with gum trees for Sappi. Gqumani is back and mixed with these areas. You find that when land comes back, it is called by one name, so now you find that because they are from different areas, people will see that at Voko, there's Hella Hella and we deal with school groups and then we start clashing because we don't see eye to eye and we don't all have the same views because we are all not from the same area. So that's where there has been an error from the side of the government because when they returned the land they should have returned the land to the proper owners of the land or those who have claims with regard to ancestral graves. (Participant 13)

... our wish is that the government can split the land so that we stop fighting amongst each other... we can't go forward because there's always issues of people not knowing where to benefit from. (Participant 13)

Researcher: What will those receiving the other portions be able to do with their farms?

Participant 13: Matolweni have gum trees, Nsingozi have gumtrees. Gqumani is not big but they can do farming.

Meetings of beneficiaries are sometimes poorly attended but it must be conceded that beneficiaries live far from the properties. Project 5 respondents indicated that some beneficiaries have no interest in farming. At the time of the inception of the claim, the beneficiaries of Project 5 were not aware that they could claim for cash payments as restitution.

5.4.10.1 Outsiders preferred as workers over beneficiaries

Outsiders have been preferred as workers over beneficiaries in several projects. This has generated some dissatisfaction. Committee members have indicated that beneficiaries are difficult to manage when they are hired as workers due to a sense of entitlement.

When we started the farm, we employed some of the beneficiaries but we ended up realising that they are not doing their job so we decided to only call them when doing a specific job because it was becoming hard to kick them out of work when they're not doing well because

they will develop hatred. So we were trying to avoid that. So we only decided to call them when we need them so that I'm going to be around and push them but when they are there permanently, it's a problem. (Participant 15).

Beneficiaries don't want to work because the land is theirs. When they are required to work, they only want to work by doing what they are comfortable with and that is why we hire outsiders. But if they were willing to work, about 20 people who are beneficiaries would have worked. (Participant 7).

The conundrum involving labour on restitution projects is discussed more fully in chapter 6. Participant 2 gives a glimpse of how complicated labour relations have been at times at Emasosheni:

... We have about eight workers on each operating farm. They are skilled workers like drivers etc. Like Mafunwayo farm: they once burnt the farm because they were demanding permanent employment. ... The government policy is that beneficiaries should work on the farm but we allow outsiders because they deliver good quality work. (Participant 2).

A Tenant at one project was reluctant to employ beneficiaries. This concern was described by Participant 8 as follows:

It was a mistake for us to allow [Tenant] to work without hiring beneficiaries because by hiring them he was going to impart knowledge on how to run the farm to beneficiaries; but this did not happen. Rumours say that [Tenant] believed that the beneficiaries were going to trouble him by not wanting to work because they own the farm and this was going to cause conflict. (Participant 8).

What was routinely found was that beneficiaries are not willing to work on the agricultural projects. Participant 9 encapsulated the problem when he indicated:

The youth would rather wear ties instead of working the farm. (Participant 9)

Participant 10 was scathing of parents who did not encourage their children to assist on farm projects:

What I'm not happy with is that they're not active. Others don't want to let their children become involved in the farming enterprise And you find that their children are unemployed doing nothing at home, and whenever there are opportunities of employment on the farm, they don't want their children to go work. (Participant 10).

One Focus Group participant gave some indication that some changes in perceptions of farm labour might be taking place:

Even though at first our children didn't understand the significance of the farm and they were not willing to work at the farm but now everyone is aware of the fact that you can make a living by working at the farm. (Male Participant - Focus Group 2).

5.4.11 Power relations

Yet another complexity relates to power relations across many relationships in the project.

5.4.11.1 Power differential between beneficiaries

There are clearly some beneficiaries who appear to wield more power and influence within projects than others. These have been those who have facilitated the land claims or other wealthy individuals. At Project 4, a wealthy beneficiary with a large herd of cattle has been chairperson of the CPA and has wielded a significant amount of power in the project, as has the originator of the claim in that project. On various projects those in leadership are related, sometimes from the same nuclear family.

... the old committee had stayed for a long time and the Treasurer and the Chairperson were siblings. We never had a report back on how the books were and how monies were used. ... we discovered a lot of mistakes. As a result, it affected us because we could not continue doing what we wanted to do. They were very secretive because they were from the same family. (Participant 13)

5.4.11.2 Power dynamic between beneficiaries and their tenants

There is an interesting power dynamic at play within the Mgxobeleni project involving the beneficiaries and their tenant. Looking at the scenario from the outside, at first glance, one gets

a sense that the beneficiaries are subservient to the tenant. One beneficiary is employed as a nanny to the tenant's young child. Others are cleaning and performing other physical tasks, presumably under the direction and supervision of the tenant, and in a real sense therefore, they are accountable to the tenant, and power in the relationship therefore vests in the tenant. This was expressed as follows:

I feel it's still owned by white people, by the white renter. I don't feel ownership. (Participant 12)

However, there is a further dimension to this relationship. There does appear to be some advantage gained in working conditions with the new arrangement. One beneficiary who has worked at this property and the neighbouring lodge prior to restitution says:

Treatment by the renter is better. We work peacefully. We cannot be treated badly. (Participant 12)

5.4.11.3 Passage of time and death of beneficiaries

Claims have taken as long as 10 to 15 years to finalise. Delays are usually caused by beneficiary group dynamics, bureaucratic requirements, competition from other claims, institutional instability and political shifts to name a few (Walker, 2008:133). Many respondents have alluded to the frustration of the long wait, with some mentioning that claimants had passed away while waiting for resolution of the claims and others while waiting for some tangible benefit from the restoration of the land. This has generated an urgency on some projects to begin distribution of benefits.

Also, many beneficiaries are old and feel that they cannot play an active role:

The problem is that the farm came when we are too old. We no longer have the strength and our children do not want to work on the farm. So, as a result, all we do is wait for them and listen in on meetings and receive those moneys. If we had the strength, we would volunteer and go watch the farm when needed. Children are lazy and they don't want to work. (Focus Group Female Participant)

The final set of questions sought to assess the livelihood outcomes of the restored land seeking to understand the ways in which restoration of land has improved beneficiaries' lives. Where

their quality of life has been diminished through the process, this data was to be gathered as well.

5.5 Findings in respect of research objective of assessing the livelihoods outcomes on the restored land

5.5.1 Material benefits being derived from restitution

Table 4 below depicts what benefit each project has distributed to beneficiaries. It is intended to reflect the diverse range of benefits derived, including cash payments, training opportunities (whether agricultural or other), cattle grazing opportunities, firewood, bursaries and other forms of livelihood benefits that the projects have provided to beneficiaries. The table also includes benefits for non-beneficiaries and this would refer, in the main, to employment created.

Table 4: Benefits accruing to beneficiaries and non-beneficiaries			
Project Name	Number of Beneficiary jobs created (permanent or temporary / current or ceased)	Other forms of beneficiary income or benefits derived	Non-beneficiary jobs created
Mchobololo	2 Permanent (1 Lodge/farm Manager and 1 Lodge Receptionist)	<ul style="list-style-type: none"> • Vegetable crops 	Several part-time (cleaners at Lodge)
Mgxobeleni	8 Permanent (Facilitator and general workers at Education Centre facility)	<ul style="list-style-type: none"> • Training 	2
Emagxabeni	3 Temporary; Ceased	<ul style="list-style-type: none"> • Grazing for beneficiary-owned cattle 	6 – 40 (seasonal)
Inkanyezi Yamahobe	4 Permanent	<ul style="list-style-type: none"> • Cash payments on two occasions; • Firewood; • Bursaries; • Training; • Drivers licence costs funded; • Provision of a crèche facility. 	12 – 30 (seasonal)
Emasosheni	Varied (Seasonal jobs in timber planting and harvesting)	<ul style="list-style-type: none"> • Grazing for beneficiary-owned cattle and dipping of cattle 	Seasonal timber farm jobs
Endodeni	2 Temporary; Ceased	<ul style="list-style-type: none"> • Training 	Ceased with closure of B&B operation
Ngqabeni	21 (10 permanent at factory; 1 farm manager post and 10 seasonal farm jobs)	<ul style="list-style-type: none"> • Training • Grazing for beneficiary-owned cattle 	Essential oils factory employs both beneficiaries and non-beneficiaries

Of the seven restitution projects, only one (*viz.* Inkanyezi Yamahobe) has made cash disbursements to beneficiaries, this despite most projects having been in existence for between 5 and 9 years. Inkanyezi Yamahobe has in fact made two such cash disbursements among other

forms of livelihood benefits such as bursaries and training opportunities. What made this possible is discussed in chapter six. During focus group discussions, Inkanyezi Yamahobe beneficiaries expressed their sentiments regarding the benefits they have derived as follows:

I have seen a lot of changes. There were things that I never had before that I have now. I am not working and what I receive through the farm makes me survive and continue with life. (Focus Group Female Participant)

Firstly, we were thrilled by getting our land back even though there was nothing much on the farm but the word 'our land' on its own brings joy in our hearts. We feel acknowledged and recognized. (Focus Group Male Participant)

I was so happy when we got the farm back. If I look back in time, when we were just 'workers' on the farms earning cents, and now we are 'owners' of the farm (Focus Group Female Participant)

They give us free firewood. We use a lot of firewood in this area. (Focus Group Female Participant)

Overall however, for the great majority of projects, as Table 4 depicts, there has been little distribution of tangible benefits to beneficiaries. Apart from cattle-grazing opportunities, taken up on a miniscule scale at two projects, namely, Emasosheni and Emagxabeni, the other projects have not delivered material benefits to their respective beneficiary groups barring employment created, beneficiary-owned cattle grazing and training - which usually only benefitted a few at each project.

Many respondents expressed their disappointment and related how they had initially held greater expectations for how their lives would be improved through restoration of their land but these expectations have not been met.

When we received the land, I thought that our youth will be able to start their co-ops because they are unemployed, but that is not what is happening My life has also not improved because I made money but it did not get into my hands, the other beneficiaries as well, they did not get any money. We made it and it was used by individuals. They are driving big cars, and

people can see it. I only enjoyed the return of the land in the first three years, because I was working, getting a salary. I enjoyed seeing trucks coming here to load crops, I used to be so satisfied. (Participant 4)

At Project 6, the beneficiary-farm manager indicated that his life has improved, though he has been through much and still has it hard. Living conditions on the farm are difficult. He had previously worked in industry. Although he now works as a farm manager, he is not financially better off. He does not make demands for a better income on the farm because he considers affordability. He says farming is hard work. At project 4, the sentiments regarding how difficult it has been to make the project work were similar.

It was not easy getting the land back but the land is worthless if I don't know how to use it. The risk that exists is if you can't manage labour, they can harm you. If there are no profits generated, workers get angry and your life could be endangered. (Participant 2)

At Project 2, for Participant 13, life improved since she became a beneficiary.

My life is now better ... [receiving back the land] has opened my mind in terms of understanding the processes that are involved when the land is being returned ... and thus we are able to hire people and be independent and do things accordingly. (Participant 13)

At Project 7, Participant 18 lamented the lull in progress:

My life has not improved because we ran out of money, if we had money we could be far by now. I'm not getting any salary for being a farmer manager because there is no money. I live in Town B but I come here daily. No beneficiary was paid salaries because there was no money. I am very happy with the return of the farm because that's how I grew up - working on the farm. (Participant 18)

I was born here. Our ancestral home and graves are over there ... the return of the farm has improved my life because it has given me freedom that I have something that belongs to me. I can keep stock and grow crops. Just the feeling of having the land has improved me. ... There is a lot conflict between us. Some wanted money, others wanted land. The grant is also an issue, and people thought we ate their money. Jealousy is a problem. If you are in charge, people accuse you of bad management. (Participant 3)

At many of the projects, there simply has been no change in livelihood for beneficiaries that can be attributable to the acquiring the land. For these beneficiaries, the 'waiting' and frustration continues. One female beneficiary expressed this as follows:

I don't know; people have lost interest now because it was still possible to work again but now they are just vandalising the forest. A person says I work here and I think they just want to get rid of the farm now. Like other beneficiaries on the neighbouring farm are getting money. Everybody should get their benefit in terms of money; it should be divided among people. It's not easy to do your own garden on the farm because people will steal your crops. (Participant 5)

There have also been some negative side-effects of the land restitution for some respondents, including the creation of 'enemies'. When asked how aspects of their lives have been diminished and made more difficult after having become beneficiaries, the stresses that have come with land restitution came to the fore.

The return of the land has created a lot of enemies among beneficiaries because some beneficiaries don't understand that they have no benefit [yet]. As a result, they become enemies because they get angry that some people are benefiting. So it's the only thing that's stressing me is that even when you're sleeping you know that you have enemies. Even with meetings there's always going to be disagreements so it's stressful. Even with regard to the old committee - their time passed but they did not want to accept that. As a result, they are enemies. (Participant 13)

Many personal sacrifices are being made. At Project 5, Participant 8 has had to use some of his retrenchment money to purchase farm equipment.

Having a farm that has nothing, and always having to look after the farm, being responsible for the farm and putting the little money that you have to the farm has made my life more difficult. I had to use some of the money I got from my retrenchment to buy little things like tools to maintain the farm. ... No money has come into the farm. Nobody has benefited from this farm. (Participant 8)

Being a member of the CPA has been stressful for office bearers. Once CPA member expressed this as follows:

Another risk is the fact that I'm a Treasurer because people look at you as if you've got money or you're eating money. So it makes me to always be trustworthy in front of people. (Participant 10)

At Ngqabeni, sentiments about the difficulty of farming were expressed as follows:

The work is hard. Farming is difficult. One must be there all the time and it takes a lot of responsibility because workers are not always reliable. (Participant 4)

5.5.1.1 Employment created

Employment creation, as illustrated in Table 4, has been few and far between for both beneficiaries and non-beneficiaries. Agricultural jobs in particular have been sporadic and short-lived and involved very few individuals.

Some projects did create more long-term beneficiary jobs than others, viz. Mchobololo, Mgxobeleni, Inkanyezi Yamahobe and Ngqabeni and this is a significant benefit for those who have been able to secure these jobs. Among the more noteworthy long term jobs that have been created are those at the factory at the Ngqabeni project where 10 beneficiaries have been working since the land was restored some 8 years ago. The farm manager, a beneficiary, is also employed on that project together with non-beneficiaries on the tree-planting operation. The other long term jobs for beneficiaries have been on the Mgxobeleni project at the Hella Hella Eco-Adventure Centre. Other projects had very short term beneficiary jobs which have since ended: Emasosheni is only creating seasonal jobs at present. Endodeni and Emagxabeni are not employing any staff at present.

Participant 9 at Project 3 was quite upfront about the inability of the project to afford to pay what the workers on that project ought to have earned. He states:

We hired people to clean the farm and do fire breaks and this used to cost me R30 000 per month in pay for these workers. I had about 15 workers who were not registered and it really

broke my heart because I was paying them little per day but there was nothing I could do. (Participant 9)

5.5.2 Emotional impact of land restitution

There have been mixed experiences of the emotional dimension. Some felt that they still needed to ‘feel’ ownership, while others expressed sentiments of being relieved by the return of the land.

The return of the farm has only given me an emotional benefit, there is no financial gain. ... There is no happiness resulting from the return of the land, people are just making noise. My benefit, with two others, is that we are grazing our cattle there. (Participant 7).

Participant 8, when asked whether he regrets not having accepted a cash payment instead of the land - given that there were so many struggles with his project - was adamant that he does not regret having opted for land restoration despite the hardships.

We didn't know that there was an option for government to give money rather than land; but since I was the one who initiated the claim, I did not want the money; even if I had known about it, I was going to say 'no' to it. (Participant 8).

Participant 9 also felt that there were intangible benefits at this stage rather than material gains and he expressed this as follows:

Having the land back has given me knowledge because I have ownership and I am able to understand what it means to run a farm as a business, especially tree farming. But in terms of money benefits, I haven't seen anything yet because we work as a committee but we don't get paid for it. (Participant 9).

Others, such as Participant 5, were cynical about the benefits gained:

But the challenge remained that the trust did not do well; they misused their powers and the beneficiaries got nothing. Happiness lasted only when we were rejoicing the return of the farm. The only hope we had after that was that government would inject money again, which is what

we are still waiting for.... The future is bleak because there are people who are saying they are no longer interested in the farm because they are not gaining anything. They are saying the farm must be sold so that they get money. (Participant 5)

The return of the farm has not improved my life; I have not gained anything. The stress about the return of the farm is that we cannot use it, it's like debt. (Participant 5)

5.5.3 Beneficiaries claiming additional land

Beneficiaries seeking to claim more land has been a feature of several projects in the study, including by the Ngqabeni, Endodeni, Emasosheni and Mgxobeleni groups. The Emasosheni beneficiaries intend claiming more farms as well as some land around the town of Richmond. At Emagxabeni, the beneficiaries indicated that the land that they were removed from originally was at some point sub-divided. The restored portion therefore is not equivalent to the portion which they were dispossessed of but a much smaller portion of about three plots out of approximately thirty plots which they ought to have received back.

We are still claiming more land; the land we have we received are only the plots that were obtained from the willing sellers. A lot of land is still not back. We still have pending claims. (Participant 3).

5.5.4 Beneficiaries now opting for cash instead of land

The processes of initiating the restitution claims in Richmond had been marked by confusion and some uncertainty. It had usually involved a few individuals with the knowledge and means to begin the administrative processes of claiming and they have had to locate others who were eligible to be part of the claimant groups for inclusion. They received assistance from the Land Claims Commission in tracing beneficiaries. However, as those eligible have long left the area and are now settled across the Province and possibly in other parts of the country, not all have been reached. Participant 8 expressed this dilemma as follows:

New people are coming to lay claim to the land who were not included when the process started. They are only coming to claim because they heard that the government wants to assist with money. They are not interested in coming to work on the farm. They knew that the land

has been claimed but they were not worried. As soon as they heard that there was money, they are coming. (Participant 8).

The preference for cash payment instead of receiving back land has been frequently mentioned by respondents. At Emasosheni, beneficiaries are still not completely sold on the idea of investing for long term gain; they want more immediate cash benefits. Moreover, in respect of most additional beneficiaries who are coming forward, these beneficiaries want cash payments and are not interested in farming as expressed by Participant 8 above. This has been seen on several projects.

Even beneficiaries currently part of the restored land beneficiary groups are expressing a desire to withdraw and accept cash payments:

Also, some beneficiaries want government to sell the farm so that they get money because they are saying that they stay far from the farm and they don't have time for the farm. (Participant 8).

5.6 Conclusion

The findings have resonated strongly with what has been written about the peculiar way in which the land restitution process has unfolded in South Africa. It confirms what Walker (2008:11) has described as "... the unstable authority of land in national and local politics and the shifting fortunes of the restitution programme...." One gets a sense that success is tenuous on all 7 projects with the complexities wrought by group dynamics and the hostile economic environment generating ever-present concern and stress for the groups.

Chapter 6: Analysis

Introduction

What is clear from the case study of the seven restitution projects is that the situation on restored land projects is, as Walker (2008) has described it, more complex than the simplistic rhetoric of ‘success’ or ‘failure’ allows. Indeed, very early on in the land reform process, there have been cautions issued that the process of settling on newly acquired land should be viewed as a long and difficult process (Andrew et al., 2003, citing De Wet, 1999).

6.1 Richmond Restitution Projects: A story of adaptation and survival

The daily realities of beneficiaries in the Richmond projects involve adaptation through a multiplicity of alternative arrangements, the complexities of which have been unexpected as the results have revealed. The beneficiaries are adopting a range of income-generating strategies in their quest to see the land working for them. What is emerging is that the restored land, whatever the productive history may have been prior to restitution, is taking on multiple uses and significance. The examples below provide an indication of the adaptation and survival strategies being employed by the beneficiaries.

- At Endodeni, the project has attempted extracting income through various forms of rental arrangement, both commercial and residential, to literally keep the lights on; the income is directed almost entirely towards paying the property’s huge electricity bill.
- Projects such as Inkanyezi Yamahobe and Emasosheni (to a much smaller extent) have capitalised on the forestry expertise and downstream networks of SAPPI and MONDI and have planted compartments of trees that are guaranteed to be purchased by these multinationals ensuring returns for the projects.
- Emasosheni is selling game-hunting opportunities and leasing out cattle-grazing space to neighbouring farmers. It has also astutely sold timber from the overgrown tea trees as ‘droppers’ which are in high demand for fencing.
- At Mgxobeleni, the beneficiaries have forfeited some income being generated by the Hella Hella Eco-Adventure Centre (restored as part of the claim settlement) by allowing their more well-connected tenants to take charge of operations (given that Hella Hella operates in a niche adventure-tourism market) while at the same time securing employment and training opportunities for some beneficiaries at the establishment.

- Mchobololo took on the challenge of independently running the Highover Wildlife Sanctuary, a prominent KZN eco-adventure tourist accommodation establishment, while at the same time exploring crop and livestock farming on remaining parcels of land restored.
- Ngqabeni has tried its hand at Eucalyptus tree farming in order to supply raw materials used in the manufacture of essential cosmetic oils.
- There are connections being made between rural and urban livelihoods and incomes, with beneficiaries investing their own money from their waged employment and other sources, including pension pay-outs (Endodeni) and repayable loans to the projects from beneficiaries themselves (Inkanyezi Yamahobe).

Hence, while legal and policy frameworks may attempt to force the terms of the land debate to revolve around specific arrangements and concepts, beneficiaries have embarked on alternative and interesting trajectories as summarised above. As expected though, other projects have not been as fortunate and some have had little or no production taking place on the vast majority of their restored portions of land since the claims were settled. Food crop production specifically has been difficult for all projects. Only two of the seven projects have produced food crops, and production on one of these projects has since ceased due mainly to cash-flow difficulties.

6.2 Performance against original post-restitutive goals

The project status summary (Table 1 in chapter 5) makes comparisons between the beneficiaries' original goals and achievements against those. The level of achievement, despite project challenges experienced, is impressive. All seven projects examined have achieved some aspects of their goals, either fully or partially. The strides made by Mchobololo, Mgxobeleni, Inkanyezi Yamahobe and Ngqabeni to keep their projects afloat are commendable.

There are two important features that can be identified in relation to the four relatively successful and stable projects mentioned above. The first is that all four received successful businesses operating on the land as part of the claim settlements. Mchobololo was restored with the Highover Wildlife Sanctuary; Mgxobeleni came with the Hella Hella Eco-Adventure centre that had been in existence for over 20 years; Inkanyezi Yamahobe was restored with large tracts of commercial forest with vast numbers of tree compartments that the project was able to

harvest quite soon after restitution. Ngqabeni had the Busby Essential Oils Factory on its restored land that had been previously operational in the production of essential cosmetic oils prior to the restitution process. So, in respect of these four projects, the existing levels of production on the land received and the state of the business enterprises thereon have been significant factors in ensuring the continuing success of these projects. Conversely, where little in the way of going concerns and productive projects existed at the time of restitution, the restitution projects on these sites have struggled to take off. Endodeni, Emagxabeni and Emasosheni fall into this latter category. The second important feature is the absence of allegations of mismanagement of project resources and income which is dealt with later in this section.

6.2.1 Status of Projects and Trajectories of Choice

The seven projects reflect quite an assortment of trajectories. However, beneficiaries have not always had much choice in selecting these. When analysing trajectories of restitution projects therefore, it is useful to consider the important caveat that Aliber et al. (2013) have provided in relation to the notion of land restitution project trajectories.

Restitution projects are highly diverse. One result of this is that sketching different project trajectories ... might suggest a degree of choice or discretion that is not entirely there. For instance, a restitution project established on vacant land has a fundamentally different starting place than one involving functioning subtropical fruit farms (Aliber et al., 2013:227).

Agriculture is not necessarily the automatic or only avenue that has been pursued, although all projects have some intention to practice agriculture on some scale in the future in addition to the other non-agricultural activities taking place at present. In the projects in the study, it was found that some beneficiary groups are charting completely unknown waters on their newly acquired land. This ranges from running an award-winning accommodation establishment (Mchobololo), to owning and supplying raw materials to a factory manufacturing essential cosmetic oils (Ngqabeni). In relation to these projects, one gets a keen sense of how the beneficiaries have engaged with the diversity of opportunities available in the rural economy. These innovative trajectories chosen by beneficiaries lend support to arguments that point to the necessity of reassessing the relative importance of agriculture in rural restitution project planning. The findings also appear to confirm what has emerged in other studies of land reform

projects regarding the ambiguous value of formal planning, where indications are that it is not uncommon for projects to ignore official business plans and make up their own plans as they go along (Kepe and Hall, 2016).

Clearly therefore, a much more flexible approach has to be taken to allow beneficiaries the leeway to explore creative ways of generating benefits from the land. This is not necessarily happening at present. Respondents have indicated that they are often locked into land use strategies advised by the State or their mentors and funding is effectively conditional on accepting these recommendations. The Emasosheni project, for example, was advised against sugar cane farming in favour of planting gum trees. Clearly, these are not simple choices to make or to evaluate and one would hope that the strategic advice provided by government and mentors to beneficiaries is based on reliable data and market research. What is clear though is that assessments of the advice provided to the beneficiaries must form part of overall assessments of the projects. Focus needs to be maintained on the quality of the relationships between beneficiaries and their mentors or strategic partners, with particular attention paid to whether beneficiaries have a voice in these relationships, and where relations are deemed to be unequal, avenues need to be available to deal with such challenges (Kepe and Hall, 2016).

6.2.2 Dynamics of Beneficiary Managed Projects

Some five to ten years after restoration of the land, the study did not find that beneficiaries are managing projects independently (barring Mchobololo's *Highover Sanctuary*) or utilising / leasing out the bulk of the land (see Table 2 in chapter 5). Only Mchobololo has sole use of its land accompanied by productive activity and income being generated. Inkanyezi Yamahobe and Ngqabeni, although using the larger share of their land, have some portions leased out which they see themselves being forced to do in order to make headway and provide them with a safety net as well. Leasebacks have in fact been an important strategy for land beneficiaries to derive steady incomes in the early years of land restoration.

6.2.3 Farm State at time of Restitution

Table 3 in chapter 5 has depicted the physical condition of restored land at the time of restitution. The photographs also give a keen sense of the current physical states of the farms. As can be expected, infrastructure received and the state of projects thereon varied from 'excellent' in the case of some farms, notably at Inkanyezi Yamahobe with its large tracts of

tree plantations, to extremely ‘run down’ and ‘dilapidated’ in others. Clearly, previous owners would have had little motivation to make investments in the properties once they had secured commitments from the State to purchase the farms. Also, due to the lengthy processes of land purchase and restitution, some deterioration would have set in. The exception was where previous owners had financial incentives for maintaining the land, and projects thereon, in a workable condition.

6.2.4 Assessing project state

6.2.4.1 Proposed typology of the Richmond restitution projects

The varying levels of progress of the seven projects studied is presented in the following three-part typology and draws on the work of Neves (2017), Dorward (2009) and Neves (2017, citing Scoones et al. 2012) on typologies of restitution projects.

TABLE 5	
Proposed Typology of Richmond Restitution Projects	
Project Type	ILLUSTRATIONS FROM THE CASE STUDY
<p>Working, reinvesting or accumulating</p> <p>FEATURES: Business model in place; establishing linkages to formal markets; evidence of business reinvestment and accumulation; some beneficiary independence on projects achieved; some revenue return or livelihood benefit already disbursed to beneficiaries or imminent.</p>	<ul style="list-style-type: none"> ❖ Mchobololo – continuity with the <i>Highover Lodge</i> (added new buildings with assistance of Municipality), cattle farming and new vegetable crops established. ❖ Ngqabeni – essential oils factory leased out, tree farm in place with expansion underway; client secured to sell harvested eucalyptus leaf crops to; prospect of water from natural spring available for exploration. ❖ Inkanyezi Yamahobe – regular timber sales; additional tree compartments established post-restitution; lease with Mondi in place; cash payments and other benefits disbursed to beneficiaries.

<p>Floating, hanging in</p> <p>FEATURES: Tenuous market linkages few and far between; little evidence of business planning or product output; some evidence of continuity and / or diversification.</p>	<ul style="list-style-type: none"> ❖ Mgxobeleni – The <i>Hella Hella Eco-adventure Centre</i> is functioning, some new buildings being added but still outsourced and reliant on tenant to market the establishment and attract clients; beneficiaries unlikely to take over completely in near future. <p>Vegetable crop land and livestock production potential not being realised.</p> ❖ Emasosheni – some timber sales in the past and continues sporadically; some new tree compartments planted but not covering all possible land area; high-value land vacant over a long period; leases weakly managed and on terms disadvantageous to the project (e.g. grazing and hunting returns are low and not well accounted for).
<p>Slipping</p> <p>FEATURES: Agricultural and other business prospects have dwindled; no livelihood benefit for beneficiaries foreseen in near future; where capital grant was issued, the proceeds have dwindled rather than grown.</p> <p>Not reinvesting or accumulating,</p>	<ul style="list-style-type: none"> ❖ Endodeni – no viable business case in place for the property yet (mainly due to small size and limited arable portion); terms of property leases have been disadvantageous to the project with proceeds of rental not accumulating value for the project (e.g. former B&B lease incurred losses and current tenant is only liable for electricity debt clearance with no profit being generated from lease). ❖ Emagxabeni – cash crop not replaced; value of investment from recapitalisation has decreased and is unlikely to be recouped; cattle farming will take a long time to yield significant returns to enable beneficiary disbursements or project reinvestment; no accumulation evident.

As indicated earlier, the projects are clearly at varying stages, with some performing significantly better than others. Establishing food crops has proven to be particularly difficult in all the projects studied despite the vast tracts of reasonably good quality land available.

Fencing and irrigation equipment has been a particular challenge, and while some projects have attempted to collect funds from beneficiaries themselves to get projects off the ground, not many beneficiaries have had the means to contribute. In other studies, the risks involved in crop production, together with the high costs of seed, fertiliser, ploughing and equipment are leading to a general trend of many smallholders withdrawing from arable fields (Beinart and Delius, 2018, citing Manona, 2005).

6.3 Efficacy of strategies employed and support received

Overall, there has been a preference for maintaining existing (i.e. previous owners') land use choices. This accords with studies of other restitution projects which have found that, both within government and among claimants, there is a preference for maintaining previous owners' land use strategies (Aliber et al., 2013).

Pressure to utilise the land for residential settlement, a major issue in some studies, did not appear significant in this study since most beneficiaries accepted the decision to use the land for agriculture or other income-generating ventures rather than for residential settlement. In some cases, such as at Inkanyezi Yamahobe, the CPA appears to have taken deliberate steps to discourage residential settlement. They achieved this, for example, by ensuring maximum crop establishment on all land portions and, one suspects, by also not renovating the derelict buildings on the restored property as a further measure to prevent settlement (see photographs at Inkanyezi Yamahobe). At Ngqabeni, the issue of residential settlement had surfaced briefly at the time of the land restoration and the idea was immediately rejected. Beneficiaries have generally not challenged the decision to favour business projects over residential settlements. Reasons for this may vary but it may follow similar lines as has happened elsewhere on other restitution projects where, the better-off beneficiaries in particular have shown no interest in moving back to the land they were previously dispossessed of. Firstly, the generational mix inherent in beneficiary community usually includes a fair number of individuals from subsequent generations who have strong ties to and networks in the areas they have lived in prior to the return of the land. Secondly, many have made valuable investments in homes and other infrastructure in their current places of residence, and they would understandably be reluctant to leave their comfort zones. There is hence generally acceptance of proposals to engage in projects on the restored land or leases (Andrew et al., 2003).

With the high premium placed on agricultural production on restored land by government, the process of discovering alternative land uses has been slow (with the exception of cases where continuity with previous business enterprises have been obvious choices as a default starting point, such as the *Highover Lodge* at Mchobololo and the *Hella Hella Eco-Adventure Centre* at Mgxobeleni). This has made it difficult to begin the processes of conceptualising in any detail what kind of structural changes are needed in the agrarian landscape to support beneficiaries (Kepe and Hall, 2016) including the development of alternative production trajectories on the land and the creation of access to other possible markets for outputs derived from alternative land use strategies.

Livestock has been a favoured choice at all projects. Generally, livestock has always had its place as valuable investments in African communities. In land reform projects elsewhere, transferred land is largely used for livestock with numbers of cattle in black ownership consequently increasing. From a cost perspective, this appears to be a safe option since the costs of keeping livestock are lower than those for cultivation, grazing is free as fodder is not generally used, prices for slaughter animals are good and the cultural value of livestock is high (Beinart and Delius, 2018). This investment path on restored land deserves more attention as studies have indicated that there is still considerable scope for production of all types of livestock in order to meet local demand for meat. African owned livestock does not meet the demand for meat even in the rural areas with substantial numbers of goats, cattle and chickens still purchased from commercial farmers for slaughter (Beinart and Delius, 2018 citing Cousins and Pentecost, 2018). It is an anomaly that the great bulk of food in the rural areas is purchased and it has therefore been argued that there are huge opportunities for African growers to market locally in the rural areas and small towns. Even in the rural areas, households produce only about 20 per cent of their food on average, and there is scope for a wide range of other produce as well as meat, timber and charcoal from invasive alien trees such as black wattle to be produced (Beinart and Delius, 2018).

6.3.1 Beneficiary own contributions

The question of funding restitution projects is a vexing one. Several projects have attempted to raise small amounts of capital from beneficiaries but this has yielded very little, and that from only a few contributors. The limits of this method of capital generation for production and

investment soon became patently clear and the strategy was discontinued at all projects where it was tried. A relatively small number of beneficiaries have physically been involved in working on the land restored, and some still are, and as the results show, these beneficiaries have worked with passion and great dedication.

6.3.2 Support received from previous landowners

Previous owners of the restored land have generally discontinued their involvement with the land post restitution. It was only at Nqabeni where it was found that the tenant leasing the essential oils factory (which belongs to the beneficiaries) who had been on the site prior to restitution, has put his weight behind supporting the beneficiaries to succeed doing so by way of loaning his equipment, procuring raw materials (Eucalyptus leaves for oil-making) and providing jobs for beneficiaries at the factory.

6.3.3 Mentor assistance

Mentoring has been a pervasive pillar of the land reform programme. In many projects in the study, government has recommended or appointed mentors. The results have varied. In the case of Inkanyezi Yamahobe, the mentor, SAPPI, has played a vital role in giving the project direction. In the case of Emasosheni, the mentor (also SAPPI) assisted in drawing up business plans and assisted in planting the only crop to be introduced since the restoration of the land. The impact in other projects is less clear. The local Municipality partnered with Mchobololo to build additional accommodation at the Highover Lodge but local government has not been involved in the planning and implementation of the other projects and have not been mentioned by any other respondents. Municipalities are potentially an important link between the projects and markets. Cousins (2016) for example has suggested that municipalities are central in facilitating informal markets for smallholders, for improving road access to farms, supporting auction sales of goats and sheep, offering public space for informal food markets and facilitating contracts for small-scale producers to supply public institutions such as schools, hospitals and prisons.

The other feature is that, with the exception of Mchobololo, the projects that have made headway have entered into strategic partnerships with established businesses. This was both formally as in the case of Nqabeni with its relationship with the Busby Essential Oils Factory

and Inkanyezi Yamahobe in relation to its medium term lease with *Mondi*, or informally through short-term leases such as at Mgxobeleni with its arrangements with tenants at the Hella Hella Eco-Adventure centre.

This is not a result that one can take for granted since the literature is replete with challenges which have emerged when claimant communities have paired up with strategic partners. This practice has left the claimant communities short-changed in many cases with criticism of both the manner of linking beneficiaries with strategic partners and the content of agreements (Aliber et al., 2013). Elsewhere, government has dictated to beneficiaries who to partner with (and how to use the land) and this has been deemed problematic. It has been described as some type of ‘hybridity’ on the part of government:

... imposing strategic partnerships to ensure the continuity of production on the restored farms happened despite government’s neoliberal tendencies, for example in its reliance on willing buyer/ willing seller and its concern not to alienate would-be foreign investors... government has melded ‘market –led’ approaches with more authoritarian interventions that dictate to land reform beneficiaries how the land will be used (Aliber et al. 2013:205-207, citing Fraser, 2007).

There is no evidence that the projects had to be coerced into these partnerships. There is no outright resistance to the partnerships although undercurrents of regret at having to share profits were detected, understandably so. In fact, it is doubtful that these projects would have made the strides that they have made without these business relationships and leasebacks to established operators, a strategy found pervasive in other restitution projects in the early years after restoration of land (Aliber et al., 2013; Beinart and Delius, 2018). Hence, one cannot write off the usefulness of and value of these strategic relationships since they contribute immensely to the viability of projects through the start-up capital, inputs, knowledge, extension and links to formal marketing chains which they bring. However, at the same time, they must be well structured and ensure that beneficiaries are not entering into agreements on adverse terms as has happened in the land reform sector elsewhere. Such partnerships have also attracted criticism because they prioritise production for external markets and corporations rather than for local household food security (Beinart and Delius, 2018).

As can be expected, the projects involving external players have all indicated that they would eventually like to cut ties with their tenants and partners and run the businesses themselves.

Without them directly indicating that they are dissatisfied with arrangements, one does get an undercurrent of regret that they cannot reap the full rewards of the ventures for themselves. Business acumen and experience have also been crucial factors in success. The training received, a feature of most projects, will no doubt prove to be an important factor for future success. Training and mentoring by SAPPI and MONDI have clearly contributed to the development of the beneficiaries. Other training opportunities which hold potential for the future success of the projects were noted at Mgxobeleni, where the beneficiaries are involved in the day-to-day running of the Eco-Adventure Centre and may, in time, be able to progress to outsourcing only functions such as the marketing and securing of clients while managing the centre by themselves which will generate greater returns for the group. As policymakers grapple with ways to offer support for restitution and other land reform beneficiaries in the future, the issues of land use choice and the role of strategic partnerships will no doubt remain central.

6.3.4 Sense of mutual support among restitution projects

The formation of the *Amandla Richmond Farmers Association* is an important resource for the projects. A key role being played by the Association is that of linking individual projects to sources of support and this must be strengthened.

6.3.5 Government assistance received

The inadequacy of post transfer support was almost something to be expected when one considers the generally low levels of agricultural extension support given to the vastly larger number of low-income households practicing agriculture in the former Bantustans and elsewhere. However, for Aliber et al. (2013), the question remains whether, given the nature and complexity of redistribution and restitution projects, any amount or type of post settlement support could have made a difference. Extension officers interviewed by Aliber et al. (2013) have said that the design of these projects compelled them to devote their energies to trying to resolve often intractable problems related to group dynamics rather than offering technical support for farming and marketing. It does not appear that support levels for land reform beneficiaries will improve in the foreseeable future due to the staff shortages and expanding mandates that the Department of Rural Development and Land Reform (DRDLR) is contending with. The current criticism of the exorbitant State salary bill indicates that there is

unlikely to be much expansion of capacity in most State institutions in the years to come. Whereas on some projects elsewhere, the support by the State has been at a very low level, in Richmond, the Restitution Commission official dealing with the seven projects has clearly been accessible and has provided support and guidance to the beneficiaries in a number of ways

6.3.6 Financial accounting support

In the absence of project accountants particularly in the early years of projects, losses were experienced. This has been a weakness in the projects and indications are that this has been attended to by the Restitution Commission.

6.3.7 Other sources of support

Currently in South Africa, there have been numerous attempts which have roped in the expertise of white commercial farmers to assist in the building of cohorts of successful emerging black agriculturalists and animal husbandry entrepreneurs. Notable national examples include the Centre for Excellence in Agriculture for Emerging Farmers in Heidelberg, Gauteng, started by the Ministry of Agriculture and Land Affairs. In KZN, there is longstanding and important work being done to support various levels of agricultural development in diverse places. A notable example involves the work being done by the Mdukutshani Rural Development Project in Weenen and Msinga, KZN. This project combines important support elements for emerging farmers in its array of programmes. It is increasing women and youth involvement in livestock production and related activities. It has a particular focus on prioritizing women-owned livestock and income-generating activities in order to create wealth for the poorest. In addition, it supports local youth in tapping into value chains leading to commercialisation of local herds, and promotes personal and homestead health and knowledge transfer to school children (Mdukutshani, 2019).

To its credit, the KZN Department of Agriculture and Rural Development has also facilitated support for emerging farmers through a number of partnerships including with the KwaZulu-Natal Poultry Institute, the Future Farmers Foundation, the Universities of KwaZulu-Natal and Zululand, the Agricultural Research Council, and Food Bank South Africa (KZN Department of Agriculture and Rural Development, 2019). Women and youth are generally prioritised to receive attention in these programmes (Baloyi, 2009) through being specifically targeted as beneficiaries of interventions and programmes.

6.4 Navigating the complexities and challenges on land restitution projects

The study found that the land restitution projects face an incredible array of complex issues and elements. This confirms the sense of complexity and challenge involved in land restitution portrayed in other studies:

Despite the compelling arguments for it, restoration presents numerous challenges. First and foremost is the scale of the claims. Transferring such an extensive resource to a new set of owners is unprecedented and presents enormous practical challenges for the Commission on Restitution of Land Rights (CRLR), which has limited staff and technical resources. Furthermore, the change in land ownership could potentially be highly disruptive of the local economy - in terms of productivity, farm employment, upstream and downstream industries, and property values (Aliber et al. 2013:207, citing Derman et al., 2010).

The leading risks identified in studies of land restitution which lead to stagnation or failure of projects are: the lack of money and equipment, lack of skills (both technical and managerial), lack of 'post settlement support' and infighting (Aliber et al. 2013, citing CASE 2006). These have certainly been confirmed by the study. The nature of complexities and risks identified in the seven projects, as well as the manner in which the projects were found to be navigating these, are dealt with below.

6.4.1 Insufficient capital inputs

The need for additional funds for production costs and investment in farm infrastructure has now arisen at all projects. Even the projects which have received recapitalisation are awaiting further financial assistance from government to move forward. For its part, the State has attempted numerous policy changes regarding the funding of restitution projects. From 2000, the Commission on Restitution of Land Rights (CRLR) increased expenditure on the Settlement Planning Grant, and in that year also introduced the Restitution Discretionary Grant of R 3 000 per household. Around 2001 - 2002, the CRLR set up a Central Development Planning and Facilitation Unit, which was replicated in the commission's regional offices. In 2003, a development grant was introduced, set at a maximum of 25% of the land value (Aliber et al., 2013).

The Portfolio Committee on Rural Development and Land Reform have recently given attention to the findings of a review of the Recapitalisation and Development Programme

(RADP). The portfolio committee has recommended, inter alia, that there be a redesign and overhaul all public agricultural support programs, that differentiated farmer support programme be implemented that respond to the various categories of farmers, from small-scale subsistence to large-scale commercial farmers and that there is equitable distribution of recapitalisation and development funding for both redistribution and restitution programmes (Kepe and Hall, 2016).

6.4.2 Overreliance on government for assistance

Despite recapitalisation having been finalised in 3 of the seven projects, there is still an over-dependence on government for support. At present, as seen in the projects in the study, the State appears tight-fisted in respect of funding. The projects have been in existence for between five and ten years and only three of the seven have received a recapitalisation grant. So, on the one hand, while all the projects are hoping for further assistance from government to either make progress or to simply keep afloat, on the other hand, government is signalling that funding is unlikely to be sufficient to go around. The Head of the KZN Land Claims Commission, Advocate Bheki Mbili, made clear government's reluctance to over-extend itself when he commented that it is everyone's responsibility to make sure the land is sustained (Timeslive, 2017). One gets a sense that it is probably more realistic for projects to prepare to go it alone with funding options that preclude government.

6.4.3 Averting mismanagement and lack of accountability

The accountability challenges on some projects have been particularly severe and debilitating. Allegations of mismanagement and embezzlement of project resources is a finding frequently mentioned in the literature. In the study, this is a serious challenge at 4 of the 7 projects. Where recapitalisation finance was provided, the accountability mechanism which government put in place appears to have failed to prevent losses. This mechanism entailed each Province employing district managers and project officers to oversee claim financing. The Restitution Commission's financial teams have a responsibility to implement a reconciliation system, linked to banking institutions, to track funds allocated to specific projects (Parliamentary Monitoring Group, 2014). Audited statements are also required from each CPA.

Despite the above processes, incomplete or non-existing record-keeping have been critical weaknesses in many of the projects, making accounting and auditing processes difficult. This area requires a lot more attention if projects are to succeed and move towards an *accumulation* phase. Rigorous processes for administration of and accountability for income and expenses must be instituted, with penalties for those who deviate. Where grants are approved, a more incremental disbursement may be a better option, with further disbursements dependent on accountability for previous funds provided.

Given the complexities that arose with the scenario that beneficiaries of restitution are required to hold land as a group, the legislation which provided for Communal Property Associations as a new form of land-holding entity was seen as a progressive step. Land reform beneficiaries, through a consultative community engagement process, lodge an application to establish CPAs and once established, the appointed Committee is charged with managing the affairs of the project and reports are compiled giving feedback to the community. There is a strong view however, that too much faith is being placed on Communal Property Associations (CPAs) to handle funds and resources disbursed, and that many are not living up to expectations. Criticism has routinely been levelled at government in relation to its' excessive reliance on the CPAs. In attempting to address the problems with CPAs, a Communal Property Associations Amendment Bill has been passed by the National Assembly and is under consideration by the National Council of Provinces and Provincial Legislatures. The Bill deals extensively with the fiduciary responsibilities of CPAs including making provisions for CPAs to submit not only Annual Financial Statements but also performance reports to a newly proposed Registrar of Communal Property Associations.

The Bill also deals with offences relating to financial management, compliance with the provisions of a CPA constitution, destruction of documents and interference with the work of a dispute resolution official. Given these important areas of focus of the Bill, it will go some way in addressing the challenges that the State has experienced in implementing the Communal Property Associations Act of 1996. The State has conceded that these challenges have included governance issues, un-democratic practices by CPA leaders, self-interest among CPA members and a lack of authority on the part of the State to intervene in affairs of CPAs in order to exercise oversight and monitor them (Parliamentary Monitoring Group 2018).

6.4.4 Averting group conflict and elitism

Not everyone benefits equally in land reform projects. Beyond local dynamics that create complexity, social inequalities and the marginalisation of rural people are being perpetuated by state policy choices and elite alliances (Hall 2010; Claassens, 2015). Conflict and elitist tendencies has emerged as a problem in the vast majority of projects in the study confirming what researchers of land reform have consistently found as a common feature of projects (Moore and Deane, 2003, cited in Wisborg and Rohde, 2004; Claassens and Cousins, 2008; Bernstein, 2004, 2007; Ntsebeza and Hall, 2007; O’Laughlin et al., 2013 cited in Hebinck, 2013).

Within the study, conflict was generated by a vast array of factors as described in Chapter 5. Where conflict revolves around initial project planning and land use strategies, these would be particularly debilitating given that projects would not even be able to take off before these are resolved, and there may not even be any resources generated to contest over. When it comes to planning for agricultural production, the will to farm among restitution beneficiaries will necessarily be at different levels since, as discussed earlier, restitution project beneficiaries find themselves in particular projects not through self-selection for agriculture but by virtue of their links to dispossessed communities.

Impetus and motivation to farm are indeed at different levels among beneficiaries on several projects and differing intentions are raised from time to time on to how to proceed in some projects. What has probably insulated the seven projects in the study from higher levels of conflict around project planning has probably been the fact that most projects have striven for continuity with the previous owners’ land use choices. This occurred in 6 of the 7 projects in the study.

As would be expected, mismanagement of resources (real or perceived), lack of accountability and poor record-keeping have generated the greatest animosity and highest degree of conflict. Tensions continue to simmer in relation to the legitimacy of particular beneficiaries to be part of the claimant communities. At the same time, those left out are attempting to get in. The results dealing with the dynamics of beneficiaries working on the projects have indicated that on some projects, beneficiaries are struggling to straddle the divide between being both beneficiaries and workers. Farm managers have alluded to poor performance by beneficiaries

leading to a preference for non-beneficiaries as workers which generates animosity and conflict.

Power differentials among beneficiaries within a single project are also sowing seeds of resentment and discord on some projects. Some beneficiaries (or beneficiary families) are being perceived to be wielding more power and influence within projects than others and deriving greater benefits than others. Those who are more influential are the ones who have facilitated the land claims or simply the wealthier or more powerful individuals (or families) in the beneficiary group. Within families, beneficiary status has been granted to households under the authority of household heads, and at this intra-family level too, there is scope for conflict should benefits accruing to a household not be shared to the satisfaction of all. Some dissension on this point was evident in Project 3. How conflict is dealt with from these and other sources will continue to have a bearing on the success rate of projects.

Clearly each source of conflict would require an appropriately tailored solution. For example, there are many instances emerging in the data where it was reported that many beneficiaries have either never been passionate about being involved in agriculture, or have now lost interest due to the difficulties experienced within projects. These beneficiaries are now indicating a preference for cash payments, which aligns with the national trend where around 90% of those who put in new claims are asking for cash compensation (Lepule, 2018 citing Hall, 2018). Clearly, the continued involvement of persons with such orientations in the projects would not be desirable as they are likely to be a source of dissension and instability. (In some instances, it appears that many were not aware of the cash payment option at the outset of the process, but it is likely though that many are simply not prepared to wait any longer for some tangible benefit and have their sights set on obtaining a cash payment). Given such scenarios, it would be useful to build into the restitution award the option for beneficiaries who lose interest in the farm project to exit at a later stage by means of a cash payment.

6.4.5 Inadequate experience

The lack of intergenerational transfer of agricultural skills and resources was evident in data pertaining to the involvement of young people in the projects. Theorists such as Beinart and Delius (2018) have argued that one legacy of forced deagrarianisation of black rural communities has been that young people are not attracted to smallholder farming. With primary

and secondary education having progressively expanded in South Africa, the labour of youth and children has largely been withdrawn from crop production and herding of livestock. Young people have developed different expectations and wider horizons with risky and poorly paid smallholder farming featuring very low in their imagined futures with many reluctant to risk their hopes, time and resources on farming (Beinart and Delius, 2018). Participant 9 encapsulated the problem when he indicated:

The youth would rather wear ties instead of working the farm. (Participant 9)

The study has confirmed a low level of interest in agriculture among some within the restitution beneficiary communities. One young focus group participant in particular expressed a deep disdain for farming saying that it was his last resort having not secured any other employment.

6.4.6 Mistakes

The beneficiaries have acknowledged mistakes made which have impeded progress. In the main these have involved project losses through mismanagement of resources. Much of the loopholes for this recurring have been attended to through the appointment of accountants, but the Restitution Commission clearly has an important oversight role to play.

6.4.7 Initial confusion and hiatus

Routinely found and pervasive in the literature are the inevitable frustrated processes resulting in what Aliber et al. (2013) describe as the ‘non-trajectory’ of ‘waiting’. They elaborate:

‘waiting’, ... convey[s] the idea of things not happening, for lack of common will, expected resources or someone to take decisive action. On the ground, members of projects that can be described as in ‘a state of waiting’ usually point to external factors that prevent things from happening. On one level it seems this is usually true, to the extent that people are waiting for a specific vision or plan to be realised, but either the money has not been released or the relevant partner has not done their part. What is remarkable about these situations is how the attitude of waiting seems to preclude or at least inhibit individual initiative (2013:226).

As pointed out in Chapter 5, this phenomenon has been observed to varying degrees, in all projects in the study, even if only in respect of a part of the restored land. The characterisation

by Aliber et al. (2013) that the attitude of waiting seems to preclude or inhibit individual initiative is manifestly true for the projects. This is of course a function of the projects requiring group consultation before decisions are taken. It also links to the point that the overarching purpose of land restitution is to provide redress for the historic injustice of land dispossession and those claiming land are not necessarily interested in agriculture in the first place (Aliber et al., 2013). Hence, there will naturally be a period when the reality of having received back the land sets in, planning capacity sought and strategies requiring consultation and buy-in before they are eventually put in motion.

The challenge is that, even in the current economic climate with high levels of poverty and unemployment, the restored land lying unused in a 'waiting' phase, represents to the beneficiaries an all-or-nothing proposition. Despite the need on the part of beneficiaries to begin deriving long-awaited livelihood benefits from their newly acquired land, an option to utilise the vacant land towards, for example, creating a class of peasant smallholders able to sustain themselves on small plots is not easily realisable. This is the case for a number of reasons discussed in this chapter, not least of which is the fact that the policy and ideological environment favours the creation of an emerging class of black entrepreneurial [capitalist] farmers. This brings into relevance proposals such as those made by Cousins (2015) that land be redistributed to a class of small-to medium-scale market-oriented farmers willing and able to engage in 'agricultural accumulation from below'. This, he argues, would constitute a sizeable minority of the rural population, comprising around 200,000 households.

A scenario where restoring land to the poor is not even enabling them to engage in subsistence production or generate low levels of surplus is a huge gap in the restitution programme. Moreover, the initial periods of neglect, confusion and 'waiting' described above are damaging in economic terms for the future profitability of the land as infrastructure falls into decay (Emagxabeni is a case in point) or the land becomes overgrown with weeds and alien vegetation (which occurred at Emasosheni).

6.4.8 The role of outsiders in project losses incurred

Some projects are clearly more exposed than others to being taken advantage of. This occurs where project resources, products and land use are obtained (by both outsiders and those within the beneficiary group) at well below market rates. In the study, this has involved below market-priced rentals and cheap game hunting opportunities for example. Mchobololo is a small, close knit group and it is unlikely that outsiders would be able to extract resources from this project. However, other projects remain open to being taken advantage of and strategic decisions are required in areas such as game hunting charges and cattle grazing returns (Emasosheni) and appropriate rental returns (Endodeni).

6.4.9 Proverbial ‘downward spiral’ of restitution projects

The question as to whether restitution projects are being judged too harshly has frequently arisen in the literature (Aliber et al., 2013; Walker, 2008). The Emasosheni project is a case in point. This is the project where the restored land includes the former Sapekoe Tea Estate. At first glance, it is tempting to create a narrative of ‘a once productive farm having been ruined by the restitution process’. However, again we need to heed Walker’s (2008) caution that the situation may be more complex than the simplistic rhetoric of ‘success’ or ‘failure’ allows. Indeed, in this case, a closer examination of the facts will reveal a much more complex unfolding of events.

There is evidence that production on tea estates in South Africa (including the Sapekoe Tea Estate restored to the Emasosheni project) declined substantially in 2004 (Department of Agriculture, Forestry and Fisheries, 2010). Some Sapekoe farms had actually stopped operations in that period due to demands for higher minimum wages for farm workers, absence of protection against tea imports from the Southern African Development Community (SADC), high production costs (in respect of electricity, Nitrogen, diesel and wages) and the presence of land claims. There was a continuous decline in the contribution of the black tea industry to the gross value of agricultural production between 2001 and 2007 and a decline in competitiveness of the black tea estates. Interestingly, the restoration of the Sapekoe Tea Estate to the Emasosheni beneficiary community was in 2007. While there was some recovery in the black tea industry between 2008 and 2010, this was only accomplished through the

interventions of provincial departments, including in KwaZulu-Natal, but the Emasosheni group did not receive offers of support for the Sapekoe Estate in that period.

Hence, it is not fair to attribute the collapse of the Sapekoe Tea Farm to failure on the part of the Emasosheni beneficiaries. Elsewhere, Sapekoe has shown itself adept at protecting its interests to the detriment of land reform claimants. In its Limpopo operation, the intervention of the Land Claims Court had to be sought in 2006 when the Sapekoe Tea Company was accused by the Province's Land Claims Commission of removing assets in an attempt to make the farm non-productive. An order was sought against Sapekoe to desist from removing assets from its abandoned tea plantation at Tzaneen. Sapekoe had stopped producing tea from the plantation on the basis of high costs. The land was under claim at the time by the Makgoba community which had indicated that they wanted to continue with tea production. However, Sapekoe tried to renege on its commitment to government to maintain production and tried to sell assets on auction. The Limpopo Land Claims Commission obtained a court order to stop the sale. The commission argued that besides movable assets like tractors and trucks, Sapekoe wanted to sell fixed assets such as pumps (KwaZulu-Natal Law Society, 2006).

The Emasosheni project therefore received the farm at a time when the tea market was not thriving and when government funding was not made available to assist them. With the reduction in activity that the farm had been experiencing in the prior years, and the fact that there was no going concern for the beneficiaries to operate at the time of restoration of the land, the Sapekoe infrastructure eventually ran into decay and the tea trees became overgrown. The beneficiaries and surrounding community did however push the farm further into disuse through their removal of farm resources and material. Given these market setbacks and the unfavourable farm asset base, it is thus not surprising then that this project has struggled to bring this portion of the restored land into production.

Inkanyezi Yamahobe on the other hand was a project that already had significant value when the land was restored. There were tree crops ready for harvest and others already in various stages of growth. Walker's injunction that we resist the simplistic rhetoric of 'success' or 'failure' is therefore apt as direct comparisons cannot be made between projects such as Inkanyezi Yamahobe and projects that were smaller and in a less-developed state, or worse, in a state of neglect as some projects such as Emagxabeni have been. In this study, the physical state of the restored properties received has had a strong bearing on later benefits derived.

6.4.10 Socially differentiated group-project dynamics

By virtue of the dispossession of rural land having been a shared experience, claimants to rural land tend to be organised into groups. This translates into rural restitution projects by default being group projects, and consequently, needing to navigate the precarious waters of group dynamics. Unlike what occurred within the redistribution leg of the land reform programme – where over time, there was a concerted attempt to move away from group farming projects – within the restitution aspect of the programme there is little leeway to take this route as most claims in rural areas are likely to continue to involve claimants in the configuration of groups (Aliber et al. 2013). This situation has been summarised as follows:

The outcomes of rural restitution have been shaped by the difficulties of reconstituting ‘communities’, ... large groups of people living in different places, with varied resources, assets, skills, and interests in the land they once owned. This has inevitably produced complex and often conflictual group dynamics centering on how the land is to be used, who can settle there and on what terms, how labour and capital will be mobilized for production, and how income will be either reinvested or distributed. The community ownership model has to date prevented individual community members from liquidating their assets or directly deriving rents from the restored property that they do not use. This has often led to suggestions that more attention should be paid to the rights of individual members when CPAs or trusts are established (PLAAS, 2016:40).

The study has revealed that maintaining beneficiary group cohesion is difficult at the best of times. The results have also shown that this is compounded by the phenomenon of others wanting to join the beneficiary group long after the claim has been finalised. The study has found that claimants on many projects are currently pursuing additional land claims, often with groups divided over whether to claim the restoration of land or cash payments. This is an extremely complex dynamic (discussed more fully later in this chapter) but the implications of this for group cohesion are vast, not least because it perpetuates the cycle of disgruntlement among persons left out of claims, who then target restored land projects demanding to be included. There have also been suggestions that vandalism of projects is often perpetrated by disgruntled beneficiaries or persons excluded from the beneficiary groups. It may be that the projects may face these risks for some time to come particularly as people feel increasingly marginalised by the slow pace of the land reform programme.

Communal Property Institutions (CPIs) in the form of CPAs and trusts remain to date the only option available for collective land holding. The view remains that CPIs are generally not fulfilling expectations, and many land reform projects are struggling as a result (Hornby et al., 2017). There remain disjunctions between the constitutions of CPIs and the lived realities of land reform beneficiaries. While it is believed that the idea behind the legal design of CPIs was to legislate into being a new social order that emphasized constitutional values of gender equity and democratic, decentralised and accountable community governance, legislators may not have paid sufficient attention to existing social relationships or how existing realities in the form of local rules, norms, practices might influence the functioning of these new institutions (Hornby et al., 2017). A common experience of CPIs is that in practice, CPI committees have little effective authority and it is difficult for them to achieve community consensus. Real power often reverts back to the most powerful members of the group (Hornby et al., 2017). Clearly, many improvements are required to enhance governance and management functions of CPAs and land trusts. The suggestion has been made that communities also need to be trained in governance issues, and not just committee members (Participant 23) in order to facilitate informed community involvement and adequate oversight of projects. Change of trustees and committee has the potential to destabilise operations and must be handled correctly.

How the group dynamics and disagreements which have arisen will affect the long term stability of projects is difficult to predict and clearly depends on how disputes are managed. The introduction of a dispute resolution mechanism in the current Communal Property Associations Bill is an important development. The Bill provides for the Registrar of Communal Property Associations to appoint an expert in dispute resolution to resolve disputes among beneficiaries and CPAs, including in instances such as when CPA office-bearers refuse to leave office. Within the new legal framework, the affairs of a CPA could even be placed under administration. It does seem though that for now, the current arrangement developed for group ownership, viz. in the form of CPAs and trusts, appears to suffice to provide both certainty of tenure for restitution claimants and a basis to cohere around towards common objectives. However, the lack of substantive programmes of support from government for CPAs, the main reason for many having become dysfunctional institutions (PLAAS, 2016), must be addressed if they are to play an effective role in maintaining group cohesion, among other things.

The eventual buyout of some group members seems to be an inevitable outcome. Keeping disgruntled and disinterested beneficiaries in the group can only harm projects. The logic of attempting to manage a complex project while managing the dynamics of a large group was called into question by a mentor respondent (Participant 22).

6.4.11 Power relations

Yet another complexity relates to power relations across many relationships in the project. Where beneficiary groups are socially differentiated, tensions are bound to emerge. Perhaps more interesting is that what did not emerge in the Richmond projects is the power dynamic introduced by the presence of traditional leaders, as has happened in other projects.

6.4.11.1 Power differential between beneficiaries

The study has found the presence of abusive tendencies among some individuals described in the literature. There were opportunists who took control of CPAs in the early years and their removal was only accomplished through a challenge by other disgruntled members. There has been in some CPAs an abuse of power by the committee with many instances of beneficiaries claiming to be left out of decision-making. The appeal processes recently introduced in the Communal Property Associations Amendment Bill will need to kick in to address these types of situations and clearly dispute resolution officials have their work cut out for them.

6.4.11.2 ‘Feeling ownership’: Power dynamic between beneficiaries and their tenants

The power dynamic at play involving the beneficiaries and their tenants is interesting. At the Mgxobeleni project in particular, this was quite stark. Looking at the scenario from the outside, at first glance, one gets a sense that the beneficiaries are subservient to the tenant. One beneficiary is employed as a nanny to the tenant’s young child. Others are cleaning and performing other physical tasks, presumably under the direction and supervision of the tenant, and in a real sense therefore, they are accountable to the tenant, and power in the relationship therefore vests in the tenant. In this context, Participant 12 lamented that she feels that the land is ‘still owned by white people’ and that she does not ‘feel ownership’. Nevertheless, for her the new arrangement is much better than her previous experiences of working on the very same property (and the neighbouring lodge) prior to restitution and she is appreciative of the fact that the tenant is obliged to treat beneficiary-workers well.

At Mgxobeleni, there seems to be a clear appreciation among the beneficiaries that the tenant wields enormous power over the success of the business. The beneficiaries have relied solely on the contacts of their tenants to source school groups and other clientele for the Eco-Adventure Centre and there is clearly a tacit understanding among beneficiaries (especially the beneficiary-workers) that they will have nothing without the tenant. In other projects, 'feeling ownership' has been an inconsistent sentiment for many beneficiaries and has depended on how they have perceived the potential of the projects to afford them material benefits. This accords with Walker's assertion that land restoration is inadequate to address the larger problems of dispossession and marginalisation (2008:226-227).

6.4.12 Logistical challenges

Walker (2008) has argued that in many ways, the larger history of the claimants since having been dispossessed becomes central to an understanding of the current prospects for the restored land (Walker, 2008). There are a number of practical and logistical obstacles that beneficiaries are having to surmount. One such challenge relates to the distance of beneficiaries' homes from projects. Families of most project beneficiaries were historically moved to other locations, some distance away from the project sites. Many live at Elandskop, some 30 kms away from Richmond. Others live as far away as Pietermaritzburg and Camperdown some 60 kms from Richmond. The ones that remained in Richmond are mainly at Indaleni and KwaGengeshe. Some are living and working in other areas of the Province. The theoretical framework section dealt with the fact that inherent in the land dispossession was a decimation of local production systems and the opportunity to establish networks and markets which for decades the white, capitalist agricultural sector was able to take advantage of and benefit from. The effect of beneficiaries living far away from their restored land is disadvantageous to project success, as oversight and involvement in the day-to-day affairs of projects becomes constrained by distance and travel costs. This spatial arrangement, a legacy of the system which disenfranchised the beneficiaries, remains consequential in the present.

Farm labour has been a challenge with beneficiary-workers being perceived as lazy and unmanageable. In studies elsewhere, it has been demonstrated that many see smallholder farming as hard work for limited returns and many associate it with poverty and a backward way of living which is no longer compatible with their ideas of a modern way of life (Beinart

and Delius, 2018). Nationally, many farms are resorting to keep labour costs down by hiring illegal immigrants, notably in Limpopo.

6.5 Assessing livelihoods outcomes on the restored land

Aliber et al. argue that the approach to determining success in the context of land reform and livelihoods (LRaL) is:

... largely qualitative, in the sense that the findings are less to do with determining by how many and the average land reform beneficiary is better off than with identifying and understanding patterns of inclusion and exclusion, of satisfaction versus abandonment, of perceived progress versus regression (2013:4).

Apart from trying to understand the nature of benefits in land reform projects, studies have also attempted to identify *who* benefits and *why*. The disproportionate benefit by what Neves (2017) describes as an ‘amalgam of elite interests’ has usually been pointed out. Restitution projects have yielded the first and highest value of benefits to those who serve on the CPAs and those who generally run the affairs of the projects. In this study, respondents have indeed pointed to some individuals who have benefitted quicker and benefitted more than others. At Project 4, the originator of the claim treated the restored land as his personal property when the claim was finalised. In this study, the powerful have clearly been singled out as having benefitted more than others. Where allegations of mismanagement or accusations of having benefitted improperly have been levelled against individuals in the study, these individuals have indeed tended to be more powerful, and have included successful businessmen, professionals and civil servants.

The study also identified the presence of family ties at committee level and at farm operation level in a number of projects. At Endodeni, the Bed and Breakfast establishment operator (called Tenant A1 in this study) who leased the property to run his business only had the responsibility to offset the electricity arrears, this in lieu of rental payment. From interviews, it emerged that Tenant A1 was actually a relative of some of the beneficiaries and that is perhaps how he managed to get the property leased to him on such good terms. Moreover, the agreement had been that he would employ beneficiaries and transfer skills but this did not happen. There was mention of numerous other family ties at project leadership level, involving sons, nephews,

brothers, sisters and so forth. Again, as stated previously, restitution claims are unique and large families would necessarily be involved by virtue of the nature of the dispossession history, and one cannot read too much into the close relations between members of projects and committees. In such group claims, people are bound to be related in some way or the other. Checks and balances should however be in place to ensure that the affairs of projects are above board even in these situations in such areas as nepotism and conflicts of interest. There is no evidence that the State is intervening in this arena.

6.5.1 Material benefits being derived from restitution

In only 1 project did beneficiaries derive any meaningful income. This was at Inkanyezi Yamahobe where beneficiaries got two cash payments as well as bursaries and other forms of financial assistance (such as financing drivers licence tests and funding to train as security guards).

6.5.1.1 Employment created

Having created a very small number of jobs, some of which have been temporary, it does not appear that the land restitution projects in the study will in future be major job creators. However, here again, expectations have to be tempered by reality. Agriculture as a source of employment has declined significantly (PLAAS, 2016) including in areas such as Limpopo (Aliber et al. 2013). By contrast, subsistence agriculture remains a far more common pursuit, although issues such as access to irrigation, which is hugely biased in favour of large-scale white commercial farmers, does remain a challenge. Nevertheless, in the face of what has come to be described as ‘increased labour precariousness’ (Arrizabalo-Montoro, 2018), land and agrarian reform remains pivotal for many as a means to access to productive assets and income (Hebinck, 2013). For many therefore, while the land question is fundamentally a matter of righting the wrongs of the past, characterised by a long history of land dispossession, Hebinck (2013) also argues that the agrarian economy takes on greater significance due to the continuing inability of the industrial and service sectors to promote growth and provide much-needed employment. While many in the beneficiary groups are willing to work on the restitution projects, there is a fair number that do not see themselves in the agricultural sector. In relation to this dynamic, a challenge would be to find a suitable way of distributing benefits to those who simply want to extract income from the projects and those who are both working on the

projects and still qualify for dividends and other disbursements to the broader beneficiary group by virtue of them being beneficiaries as well. Also, the perception identified in the study that beneficiaries make poor workers on the restitution projects must also be addressed, and this has potential for the creation of ongoing tension.

The Department of Agriculture and Rural Development estimate provided to the media (Nsele, 2017) overstated job numbers at Mchobololo when it indicated that there were 20 full-time staff and 20 part-time staff employed at Mchobololo. The study found that the project had created less than half the number of jobs compared to the number cited by the Department of Agriculture and Rural Development.

Labour is a conundrum on land restitution projects, perhaps more so than it is in agriculture more generally. Major questions arise from the study in respect of securing labour on restitution projects. Firstly, who will constitute the labour force on restitution projects which are engaged in crop production? On the one hand there have been immense challenges with getting beneficiaries to work on the land and to work diligently when they do. On several projects in the study, in respect of farm labour, outsiders have been preferred as workers over beneficiaries.

Secondly, the agricultural labour market is among the most unattractive labour sectors available to jobseekers at present, with farm workers among the lowest paid workers in the labour market; two thirds of farm workers earn less than R1 600 per month (PLAAS, 2016). In the recent announcement that a national minimum wage of R20 an hour will be introduced from January 2019, farm workers are not included, and could see themselves eventually securing a minimum wage of only R18 an hour, reviewable if an employer manages to have the rate waived on the basis of financial hardship. Previous gains from the farm worker protests of 2012/13 have also been severely eroded for some farm workers as employers have off-set labour costs by levying higher amounts for accommodation, electricity and water (Bell, 2018). The likelihood of beneficiaries entering the agricultural labour market after successfully claiming back high-value land appears to be low to non-existent going forward.

Thirdly, commercial agriculture is enhancing competitiveness by reducing labour costs and start-up restitution projects would have to match, if not surpass the tactics they are using. Findings of recent research by the International Labour Organisation (ILO) has shown that

farmers are employing fewer workers by externalising and casualising employment in response to the impacts of deregulation and trade liberalisation, integration into global value chains and legislative interventions such as minimum wages and ESTA (PLAAS, 2016). The conundrum for the restitution projects engaged in agriculture therefore involves navigating the complications of securing labour at the correct cost while beneficiaries themselves are unable or unwilling to meet the labour requirements of their projects from within.

Non-farm jobs on the other hand create a dilemma of a different sort. At Mgxobeleni's Hella Hella Eco-Adventure Centre, there are only a few beneficiary jobs and the demand for them has been high, and this is generating conflict, as Participant 13 indicated:

What doesn't make me happy is the fact that all beneficiaries are looking to benefit from this place [Hella Hella] where we are working; but that's not how it's supposed to be; people must benefit where they are from, but everybody is looking at Hella Hella for a benefit and it should not be like that and this is usually what causes conflict amongst us. (Participant 13)

6.5.2 Emotional impact of land restitution

6.5.2.1 Passage of time and death of beneficiaries

Claims have taken as long as 10 to 15 years to finalise. Delays are usually caused by beneficiary group dynamics, bureaucratic requirements, competition from other claims, institutional instability and political shifts to name a few (Walker, 2008:133). Many respondents have alluded to the frustration of the long wait, with some mentioning that claimants had passed away while waiting for resolution of the claims and others while waiting for some tangible benefit from the restoration of the land. This has generated an urgency on some projects to begin distribution of benefits.

6.5.3 Beneficiaries claiming additional land

Beneficiaries seeking to claim more land has been a feature of several projects in the study, including by the Nqabeni, Endodeni, Emasosheni and Mgxobeleni groups. It is a complex dynamic, and no doubt one that will not make the work of the Restitution Commission any easier as they decide at what point restitution should end for a particular group.

The phenomenon of beneficiaries seeking to claim for additional land in cases where their existing projects are struggling to survive and thrive clearly requires further examination and study. On the part of the beneficiaries, it might represent a strategy of desperation to target areas that hold more potential to afford some livelihood benefit given the slow returns on their existing projects. Prospects for funding future land projects however, appears to be bleak and projects on land restored in the future could well follow the same route as those struggling at present if the beneficiaries cannot access the required inputs and surmount the challenges they are currently experiencing on these projects. Cousins (2016, citing Walker, 2015) estimates that it will take hundreds of billions of rand to settle the estimated 397,000 restitution claims that the programme could be required to deal with.

6.5.4 Beneficiaries now opting for cash instead of land

Where there have been additional beneficiaries coming forward claiming a stake in existing projects, as well as where existing beneficiaries are claiming additional land, the preference is emerging for cash payments instead of the restoration of land. It has been frequently mentioned by respondents on many projects that additional beneficiaries coming forward are not interested in farming. Even at existing projects such as at Emasosheni and Endodeni, beneficiaries are still not completely sold on the idea of risking their futures on the restored land and are expressing a preference for cash payments. One wonders whether the desire for acquiring land is wearing thin as beneficiaries lose hope through observing the slow pace of progress on some of the restitution projects around them. The preference for cash must also be set against the 'land hunger' debate in popular discourse.

The preference for cash on the Richmond projects accords with findings elsewhere where relatively few claimants are expressing a desire to be producers on the land. Given this scenario, Cousins (2016) has suggested that one way to seek closure of the restitution leg of the land reform programme would be via the payment of compensation through standard settlement offers. Where there are claimants that are genuinely interested in farming, he suggests restoration of some the land with projects assisted where necessary through joint ventures with private sector partners. For Cousins (2016), the State should be giving attention to land redistribution and tenure reform instead which hold more promise for land and agrarian reform.

In the KwaZulu-Natal (KZN) Province, the restitution process has been costly with government having spent some R7 billion on buying approximately 800 000 hectares of land for successful restitution claimants. The Province has paid over R2 billion in financial compensation for successful claims lodged before December 1998 (Ntuli, 2018). The Provincial Land Claims Commission has indicated that it only has 1900 outstanding claims of the more than 16 000 lodged before the December 1998 deadline. From a target of settling 110 claims per annum in 2016/17, the Commission set a target of settling 160 claims in 2017/18 and would like to increase the pace to 300 in 2018/19. The Province has approximately 90 matter before the Land Claims Court (Ntuli, 2018). How the Richmond claimants will fare in getting their additional claims attended to given these backlogs remains to be seen, but there will in all likelihood be a long wait for them ahead. Some have suggested that state land should be used to meet land redistribution targets. This line of reasoning is seen as misleading since very little state land is suitable for this purpose, with only 2% of the total of 12.6 million hectares of state-owned land suitable for land reform (Kleinbooi and Dubb, 2013).

6.6 Engaging with the structural factors

Land restitution is taking place within a difficult agricultural and macro-economic environment. The work of theorists such as Ploeg (2008) have demonstrated the ‘onslaught’ against the peasantry. What has been argued is that small scale producers have been pushed to the margins by large agricultural multi-nationals. These large companies, described by Ploeg (2008) as ‘food empires’, are currently engaging in what is likened to a type of imperial conquest of the domains of farming, food and nature. The vast majority of land restitution beneficiaries clearly begin from a position of extreme disadvantage. Their links to the land have been decimated through a prolonged period of forced deagrarianisation. They are also lacking in capital and other resources to make projects work without assistance on a huge scale from the state, the continuance of which is a rapidly dwindling prospect in the face of national fiscal challenges. The study has confirmed the complex scenario described below:

Restitution has shown up the wider contradictions of land and agricultural policy. Poor communities are expected to emulate existing production systems in a capital-intensive farming sector, as a collective, and to compete with the established commercial farming class and increasingly powerful and oligopolistic agribusiness sector. While the thrust of agricultural policy has been to withdraw state interventions, restitution has seen the state re-entering land markets (PLAAS, 2016).

The projects in this study are all vulnerable to the impacts of post-apartheid agrarian dynamics and change described above. The questions raised by Hornby et al. (2018) in the context of their work on farm dweller precarity, resonate with the beneficiary groups in this study. One can ask whether the hold that land restitution beneficiaries have over their newly acquired land and livelihoods has the potential to slip as a result of the structure of South Africa's agrarian economy. As conceded earlier, the projects are relatively new and outcomes relating to this question will take time to emerge.

6.6.1 Engagement with markets

Markets and access to them are a complex phenomenon. Francis and Akinola describe how the Khomani San people of the Southern Kalahari won a massive land claim that should have formed a basis for much-needed social and economic progress, yet remain largely impoverished with minimal development. They describe the beneficiary community as "... living on the edge of the periphery of the capitalist world system" which they argue "... structures development/underdevelopment in key ways" (2016:370-371). Phillips (2018) work on the concept of 'markets on the margins' provides a sobering reminder of how precarious the link to markets can be for small and start-up players in agriculture. In the vein of the Market Systems Development approach in aid and development known as 'Making Markets Work for the Poor' (M4P), which seeks to change the way that markets work so that poor people are included in the benefits of growth and economic development (Swiss Agency for Development and Cooperation – SDC, 2008), Phillips states:

... can markets be made to work for the poor – or even just be made to work 'better' for the poor – or is the process always, inexorably, one in which the poor are made to work for markets? The quest for answers led to examination of theories of markets as institutions – and the insight from such theories that as institutions, they are social constructs. And if markets are social constructs, how might societies construct them differently – to lead to different social and distributional outcomes? And through what social processes might this be achieved? In a context in which markets appear to be here to stay, answers to these questions matter for any agenda of social and economic change... (Phillips, 2018:1).

Sectors such as forestry are not easy for new entrants to achieve success in. There have been a number of unsuccessful attempts at forestry on the part of poor rural communities involved in the production of timber on land restored through restitution (Andrew et al., 2003). This study found that some projects have demonstrated a remarkable ability to assimilate into sectors such

as forestry and have even demonstrated some ability to adapt to market fluctuations. For example, at Inkanyezi Yamahobe it was indicated that the project will not go ahead with a scheduled harvest of wattle timber when prices dipped. Participant 11 indicated that when pulp prices dip, they would delay harvesting rather than sell at lower prices. Emasosheni has also made a foray into forestry with SAPPI's assistance. Given SAPPI's extensive networks, this venture is likely to hold promise for beneficiaries to earn returns within a few years.

In respect of food crops, five out of the seven projects have not even reached the stage of engaging markets. Only Emagxabeni (which later ceased production) and Mchobololo (growing on a small scale of about 3 hectares) reached the stage of supplying crops to market, and access to markets was not reported as a challenge for these two projects. Nevertheless, entrenched biases towards commercial producers, production systems and formal markets must still be addressed to ensure unimpeded access for small-scale producers (Neves, 2017). Moreover, analysts such as Cousins (2016) have indicated that measures to promote the informal economy, including markets for food, are absent as a result of assumptions that only formal markets count and that small-scale producers can easily be integrated into them.

6.6.2 Engagement with the agri-business complex

Herein lies a particularly thorny challenge for new restitution and other land reform projects. The reach of the agri-business complex is extensive and voracious resulting in even the most remote parts of the country being thoroughly connected to the agro-food systems and markets of the core economy by well-orchestrated value chains and strong supply chain networks (Du Toit 2018). In the study, it was found that the beneficiaries appear to be keenly aware of their place in the agri-business complex. *Emasosheni* beneficiaries, on the first visit to the farm at Ebhunwini, conceded that *Shoprite* was not likely to buy their produce while *Boxer* might. Although both chain stores were linked to the agro-food complex (with *Boxer* being part of the large *Pick-n-Pay* group), the beneficiaries were probably basing their speculation on their acute awareness that *Boxer* served the lower-income market and would probably be more accessible to them as small-scale producers. Within this understanding of the broader market dynamics, it is clear that they are all too aware that approaching the higher end stores such as *Woolworths*, with its closely scrutinised supplier base, would no doubt be out of their league.

A few of the projects have tapped into modernised forms of marketing. Mchobololo's marketing of the Highover nature reserve is professional and includes a well-designed website and glossy brochures. This reflects taking advantage of technology and an astute business strategy. Included in the marketing pitch is the intention to include 'the local communities' in the development of the nature reserve. No doubt, they have cottoned on to the marketing value of this approach. Similarly, Mgxobeleni's Hella Hella Eco-Adventure Centre's website also has a link entitled '*Community Project*' but it contained no further details regarding which "community" was being referred to.

Inkanyezi Yamahobe is another project which is successful but mainly through the use of SAPPI and Mondi's networks. This strategy therefore reflects their ability to capitalise on the established reputation and infrastructure of these multi-national companies for disposal of their forests crop, leaving them free to invest time and energy in farm activities. They have expressed some frustration with the Mondi lease though, feeling that they would have had better returns had they run the portions leased to Mondi by themselves instead. Among the outgrower schemes (involving *inter alia* sugar, wool, forestry and dairying), forestry currently seems most promising. SAPPI for example is keen to expand its base of smallholders from whom it purchases trees for the wood pulp and other markets (Participant 23). With the Richards Bay woodchip facility producing for export to Japan and China, it is expected that outgrower forestry production could expand significantly in the future (Beinart, 2018, citing Clark, 2018). Inkanyezi Yamahobe is also fortunate to have a strong working relationship with Mondi which is very involved with communal area outgrower schemes in and around Richmond.

6.7 Making sense of progress and challenges in land restitution

It has been said that modernising states often succumb to the pressure of seeking 'radical simplifications of society' (Hall 2004, citing Scott 1998). In assessing the restitution leg of the broader land reform project, we have to ask whether we have perhaps judged restitution projects too harshly. The unique dynamics of restitution projects vis-à-vis other types of land reform projects may often be overlooked (Aliber et al. 2013). As indicated earlier, restitution is a rights-based sub-programme, unlike land redistribution which is application-based, with need, not rights, being the key criterion (PLAAS, 2016). The overarching purpose of land restitution is to provide redress for the historic injustice of land dispossession and those claiming land are not necessarily interested in agriculture, very much unlike as in the case of

redistribution, which tends to self-select for interest in agriculture (Aliber et al. 2013:154). Economic trajectories and possible benefits - the eventual realisation of which are certainly presumed - are really not immediately discernible when claims are lodged. The economic endeavour must be painstakingly and consciously constructed and experimented upon based firstly on the physical resources inherited, i.e. the property and accompanying infrastructure. Secondly, project progress is highly dependent on mitigating and navigating the host of complexities and contextual factors discussed in this chapter.

Research has also revealed that, at times, other socio-economic pressures arise which surpass the importance of land in peoples' realities. The respondents of one study identified unemployment, poverty and HIV/AIDS as the most important challenges facing contemporary South Africa (Walker, 2008, citing Aliber et al., 2006). As few as 2.6% of the sample spontaneously identified land issues as a primary concern. While 48% of respondents agreed that they would like their land restored to them, 59% of respondents indicated that they would choose financial compensation.

The loss of land by black South Africans, and with it, the loss of key productive resources, took place over a nearly 350-year period. With the land dispossession and resultant underdevelopment having been integrally functional to the growth of the South African economy, for Cousins (2016) “[s]ocial differences and inequalities based on a complex articulation of race, gender and class identities” were produced which became “... hard-wired into the South African capitalist economy from its very beginning” (Cousins, 2016, citing Wolpe, 1972). The question that faces us is whether the country has been resorting to ‘technical discussions’, as du Toit (2018) puts it, to unravel the complex web of historical and contemporary factors which have shaped the status quo regarding the land question in South Africa at the start of the twenty first century (de Satgé, 2013). Du Toit states:

policy proposals have approached the land question almost exclusively within a ‘productionist’ framework that, as Ferguson put it, conflates land reform with agrarian reform (Ferguson 2013). The question of whom the land should belong to is displaced by questions about who should farm it, and debates about historical right, political pain and restorative justice give way to technical discussions about food security, agricultural productivity and commercial viability. Thus the resolution of complex and incendiary political questions – the need to address living and painfully felt memories of historical injustice, the reality of continued economic and social marginalization and the persistence of deep racial divisions – are taken to depend, inter alia, on the ability of South Africa’s beleaguered and dysfunctional

department of Rural Development and Land Reform to deliver commercial land reform, on scale, in a context of fiscal austerity, globalization, and local government dysfunction (2018:1088).

Cousins (2016) is no less scathing of the approach taken thus far in responding to the complex question of land and agrarian reform in South Africa. He states:

In my view land restitution has proved to be a mistake. It is complex, cumbersome, conflict-ridden, expensive, consumes scarce capacity and yields few sustainable benefits. The past has been a poor guide to land reform in the present. The extension of the period for lodging land claims until 2019 is an even bigger mistake, and is generating expectations that will be difficult to meet.

In this study, one of the key ways in which the tension between being consoled by having land restored and addressing more pressing economic needs is evident in the call by some for financial compensation following disillusionment with agricultural projects attempted.

6.7.1 Fixing production at the correct scale

The question of sub-division of agricultural land has received much attention in the literature. The scale of some of the Richmond projects might need reconsideration in order to make projects more manageable. Contrary to the spirit of the earlier policy pronouncements, there has been no urgent thrust to sub-divide larger farms to make available appropriately sized units to aspirant small farmers. Lahiff has argued that a conservative coalition of state and private sector interests successfully resisted the break-up of large farms (Aliber et al., 2013, citing Lahiff, 2010:60). Aliber et al. (2013) add that with very little encouragement or guidance from government, subdivision was done in very rare cases. In the absence of smaller properties and with the lack of impetus to subdivide larger farms, projects across the country have faced the challenge of ending up with large and unwieldy groups. Aliber et al. (2013:24) have argued that there is now almost universal agreement that the refusal to subdivide and the resultant large groups which resulted per project was a mistake, and accounted for the widespread collapse of some projects (Aliber et al., 2013, citing Pringle, 2011; Lahiff, 2010).

The failure or inability to subdivide restored land remains therefore an important factor that has been offered to explain the poor performance of land redistribution and restitution. (The other important factors have been in adequate post transfer support and inadequate beneficiary skills) (Aliber et al., 2013). While conceding that rural restitution projects with their large

number of claimant members makes subdivision impractical, Aliber et al. (2013) nevertheless stress that this option must receive attention. Linking the skills deficit question to the subdivision one, Aliber et al. (2013) make the point that the supposed skills deficit is also a function of project design and beneficiaries who do not have had the skills to operate large-scale commercial farms may well have fared better had there been some sub-division and accompanying support for small-scale farming in its own right. They consider whether this would give a fair number of beneficiaries an opportunity to make use of the skills that they do have. They conclude that while this is an attractive argument, it is still much too simplistic an explanation given that the skills question is a vexing one not least because beneficiaries are highly heterogeneous. In the study, the beneficiaries themselves at Mgxobeleni are making the call for subdivision. However, the call is coming from the group that feels they have sole right to the portion where the Eco-Adventure centre is located, which is also the only portion that is generating income at present. How this proposal will sit with other beneficiaries who would be expected to start from scratch on dormant portions while the group calling for the separation has a going concern at their disposal with current benefits being generated remains to be seen and will clearly drag on for some time, possibly also feeding into already tense relations.

Respondents have pointed out the plethora of complications that group-based projects have brought. Mgxobeleni beneficiaries have mulled over whether they should have claimed in smaller groups which would have resulted in the land being sub-divided and restored in smaller parcels to beneficiary sub-groups. There is agreement that in order for subdivision to gain traction, there must be a detachment on the part of government from the 'economy of scale' and 'viable size' notions that have led to a shying away from subdivision in the past, and what Kepe and Hall have described as "... a tendency among officials to want to create ... instant successful replicas of white commercial farmers" (2016:48, citing Ministry of Land Affairs, 2003). Subdivision, accompanied by appropriate support for the Mgxobeleni beneficiary group may hold serious potential to take the group beyond the 'waiting' phase which they currently find themselves in in respect of several farm portions lying dormant since restoration. In a different context, and calling for the opposite outcome, the Emagxabeni beneficiaries bemoaned the fact that they had received back subdivided land and not the original large farms they were dispossessed of. However, one should be careful not to read too much into this given the challenges that the project has experienced in converting even this portions they did receive into productive enterprises; they could well be bemoaning the fact that they had received back less land than they ought to have.

6.8 Conclusion

Walker has raised important ideas about the difficulty of the restitution process describing successes at land restitution as “... few, hard-won, always fragile ...” (2008:14). This has been confirmed in the study, with the findings also resonating strongly with what Walker writes concerning the “... competing priorities and discordant agendas at both the national and the local level” and of the “... defiantly disorderly convergence of issues, personalities, politics and procedures...” (Walker, 2008:13). The recent debates on whether section 25 (the property clause) of the Constitution requires amendment to allow for the expropriation of land without compensation is changing the pace and focus of the land debate quite drastically. While renewed emphasis is being placed on the need to address institutional challenges within the State to improve capacity to implement land reform, there are arguments emerging that the distribution of land to those who need it is a better vehicle for land reform than land restitution (Lepule, 2018). Ngcukaitobi puts the matter more strongly:

The suggestion is to scrap restitution, it has failed. ... It does not matter if you add the claims or fast-track them; what we know about restitution is that those who took money in 1998 have come back to stand in the queue for RDP housing - it is a problem (Lepule, 2018 citing Ngcukaitobi, 2018).

The KZN Land Claims Commission has confirmed the dilemma raised above. At a recent ceremony held to hand over financial compensation to the group of Mchobololo claimants who had opted for cash payments, the Head of the Land Claims Commission made a plea to the beneficiary recipients to use their claim payout wisely stating as follows:

Very often people use all their money and then come back to us to complain that the money was not enough. They would make comparisons of how much they got back with what the other beneficiaries would be getting ... (Nsele, 2017).

The study has indeed found mixed results on how the beneficiaries in the projects in the case study have fared, corresponding with Walker’s description when she speaks of restitution as “... a ... fragmented and messy reality on the ground” (2008:212). Some projects have had ready and immediate access to markets (e.g. Ngqabeni, in respect of the leaseback of the essential oils factory and the supply of eucalyptus leaves to the factory) and others tapped into the value chains of established multinationals (e.g. such as those of SAPPI and MONDI in respect of Inkanyezi Yamahobe and its vast tree crops). These projects have been guided by

the State in pursuing these avenues for market access, and this has resulted in these projects featuring among the more successful in the case study. Inputs and capital in the form of recapitalisation grants have been granted to three out of the seven projects to produce at scale. Some post-settlement support in the form of training for beneficiaries has been provided but constraints on State resources makes the prospect of ongoing support unlikely.

The question has been asked whether new land reform projects can be expected to achieve more in their start-up years than any other small business would. Of course, group dynamics and the presence of competition for ripe pickings of easily accessible land reform project resources complicate matters somewhat and lead to losses that may not be present in the case of other start-up businesses. It does seem though that when assessing land reform projects, a long term view is more pragmatic. We should therefore heed the advice of analysts such as Walker who remind us that broad land reform should be seen as "... an on-going, open-ended and ultimately inconclusive process that cannot deliver all that is asked" (2008:229). Balancing the needs, desires and capacities of beneficiaries with economic demands for productivity will remain a challenge for the programme for some time to come.

Chapter 7: Summary and Conclusion

Introduction

Entire communities, and generations which followed, have suffered the indignity of what Sol Plaatjie famously described as being ‘pariahs in the land of their birth’. Grounded on the two closely connected white economic fears of labour shortage and competition from African farmers, the land dispossession in South Africa was accomplished by a series of measures to disconnect Africans from the land and, as Bundy puts it, in the final result ‘Peasants became serfs’ (Merrett, 2017, citing Bundy, 1979). Critical scholarship has laid bare the fact that land dispossession was the vehicle by which the political, economic and social rights of Africans were curtailed over many decades. Land dispossession has effectively facilitated the development of South African’s capitalist mining, agricultural and industrial economies and the repercussions of the injustices perpetrated on South Africa’s black population in past centuries are felt to this day. It was not surprising then that from the time that the earliest indications emerged that South Africa would achieve its pursuit of a new democratic State, attention began to be focussed on resolving the ‘Land Question’. In pursuit of political, economic and social justice, land reform was meant to undo more than racial discrimination: it was to be pro-poor, promote gender equality and, by changing production and investment patterns, was intended to bring about the much-needed transformation of the capitalist agrarian economy of South Africa (Kepe and Hall, 2016) thereby correcting the entrenched skewed patterns of accumulation that had persisted for over three-hundred-and-fifty years.

A key rationale for the undertaking of this study has been the idea that there can be no more important measure of the success of the programme of land reform than the extent to which the return of the land has brought relief, on numerous levels, to those who lost it. This has not been an easy outcome to measure. The programme has unfolded at a poor pace. Government itself has conceded this and has responded over time to this state of affairs with numerous policy shifts. At the same time as land reform measures have been explored, the structure of the South Africa economy has continued on a neo-liberal trajectory. This has resulted in there remaining in South Africa structural inequalities that have their origins in key legacies of apartheid, including: the centralised, monopoly structure of the core economy; the highly skewed distribution of assets such as land and capital; the impacts of migrant labour; the spatial legacy of Bantustans and apartheid cities; and deep inequalities in the development of human

resources (Phillip, 2011). In this economy, land reform beneficiaries have found themselves on the margins, operating in the shadow of South Africa's highly concentrated core economy.

In its theoretical stance, the study has viewed the complex context summarised above, shaped as it is by historical structural factors and current international macro-environment and policy thrusts, as critical for interpreting the manner in which current land restitution beneficiaries are navigating the contemporary agrarian landscape after having received land-based restitution awards. By investigating how a cluster of 7 restitution projects underway in Richmond, KwaZulu-Natal, South Africa are faring in the current agrarian macro-environment, the study attempted to answer the following research questions:

- 1) what is the nature and efficacy of the strategies employed on restituted farms in Richmond, KwaZulu-Natal towards achieving durable agricultural livelihood outcomes?*
- 2) why has the land restitution process in South Africa achieved so little success in developing productive agricultural enterprises?*
- 3) what are the complexities involved in the process of land claim beneficiaries converting restituted land into productive assets?*
- 4) how have land claim beneficiaries responded to the inherent difficulties in building sustainable and productive agricultural enterprises post restitutive land reform?*
- 5) what alternative strategies might be posited for improving and advancing a more viable agrarian dispensation on restituted land?*

This concluding chapter of the thesis discusses whether and how the paradigm which provided the rationale for the research - and on the basis of which the particular research design and accompanying methodological techniques were decided upon - has enabled persuasive findings and conclusions. This is followed by a discussion of the answers that the study provides to the research questions above which are drawn from the themes dealt with more fully in chapters 5 and 6. The chapter concludes by indicating the study's key contribution to the literature, highlighting key recommendations on the question of improving livelihoods after land restitution.

7.1 Reflection on the paradigmatic approach, design and methodology of the study

It was argued in chapter 4 that the study of livelihoods and how they are constructed in particular contexts accords with the *interpretive approach* which, concerned as it is with subjective experiences of the external world, is useful for explaining subjective reasons and meanings which lie behind social actions (Terre Blanche and Durrheim, 2006). This study intended to provide rich descriptions of the impacts on the livelihoods of the Richmond project beneficiaries being derived from their restored land. The intention was to describe phenomena impinging upon the success of the restitution projects through the gathering of in-depth knowledge from a variety of sources. I argue that this has been achieved, and in addition, the research has extended to developing a form of *classification* wherein the various projects and their varying levels of progress have been classified into a three-part typology as described in Table 5 in Chapter 5.

Firstly, the study has enabled rich descriptions of various phenomena gleaned from the qualitative data, *inter alia*, pertaining to the status of projects, trajectories of choice, accounts of progress and challenges, power relations and importantly, the personal experiences and emotional impact of the struggles of the beneficiaries. Following the listing and description of these phenomena in chapter 5, the study in chapter 6 has proceeded to identify conceptually important features and properties of the projects investigated. These have included *orientations* perceived within the various groups (Durrheim, 2006 citing Mouton and Marais, 1990) such as changing attitudes towards agricultural production over time. The development of important categories and the identification of significant interrelationships which emerged from the data have also been possible. Important changes over time have been discerned and confirmed through field visits and observations. Secondly, in developing the typology of restitution projects, while the projects have been weighed against the backdrop of the broader national context of land restitution, the local context of each project has nevertheless been central in explaining the individual trajectories and unique predisposing factors which have resulted in particular outcomes. The above processes have enabled the observations to be categorised into themes, and in chapters 6 and 7, a detailed depiction and analysis of the phenomena have been crafted making linkages to existing scholarship. This has aligned with the design and methodological intentions of the study.

The next part of this chapter reflects consecutively on the answers to the research questions realised by the study.

7.2 The nature and efficacy of the strategies employed on restituted farms in Richmond, KwaZulu-Natal towards achieving durable agricultural livelihood outcomes?

The Richmond projects reveal a narrative of adaptation and survival. While maintaining some level of continuity with previous owners' land use choices as a safe starting point, the groups have also shown themselves adept at adopting a wide range of income-generating strategies in their quest to gain a return from their restored land portions. What is emerging is that the restored land, whatever the productive history may have been prior to restitution, is taking on multiple uses and significance as discussed in detail in sections 5.2.1, 6.1 and 6.2.

Where projects have been unable to engage in land-based production immediately, the beneficiaries have employed a range of adaptation strategies to utilise the land in order to generate revenue while still contemplating some form of future agricultural activity when circumstances allow. The tourism potential of Mchobololo (*Highover*) and Mgxobeleni (*Hella Hella Eco-Adventure Centre*) in particular has been effectively harnessed. Other projects have also been open to novel business operations to generate livelihood benefits beyond agricultural production, such as at Ngqabeni where a working partnership with the essential oils manufacturing plant is being maintained and the possibilities relating to the bottling of water from a natural spring on the farm are being contemplated.

Utilisation of the land for residential settlement was not identified in any of the projects as most groups accepted the decision to use the land for agriculture or other income-generating ventures. Livestock has been a favoured choice at all projects. Another dynamic that has been made clear is that once the initial euphoria of receiving back the land wore off, the beneficiaries became keenly aware of just how arduous a task it is to make projects work. It was discovered that many beneficiaries have themselves put in significant physical effort and contributed personal finances to the projects to keep them afloat. The formation of the *Amandla Richmond Farmers Association* has created an important network for the projects. At meetings attended, there was a congenial atmosphere and sense of comradeship among the project representatives. There were also indications of willingness of groups to assist one another.

In respect of the efficacy of the strategies, the level of achievement, despite project challenges experienced, is noteworthy. All seven projects examined have achieved some aspects of their goals, either fully or partially. The strides made by Mchobololo, Mgxobeleni, Inkanyezi Yamahobe and Ngqabeni to keep their projects afloat are commendable. The important features which the study identifies in relation to these projects are the receipt of successful businesses on the land as part of the claim settlements and the absence of reports of allegations of mismanagement of project resources and income.

The study has revealed mixed results in respect of sustainability of projects. Agricultural production remains a lost opportunity for the majority of projects, including on those farms where previous owners has engaged in agriculture in some form. If accomplished, it can provide real benefit at household level and well beyond. There is no denying the immense need for cheap food and other agricultural products to meet both national and even regional demand. The free trade agreement with Southern African Development Community (SADC) countries presents opportunities which players in the retail market have long begun to exploit. Production on land being transferred within the land reform programme can surely make contributions in these areas as well as in lowering imports of a range of food items. Agriculture at the small scale production level is underperforming at present (Beinart and Delius, 2018) and if production can be increased, it has significant potential to improve livelihood options for rural communities and provide the basis for various forms of rural development and business expansion. While there are enormous challenges for new entrants into the South Africa agrarian sector as pointed out in previous chapters, there clearly is also scope for pioneering and inventive projects to be pursued on recently transferred land. The Richmond projects in particular are fortunate to be in an area receiving excellent rainfall of above 872mm per annum (Climate-Data, 2018). Some projects are also close to the Umkomazi River. In pursuing agriculture however, there is every temptation for the new class of landowners to prioritise higher returns using much the same tactics as their commercial competitors, such as lowering wages, mechanisation and prioritisation of crops produced for export at the expense of local food security needs. A balance in this area is illustrated in the South African citrus sector, where South Africa, being the second largest citrus exporter globally also supplies 33 per cent of its produce domestically as a source of cheap and healthy fruit as well as for fruit juice manufacturing (Beinart and Delius, 2018).

Whatever the levels of ingenuity of individual beneficiary groups might be however, what is indispensable for the success of beneficiaries of land reform is micro-scale support, an enabling politics and an agrarian plan that explicitly aims to mitigate the precarity and vulnerability of new entrants into agriculture (Hornby, et al., 2018).

7.3 Reasons for the land restitution process in South Africa having achieved so little success in developing productive agricultural enterprises?

While it is noted that some of the Richmond projects have managed to keep afloat and bring in some returns, in keeping with similar studies elsewhere (Aliber et al., 2013; Fox and Shackleton, 2017; Madletyana, 2012), the settled claims are generally failing to deliver immediate material benefits to claimants. The study has identified numerous factors which have served to impede or delay the success of projects. At a macro level, these include the difficulty in gaining access to markets, particularly for activities based on alternative land use strategies (such as the tourism projects seen in the study). At the micro level, the gap between the ambitious promise and the reality on the ground are attributable to the pitfalls and struggles documented in many studies. These include factors such as inadequate or unrealistic planning at the time of settlement, little or no assessment of the needs of claimants, lack of skills and capital on the part of claimants, the slow release of settlement grants, weak project management, inadequate post-settlement support and group conflict, all of which are discussed in detail in chapters 5 and 6.

A recurring theme in the empirical data gathered in this study is that there is no money to make the projects work. The need for additional funds for production costs and investment in farm infrastructure has now arisen at all projects. Even the projects which have received recapitalisation are awaiting further financial assistance from government to move forward.

Prerequisites for success in land reform cited in the literature (Walker, 2008) are discernible in some projects and non-existent in others. These include: effective leadership, social cohesion among claimants and resources which claimants themselves are able to provide. The poor physical condition of restored land and infrastructure has meant that much effort and expense had to be expended on restoring properties delaying the earning of returns. Properties restored to beneficiaries with poor physical farm infrastructure resulted, unsurprisingly, in difficulty in making progress with project aspirations.

Inadequate experience was a critical challenge identified. Farming at scale for market is very different from subsistence farming and insufficiency of knowledge and experience affected sustainability of farm production, farm management and equipment maintenance. It was discovered on several projects that beneficiaries felt overwhelmed and did not feel confident in running such large operations efficiently.

Tensions between successive CPA committees also created instability on several projects, as did a lack of group coherence and a common vision for projects which resulted in losses. Periods of initial hiatus - when little coherent activity or proper planning takes place, usually immediately after restoration of the land - have affected some projects. The study discovered at one project in particular how the lack of accountability during the period of initial hiatus led to enormous losses of project resources which the project has not recovered.

7.4 The complexities involved in the process of land claim beneficiaries converting restituted land into productive assets?

There is much that is required in order to catalyse the productive potential of the projects in the study. Improvements in governance and management of projects are critical factors identified, without which, the most promising projects will struggle to advance. This includes managing beneficiary relations and thorough record-keeping. As in any business, a fine balance should be striven for between redistributing profits and re-investment for future production, but in land restitution projects, this is complicated by factors such as the advanced age of many beneficiaries, as the study has shown, and the emotional dimension that permeates the land question which often results in a tension between social justice and economic production.

The study found that all projects are aspiring to increase the scale of operations. None have ventured to sub-divide the land or allow beneficiaries to engage in smallholder agricultural projects of any sort. A critical challenge which remains for the land restitution process is to draw restitution projects and their modest production efforts into the economy in a way that erodes historical inequalities rather than entrenches them. A key locus of inequality to be targeted in this effort is that which persists between small producers and corporate farming enterprises. Policy makers in the agricultural sector must be wary of continuity with the notions of 'proper farming' – a reference to ideas about minimum farm sizes, income targeting, full-time farming that were used by the apartheid government and which have been invoked yet

again in the democratic era - as these have served to constrain opportunities for poor people to derive benefit from the land. Kepe and Hall argue that these "... historically-produced and ideologically-underpinned notions ... should be interrogated, both because they lack intrinsic value and because their effect is to justify prioritising a narrow sector of black commercial farmers instead of creating a more inclusive redistribution process" (2016:29). Even where projects are undertaken on large scales, there must still be needs assessments conducted among claimant communities in order to determine what broader development plan would be put in place to support aspects of projects that fall outside the commercial operation taking place on a portion of land (Hall, 2007, citing eMapangiswene Diagnostic Study).

At times, outsiders (to the beneficiary groups) have extracted value from projects in various ways as detailed in section 5.4.8. For example, workers have stolen produce in huge quantities, tenants have reneged on agreements, revenue from rentals have been below market value and there has been low returns from use of beneficiaries' land for purposes such as game hunting and livestock grazing. Surrounding communities also pose a risk for projects in various ways, including risks of theft, fire and cattle damage to crops.

The low levels of State support to restitution beneficiaries has been decried. However, State support is unlikely to reach the levels being called for given the national fiscal constraints and pressing social needs facing the country, including education, health and a range of other priorities. The budget to continue the land reform programme is dwindling. Aliber (2019) using data from the National Treasury demonstrates this showing that expenditure trends in land reform from 1996/97 through 2016/17 reveal that annual expenditure on restitution peaked in 2007/08, while that on redistribution peaked in 2008/09, and again in 2011. He shows further that the expenditure on land reform in relation to spending on other functional government responsibility areas shows that expenditure on land reform was in decline between 2008/06 and 2016/17 while expenditure rose significantly for a number of other government functions. Expenditure on land reform is on par with expenditure on recreation and culture and less than expenditure on prisons for example. Overall therefore, the lower budget available has reduced the State's ability to purchase more land, and with additional policies and programmes being funded out of the land reform budget, land acquisition now constitutes a smaller share of the land reform capital budget (Kepe and Hall, 2016). There must therefore be a realistic look at budget constraints and decisions made that give clarity to beneficiaries on what form future support will take.

The accountability challenges on some projects have been particularly severe and debilitating. Allegations of mismanagement and embezzlement of project resources is a finding frequently mentioned in the literature and was noted as a serious challenge on some projects in this study. Conflict has emerged as a problem in varying degrees in the vast majority of projects in the study. Impetus and motivation to farm are indeed at different levels among beneficiaries on several projects and differing intentions are raised from time to time on to how to proceed in some projects. As would be expected, mismanagement of resources (real or perceived), lack of accountability and poor record-keeping have generated the greatest animosity and highest degree of conflict. Tensions continue to simmer in relation to the legitimacy of particular beneficiaries to be part of the claimant communities. At the same time, those left out are attempting to get in.

7.5 Ways in which land claim beneficiaries have responded to the inherent difficulties in building sustainable and productive agricultural enterprises post restitutive land reform?

As discussed in section 6.3, the beneficiaries have opted for continuity with previous owners' strategies. This accords with studies of other restitution projects and is seen as a safe start-up option. Beneficiaries have also not chosen to isolate themselves and go it alone in putting the land to use. In only 1 of the 7 projects do beneficiaries have sole use of the land. Project have favoured generating consistent lease income as a safety net while venturing into unknown terrain.

In respect of some difficulties encountered, several groups have failed to rise above the challenges. In some cases, working irrigation equipment was allowed to fall into disrepair over time. Emasosheni, in particular, lost value from the former Sapekoe Tea Estate and could not recover the losses, particularly in relation to the buildings, vehicles and machinery. Divisions and dissent have remained intractable on some projects. One group has reached the point of contemplating splitting the restored land portions among the beneficiary group. Where beneficiaries have proven to be difficult to manage when hired as workers, outsiders have been hired but this has generated dissatisfaction.

Another area that the majority of projects have made little headway in has been to disburse monetary dividends to beneficiaries from project income. While there have been some benefits in the form of training opportunities, cattle grazing, firewood and bursaries, cash payments eagerly awaited by beneficiaries has not materialised in 6 of the 7 projects despite most projects having been in existence for between 5 and 9 years. Emotional benefits from the return of the land have been reported though and this is significant. Employment creation, as illustrated in Table 4, has been few and far between for both beneficiaries and outsiders. Agricultural jobs in particular have been sporadic and short-lived and have involved very few individuals.

7.6 [Alternative strategies recommended for improving and advancing a more viable agrarian dispensation within the land restitution programme?](#)

The land restitution programme has been an important development towards righting wrongs of the past, but it has not been easy for the programme to bear the weight of the burdens placed upon it, nor was it predicted that the programme would struggle as it has with the complex issues of production in a context dominated by continuities of capitalist and neo-liberal forms of agricultural production. While every effort, both on the part of the State and by beneficiary communities, must be made to engage in production for the improvement of livelihoods in order to truly undo the legacy of land dispossession, the convincing arguments that suggest that there are serious limits to what land reform can achieve must be engaged with. Cousins (2016) has suggested that we should accept that land and agrarian reform by itself is unlikely to reduce the poverty of most of the rural population. The creation of jobs and non-farm livelihood opportunities for the majority of the population in both urban and rural areas, should be the issue at the centre of national politics. However, he concedes that a re-invigorated and well-targeted programme of land reform, together with the creation of new irrigation schemes, could make a substantial difference to many households, creating perhaps a million new jobs, as the National Development Plan suggests (Cousins, 2016). In addition, the securing of tenure rights remains pivotal to poverty reduction.

There is also pessimism as to whether the land issue in South Africa will eventually be effectively and completely resolved, since ultimately, the demand for land is a manifestation of black demands for broader justice through economic redistribution (Walker, 2008:24, citing Gibson and Lombard, 2003). Accordingly, the arguments pertaining to the limits to land reform

must seriously be engaged with. In this vein, Walker (2008) has stressed the immense importance of *context* in shaping the responses of players within the process.

The involvement of young people in agriculture must receive attention. The study confirmed that young people are reluctant to engage in work in the farming sector and are opting for better paying and less laborious jobs, with urban centres remaining attractive. Accordingly, there is much work to be done to draw young people into the agricultural sector. This will involve concerted programmes that enable young people to envision a future for themselves on the land and provide them with the skills to meet current development challenges facing both rural communities and the country as a whole. This should also skill them to engage with the most advanced developments in knowledge and technology in the agricultural sphere such as the use of drones, web-based applications, geographical and mapping technology, meteorological technology as well as in areas such as marketing and agricultural economics.

Discussions in section 6.6 above have highlighted the complex and interconnected nature of factors influencing the sustainability of local (small-scale) farming initiatives, and consequently the necessity of seeking multi-faceted responses to challenges. The peasantry internationally has been pushed to the margins by large scale producers and numerous barriers to markets hinder their progress. A number of beneficiaries under the land restitution programme find themselves in this situation.

Attention therefore has to be given to the exploration of new discourses and narratives for smallholder farming (Fox and Shackleton, 2017) that support smallholders to effectively surmount sustainability challenges such as those raised in this thesis in the micro context it has investigated. This will require concerted support towards promoting and supporting a diverse small scale agricultural sector. Important potential markets for Fox and Shackleton (2017) include government procurement programs supplying school feeding schemes and hospitals, the local tourism industry and specialized food and farmer's markets. The potential for livestock production to supply local markets has been detailed earlier and has relevance here as well.

7.7 Conclusion

South Africa's land reform programme has been imbued with the burden of undoing a vast legacy of exclusion and deprivation. The agrarian transformation it ushered in was expected to create much-needed employment, address the country's structural inequality and enhance food security for millions who are vulnerable and food insecure. However, continuities with the structural legacies of South Africa's colonial and apartheid past remain and have inhibited efforts to reduce poverty and inequality. In this scenario, the creation of land-based livelihoods by the rural population has been difficult. Working within the theoretical framework of agrarian political economy, this thesis has reflected on debates about the current trajectory of South Africa's agrarian transformation and has considered the prospects for land reform beneficiaries and other smaller producers to survive and prosper in the current structural environment particularly in the face of the dominance of commercial farming and agro-food conglomerates.

The thesis has explored how seven land restitution projects in Richmond have fared to date in the current environment. It has analysed their project choices and trajectories seeking to uncover how the beneficiary groups have taken up the challenge of moving from being 'consoled' by the return of land which they were dispossessed of (Walker 2008) to charting viable courses of economic success. Perhaps predictably in the uncertain waters of land reform, the results have been mixed and this finding resonates with views of analysts such as Walker (2008) who state that when a more nuanced assessment is done taking note of the various types of outcomes across the range of cases that have been settled to date, one begins to see more of a mixed picture of both high and low points when the programme is evaluated in a disaggregated way (2008:235-236). What is also clear from the findings in the study is that the situation on restored land projects is more complex than the simplistic rhetoric of 'success' or 'failure' allows, as Walker (2008) has incisively commented.

This study has demonstrated that several of the restitution projects in Richmond are inching forward despite the presence of deep-seated internal and external challenges and in spite of post-settlement support not being at ideal levels. Land claimants are making projects on their newly acquired land work, sometimes in unexpected ways. Despite this however, livelihood benefits will have to be deferred for some time as projects wobble onto their feet. The study concurs with the advice of analysts that in undoing the legacy of dispossession, solutions to the land question should recognise rather than deny the complexity of the processes involved. Land

restitution is a new development in the country's history and the study enabled an in-depth view of current conditions, challenges and progress through gathering primary data on the participants' lived experiences in their new environment. It has enabled close reflection on the complex set of developments taking place on the projects, which include both quite intractable challenges as well as novel ways of engaging with the structural issues impinging on the current agrarian landscape.

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MAPS of Study Area

Figure 34: Inkanyezi Yamahobe, Endodeni and Ngqabeni

(Extract from Map 2930CC BYRNE, KZN, RSA Chief Directorate Surveys and Mapping, 2004)

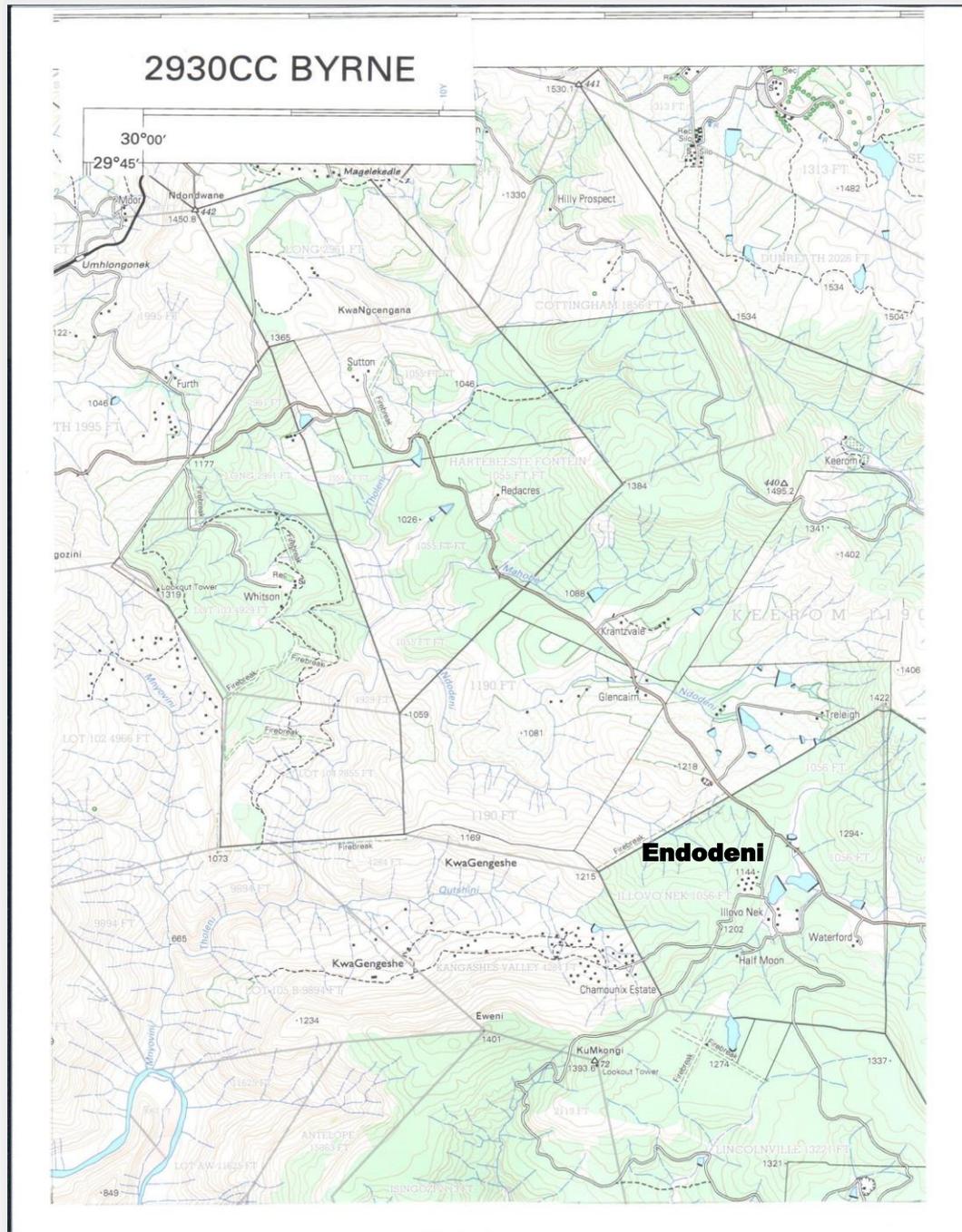


Figure 35: Emagxabeni

(Extract from Map 2930CC BYRNE, KZN, RSA Chief Directorate Surveys and Mapping, 2004)

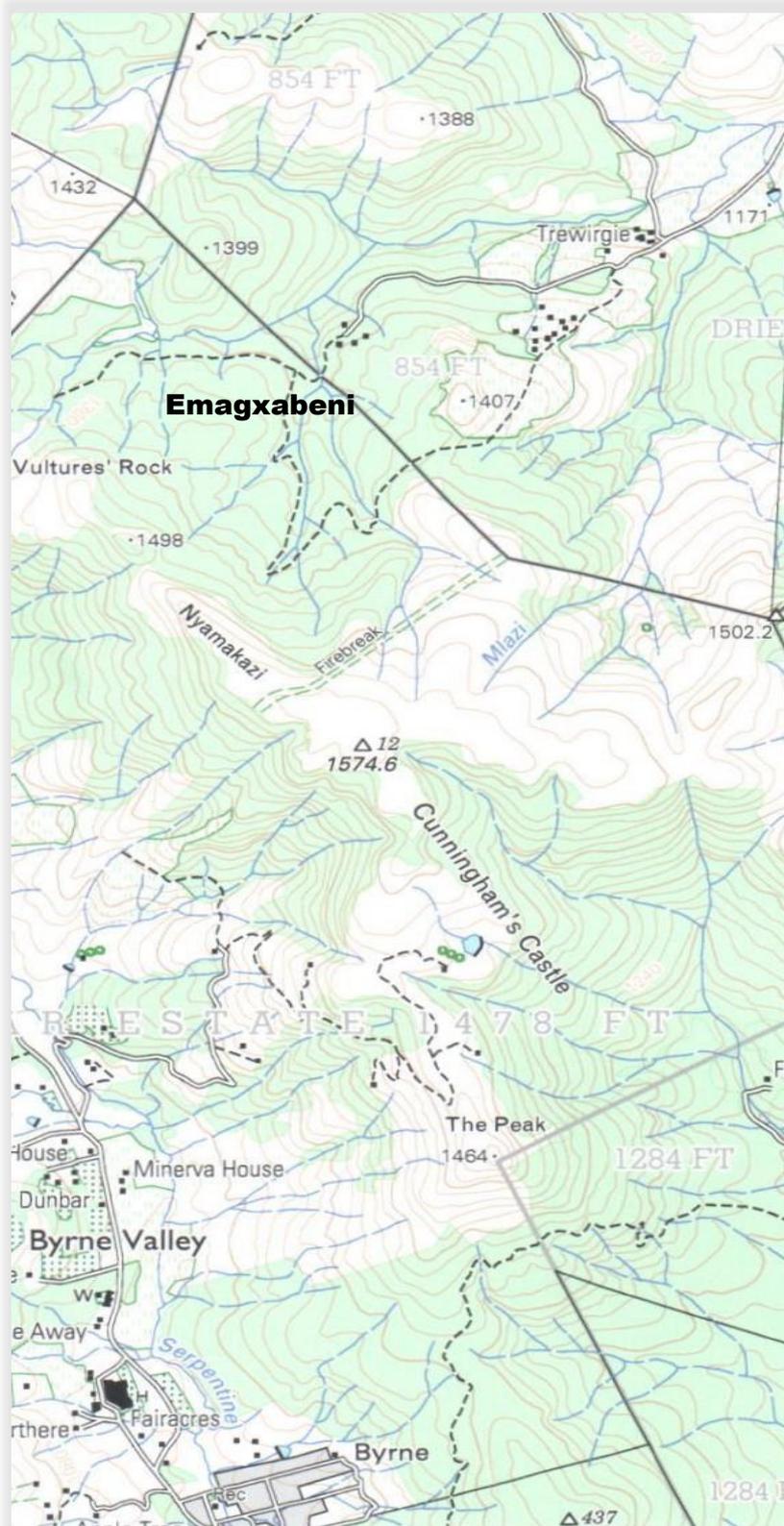


Figure 36: Emasosheni

(Extract from Map 2930CC BYRNE, KZN, RSA Chief Directorate Surveys and Mapping, 2004)

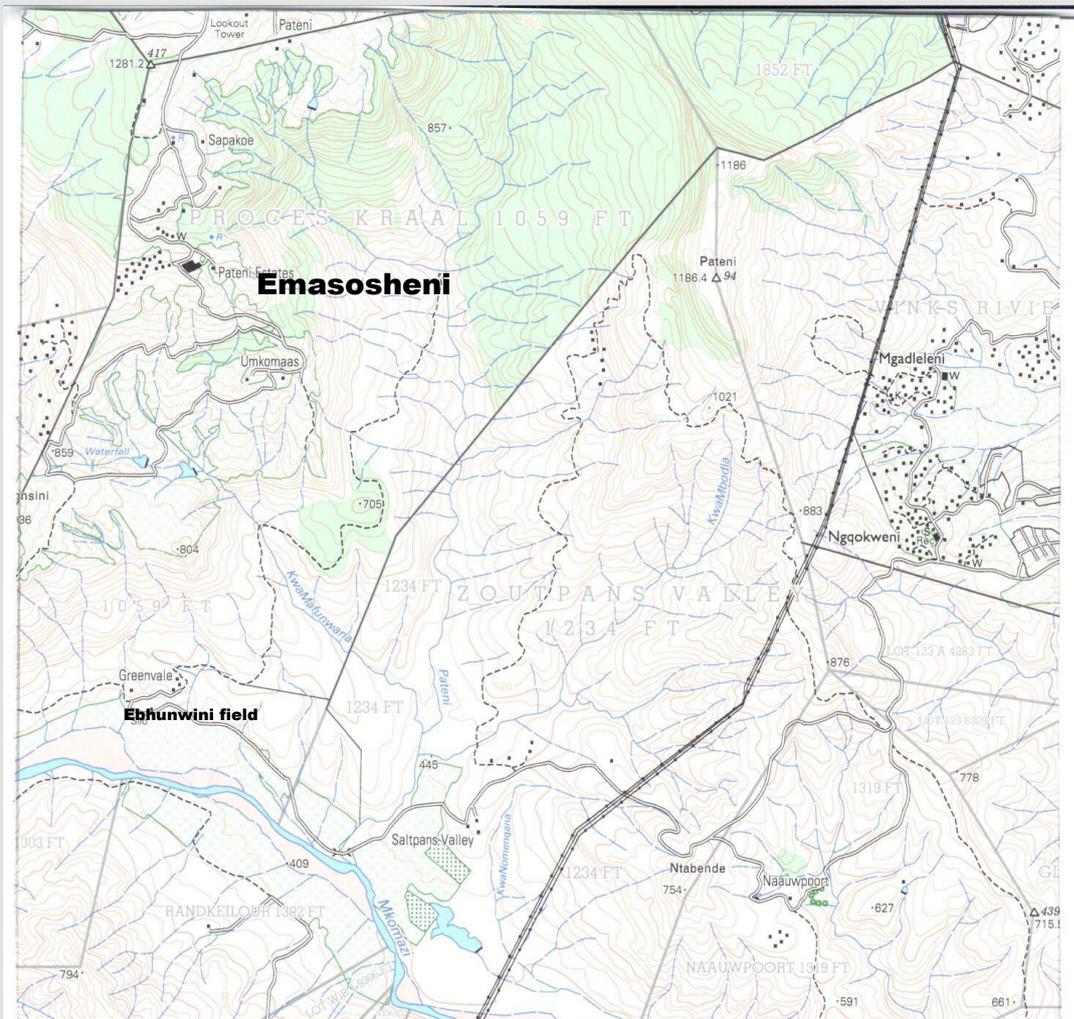
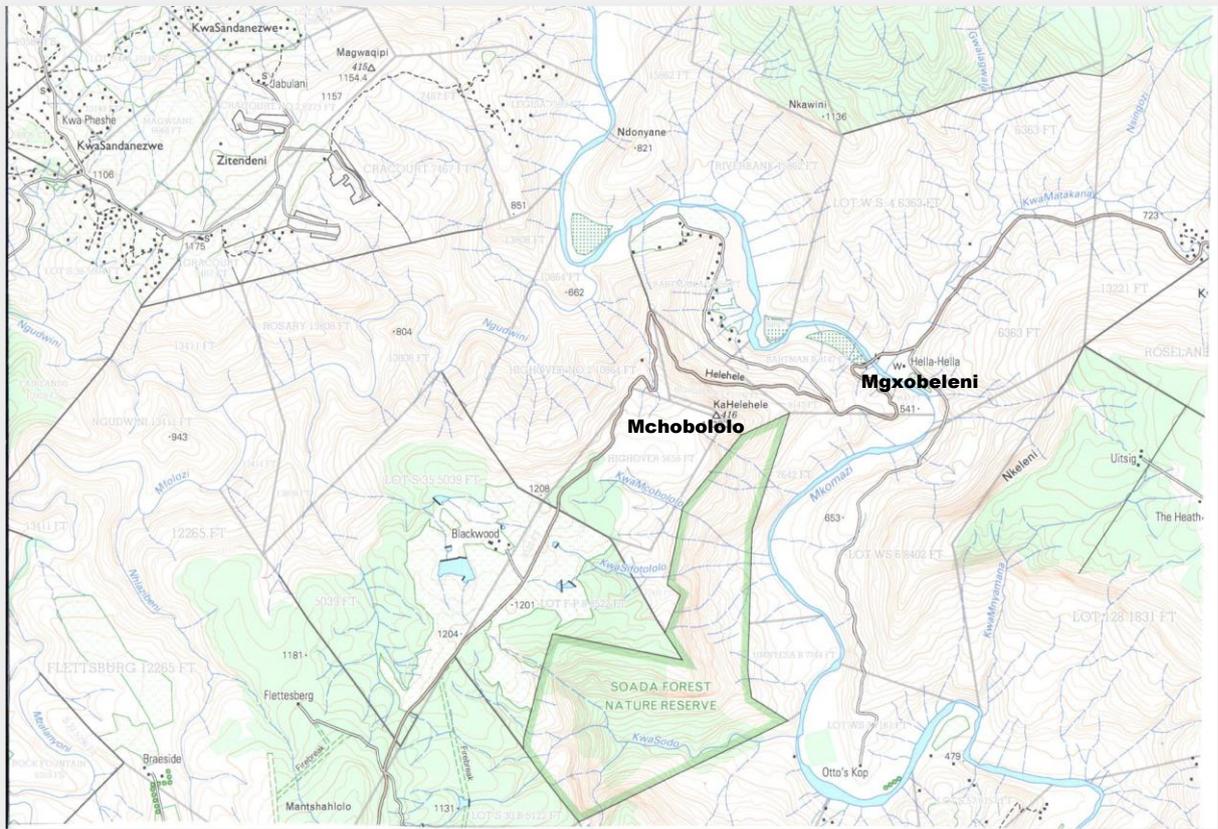


Figure 37: Mchobololo and Mgxobeleni

(Extract from Map 2930CC BYRNE, KZN, RSA Chief Directorate Surveys and Mapping, 2004)



RICHMOND, KZN



Figure 38: Richmond, KZN seen from Endaleni.



Figure 39: Richmond, KZN Town