

An Historical Overview and Evaluation of the Sustainability of  
the Land Redistribution for Agricultural Development (LRAD)  
Programme in South Africa

Simphiwe Tsawu



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Supervisor: Ms Anneke Muller

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## **ABSTRACT**

Land policy in South Africa prior to 1994 was used as a political instrument to discriminate against the black population by preventing them from accessing land. The National Party government promulgated various laws that allowed the government to forcefully removed millions of black people from their original land to the so-called reserves. These removals resulted in extensive landlessness, homelessness, poverty, unemployment and economic disempowerment of blacks in South Africa.

Prior to 1994 the explosive issue of land reform was the subject of debates between the different political parties, with diverse viewpoints on what should be done. Following much debate, when the African National Congress (ANC)-led government took over in 1994, a market approach of “willing-buyer, willing-seller” (WBWS) was adopted, with as goal the redistribution of 30% of farmland to blacks by 2015. A land reform programme was instituted, consisting of three programmes, namely land restitution, land redistribution and land tenure reform. The ANC government originally regarded land reform as a key programme to address unequal patterns of resource distribution, but there seems to be a broad consensus that land reform has changed its originally objectives. By December 2004, all aspects of the land reform programme had only transferred an area equal to 4,3 % of commercial agricultural land to blacks. At the National Land Summit of July 2005, the majority of delegates agreed that the WBWS principle in the land redistribution process is no longer appropriate and called for alternative policies, such as expropriation to fast track the process of redistribution in South Africa.

This integrated assignment focuses on the Land Redistribution for Agricultural Development (LRAD) sub-programme of the land redistribution programme in South Africa. It gives an overview of the history of land issues and land reform in South Africa. The study then evaluates the sustainability of the LRAD programme and investigates the many problems and challenges that still face the programme. The research is mainly literature based, and combines primary and secondary sources. The study concluded that the LRAD programme will not meet its well-known objective of transferring 30% of farmland to blacks by 2015, unless radical steps are taken to change the policy. A section on proposed policy changes is included. It is felt that if sustainable development principles and resolutions that were taken on the recent Land Summit are taken seriously and implemented successfully, the LRAD programme may achieve its target by 2015.

## OPSOMMING

Voor 1994 is die Grondbeleid in Suid Afrika gebruik as 'n politieke instrument om teen die swart bevolking te diskrimineer, deur hulle daarvan te weerhou om grond te bekom. Die Nasionale Party regering het verskeie wette gepromulgeer wat die regering toegelaat het om miljoene swart mense van hul oorspronklike grond te verwyder, na die sogenaamde reservate. Hierdie verskuiwings is die oorsaak van grootskaalse grondloosheid, dakloosheid, armoede, werkloosheid en ekonomiese ontmagting van swart mense in Suid Afrika.

Voor 1994 was die eksplosiewe aspek van grondhervorming die onderwerp van debatte tussen die verskillende politieke partye, met uiteenlopende sienings oor wat gedoen moes word. Na baie debat, toe die 'African National Congress' (ANC) regering in 1994 oorneem, is 'n gewillige koper, gewillige verkoper' beleid aanvaar, met as doel die herverdeling van 30% van plaasgrond aan swartes teen 2015. 'n Grondhervormingsbeleid is ingestel wat bestaan uit drie programme, naamlik grondrestitusie, grondherverdeling en grondeienaarskap hervorming. Die ANC regering het grondhervorming oorspronklik as 'n sleutel program beskou om die ongelyke patroon van hulpbron verspreiding aan te spreek, maar daar is tans 'n breë konsensus dat grondhervorming se oorspronklike doelwitte verander het. Teen Desember 2004, was daar, ingevolge alle aspekte van die grondhervormingsbeleid, slegs 'n gebied gelyk aan 4,3% van kommersiële landbougrond oorgedra aan swart mense. By die Nasionale Grond Spitsberaad van Julie 2005 het die meerderheid van die deelnemers saamgestem dat die 'gewillige koper, gewillige verkoper' beleid nie langer geskik was nie, en is daar vir alternatiewe beleide gevra, soos onteining om die proses van grondherverdeling te bespoedig.

Hierdie geïntegreerde werkstuk fokus op die Grondherverdeling vir Landbou Ontwikkeling sub-program van die grondherverdeling program in Suid-Afrika. Daar word 'n oorsig gegee van die geskiedenis van grondaangeleenthede en grondhervorming in Suid Afrika. Die studie evalueer die volhoubaarheid van die program en stel ondersoek in na die baie probleme en uitdagings wat die program nog in die gesig staar. Die studie is meestal literatuur-gebaseerd en kombineer primêre en sekondêre bronne. Die studie lei af dat die program nie sy welbekende doelwit van die oordra van 30% van plaasgrond na swart mense teen 2015 sal bereik nie, tensy radikale stappe geneem word om die

beleid te wysig nie. Die studie sluit 'n afdeling met voorgestelde beleidsveranderinge in. Daar word gevoel dat as volhoubare ontwikkelings-beginsels en besluite wat by die Grond Spitsberaad ernstig opgeneem en suksesvol geïmplementeer word, die program sy doelwitte teen 2015 mag bereik.

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I would like to dedicate this assignment to my grandmother (Mamtolo Lutya 'Intombi Kabooi') and my father's mother (Mamjwarha) who passed away in 1994.

To the poor, landless and marginalised who are still waiting patiently for the better living conditions in the new democratic South Africa.

# TABLE OF CONTENTS

<b>DECLARATION</b>	<b>i</b>
<b>ABSTRACT</b>	<b>ii</b>
<b>OPSOMMING</b>	<b>iii</b>
<b>ACKNOWLEDGMENTS</b>	<b>v</b>
<b>TABLE OF CONTENTS</b>	<b>vi</b>
<b>LIST OF TABLES</b>	<b>ix</b>
<b>LIST OF ACRONYMS</b>	<b>x</b>
<b>CHAPTER ONE: LAND REFORM PROGRAMME IN SOUTH AFRICA</b>	<b>1</b>
1.1 Introduction	1
1.2 Research Methodology	2
1.3 Sustainable development and Land Reform	3
1.3.1 Public Participation and a bottom-up approach	8
1.3.2 Empowerment, capacity-building and education	11
1.3.3 Delegation and decentralisation	13
1.3.4 Co-ordination and Integration	14
1.3.5 Partnerships	15
1.3.6 Monitoring and Evaluation	16
1.4 Policy Context (RDP and GEAR)	16
<b>CHAPTER TWO: HISTORICAL OVERVIEW OF LAND AND AGRICULTURAL ISSUES IN SOUTH AFRICA</b>	<b>21</b>
2.1 Background	21
2.2 Land Reform and South African History	24
2.3 Land Policy Before Apartheid (1652-1948)	24
2.4 Land Policy during the Apartheid Era (1948-1994)	26
2.5 Land Reform during late Apartheid (1991-1994)	30
2.6 The Land Reform Programme in the New Democratic South Africa	32

**CHAPTER THREE: OVERVIEW OF LAND REDISTRIBUTION  
POLICIES FROM 1994 TO 2005 39**

3.1 General Overview of Land Reform (SLAG and LRAD)	39
3.2 Settlements/Land Acquisition Grant (SLAG)	41
3.3 Land Redistribution for Agricultural Development (LRAD)	44
3.4 Project Design and Approval (LRAD)	49
3.5 The key problems and constraints to delivery of land (SLAG and LRAD)	56
3.6 Conclusion	60

**CHAPTER FOUR: OVERVIEW OF POLICIES IN SUPPORT OF  
LAND REDISTRIBUTION 62**

4.1 Post-transfer Support	62
4.2 Agricultural Mentorship Programme	67
4.3 Land Care Programme	71
4.4 Agricultural Broad-Based Black Economic Empowerment (Agri-BEE)	72
4.5 Conclusion	74

**CHAPTER FIVE: CRITICAL EVALUATION OF CERTAIN  
ELEMENTS OF LRAD 75**

5.1 Introduction	75
5.2 Achievements	75
5.3 Market-Led Approach to Land Redistribution	78
5.4 The “Willing-buyer, Willing-seller” (WBWS) Approach	82
5.5 Who are Beneficiaries?	93
5.6 The Budget and Land Redistribution	96
5.7 The Land Acquisition Process	99
5.8 Project Planning	101
5.9 Access to Land (LRAD)	103
5.10 Conclusion	106

**CHAPTER SIX: SUMMARY AND GENERAL CONCLUSION 107**

6.1 Key Concerns	107
6.2 LRAD and Sustainable Development	112
6.3 Proposed Policy Changes	118
6.4 General Conclusion	120
<b>REFERENCES</b>	<b>123</b>

# LIST OF TABLES & FIGURES

## TABLES

Table 1:	Share of the 122 million hectare land in South Africa	23
Table 2:	Land Approval for Redistribution (1995-1999)	41
Table 3:	LRAD: Amount of Land Redistributed to Farmers as at March 2004	69
Table 4:	LRAD: State of Farmer Support as at April 2004	70
Table 5:	The latest statistics on land reform delivery	75
Table 6:	Land redistribution, 1994 to 2004	77

## FIGURES

Figure 1:	Proportion of Farmers Trained, March 2004	71
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## LIST OF ACRONYMS

AgriBEE	Agricultural Broad-Based Black Economic Empowerment
AgriSA	Agri South Africa
ALARM	Alliance of Land and Agrarian Reform Movements
ANC	African National Congress
ARC	Agricultural Research Council
CASP	Comprehensive Agricultural Support Programme
CBO	Community-Based Organisation
CDE	Centre for Development and Enterprise
CLRB	Communal Land Rights Bill
CPA	Communal Property Association
DA	Democratic Alliance
DAC	District Assessment Committee
DDPTT	Decentralized Development Planning Task Team
DFID	Department for International Development, Britain
DLA	Department of Land Affairs
DSC	District Screening Committee
FAWU	Food and Agricultural Workers Unions
FSS	Farmer Settlement Support
GDP	Gross Domestic Product
GEAR	Growth, Employment and Redistribution Macroeconomic Strategy
HCP	Homeland Consolidation Programme
HSRC	Human Sciences Research Council
IDP	Integrated Development Plan
IFAD	International Fund for Agricultural Development
ICS	International Crisis Group
Lamosa	Land Access Movement of South Africa
LAPC	Land and Agricultural Policy Centre
LPM	Landless Peoples Movement
LRAD	Land Redistribution for Agricultural Development
LRCF	Land Reform Credit Facility

MAFISA	Micro Agricultural Finances Institutions of South Africa
MALA	Ministry of Agriculture and Land Affairs
M&G	Mail and Guardian
NDA	National Department of Agriculture
NAFU	National African Farmer's Union
NDA	National Department of Agriculture
NGO	Non-Governmental Organisation
NLC	National Land Committee
NP	National Party
OECD	Organization for Economic Co-operation and Development
PAC	Pan Africanist Congress
PDoA	Provincial Department of Agriculture
PGAC	Provincial Grants Approval Committee
PLAAS	Programme for Land and Agrarian Studies
PLRO	Provincial Land Reform Office (of DLA)
PPAC	Provincial Projects Approval Committee
PLAS	Proactive Land Acquisition Strategy
PSLDC	Provincial State Land Disposal Committee
PSSF	Post Settlement Support Framework
RDP	Reconstruction and Development Programme
SAAPAWU	South African Agricultural, Plantation and Allied Workers Union
SACP	South African Communist Party
SAERT	South Africa Economic Research and Training Project
SAIRR	South African Institute of Race Relations
SANGOCO	South African Non-Governmental Coalition
SLAG	Settlement/ Land Acquisition Grant
SLA	Sustainable Livelihoods Approach
SPP	Surplus People Project
TAU	Transvaal Agricultural Union
WBWS	Willing-buyer, willing-seller

# CHAPTER 1: LAND REFORM PROGRAMME IN SOUTH AFRICA

## 1.1 Introduction

Land is an important resource, which affects the food security and livelihoods of millions of poor people in South Africa. Since the establishment of colonialism and subsequently throughout the apartheid period, black people in South Africa have been systematically and discriminatorily been deprived of their land. The result is highly inequitable land ownership patterns and extensive poverty. In 1994 when the apartheid regime ended, the new democratic South Africa was born and the African National Congress (ANC) government came into power as part of a Government of National Unity (Kariuki 2004: 6). The ANC-led government adopted a land reform programme to address the problems inherited from the apartheid system and the challenge of development in rural areas. The post-apartheid land reform programme in South Africa has been established with three elements: land restitution, land tenure reform and land redistribution. Land restitution deals specifically with correcting historical rights in land, tenure reform with the upgrading of inferior forms of land holding and redistribution is specifically aimed at transforming the racial patterns of land ownership (Jacobs, Lahiff & Hall 2003a: 1). The national democratic government under the ANC party originally regarded land reform as a key programme to redress unequal patterns of resource distribution (*ibid* 2003a).

According to Jacobs *et al* (2003a: 1) “[t]he primary purpose of land reform is to redistribute agricultural and other land in order to address the racially skewed patterns of landholding and promote development”. In August 2001 the ANC-led government with the help of the World Bank adopted a market-assisted land reform programme to correct the unequal distribution of land (Kariuki 2004: 6-7). This was part of a series of policies designed to control public spending and minimalise intervention in the economy (*ibid* 8). Levin (2000: 68) asserts that “[t]he Constitution and the present neo-liberal macroeconomic framework in South Africa has given rise to a market-driven land reform programme which has inherited limitations in addressing the legacy of unequal land redistribution and widespread rural poverty and suffering which this has given rise to.” Land appropriation was set aside as a policy by the government and the ‘willing-buyer, willing-seller’ (WBWS) way of redistributing agricultural land took over in South Africa. Due to this, agricultural land remains largely under white ownership. Researchers of the Programme for Land and Agrarian Studies (PLAAS) at the University of the

Western Cape, (Jacobs *et al.* 2003a: 1) contend that, “millions of poor people continue to eke out an existence from agriculture and other land-based activities in overcrowded and often degraded environments in the former homelands”.

Recently, South Africa celebrated ten years of freedom since 1994, but the land reform programme is still facing several problems. Since 1994, relatively little land has been redistributed in South Africa. For example, according to one source, only about 2 % of agricultural land has been redistributed (CDE 2005: 12). The land reform policy has also evolved considerably over the past ten years, but not necessarily always for the better. There are broad consensus amongst academics and experts that land reform in South Africa is no longer about a rapid reversal of past dispossession, but rather a gradual and modest redistribution of land through consensual, market-based methods (People’s Budget Campaign 2005: 19). The problems of shortage of land and insecure land rights remain critically unsettled (People’s Budget Campaign 2005).

According to DLA’s LRAD policy document (DLA 2001a), “LRAD as new sub-programme is designed to provide grants to black South African citizens (blacks, Indians and coloureds) to access land specifically for agricultural purposes. The strategic objectives of the sub-programme include: contributing to the redistribution of 30% of the country’s farmland over 15 years; improving nutrition and incomes of the rural poor who want to farm on any scale; decongesting congested former homeland areas; and expanding opportunities for women and young people who stay in rural areas to own land to maintain agriculture” (DLA 2001a: 5). According to the People’s Budget Campaign (2004: 9) the total amount of land transferred to the hands of black ownership through the land reform programme over the first ten years of democracy will probably not amount to more than 3% of total agricultural land – one-tenths of the official target”

## **1.2 Research Methodology**

In this integrated assignment, an overview of the history relating to land issues and land reform in South Africa is given, focussing on land restitution and more specifically on Land Redistribution for Agricultural Development (LRAD) as one of the aspect of the land reform programme in South Africa. The problems that face the Land Reform Programmes, particularly LRAD, were identified and the sustainability of the LRAD programme were evaluated, based on certain sustainability criteria. Land

redistribution's main purpose originally was, "the redistribution of land to the landless poor, labour tenants, farm workers and emerging farmers for residential and productive use, to improve their livelihoods and quality of life" (DLA 1997: 36). It was also investigated whether this was still true today. The study recommended policy changes relating to land redistribution.

The research is mostly literature based, which combine primary and secondary sources. Primary sources is when researchers collect their own data, while secondary sources is when researchers utilise data collected by other researchers (Brynard & Hanekom 1997: 28). Relevant books, journals, official publications, newspapers clippings, reports and seminar papers were utilised to present the facts and to substantiate arguments. Qualitative and quantitative methods were utilised. Quantitative data on progress with land reform and land delivery were gathered from different sources and analysed to evaluate the land redistribution programme in South Africa.

The researcher interviewed Dr Edward Lahiff of the Programme for Land and Agrarian Studies (PLAAS) at the University of the Western Cape for background information on land reform. The researcher also interviewed officials of the Department of Land Affairs (Cape Town District Office) but they refused to be quoted in this assignment.

### **1.3 Sustainable development and Land Reform**

In this section the concept of sustainable development and the requirements for sustainability are analysed, which will later be used to evaluate whether the land redistribution programme conforms to the requirements for sustainable development. Specific aspects of sustainability relating to development projects, such as public participation, empowerment, capacity-building, and education, a bottom-up approach, delegation and decentralisation, co-ordination, partnerships and the monitoring and evaluation of projects, were investigated.

The Brundtland Commission's definition of sustainable development is as follows: "development, which meets the needs of the present without sacrificing the ability of future generations to meet their needs" (Dresner, 2002: 6). The Brundtland Commission's definition of sustainable development also lead to the view that sustainability should not focus on only one aspect of development (such as the social or economic) but must integrate all factors, including the very important aspect of environmental

development. In other words, environmental planning must be considered and included in development planning to produce viable results. In support of the above statement, the OECD has defined sustainable development, “as development that integrates the economic, social and environmental objectives of societies, in order to maximize human well-being in the present without compromising the ability of future generations to meet their needs” (OECD 2001: 11).

Sustainable development is also defined in terms of equity, in that it should meet the needs of all people living now and the future in an equitable manner. Barrow (1995: 372) point out that, “sustainable development is based on the moral principles of inter – generational (‘... bequeathing the same or an improved resource endowment to the future’), inter – species and inter-group equity”. Furthermore, according to Dresner (2002: 37), “Brundtland seems to be identifying the crucial elements of sustainable development as meeting basic needs, recognizing environmental limits, and the principles of intergenerational and intragenerational equity”.

Sustainable development should reinforce equity in development. There should therefore be equal distribution of resources between the present and the future generations in any development programme, as well as between various groups within the present generation. Therefore, the radical redistribution of under-utilised white-owned commercial agricultural land to black people might be essential to promote sustainable development in South Africa. The World Food Programme of the United Nations (WFP) states that for development to be successful, “the starting point is the recognition that poor, marginalized and hunger people are the least able to benefit from mainstream development” (Hussein 2002: 29). The redistribution programme in South Africa does not seem to be sustainable in the sense that it does not recognise the special interests and needs of the poverty-stricken, who, in order for development to be successful, must be the main beneficiaries of that particular development.

The inclusion of environmental management in land reform is an important requirement to ensure sustainable results in projects. Turner (1997: 6) declares, “environmental concern in land reform is about the preservation of people and the enhancement of their standard of living”. It must be clear that development is not about improving infrastructure and facilities alone, but to develop and empower

people through training and skills for future generations. In other words, for sustainable development to take place, development must consider the environment and social development (empowerment of the people, particularly poor people) as well as economic development, which the researcher believes our present land reform system does not do adequately. For example, the DLA (2001c: 98) make a case that, “project proposals often have unintended or unforeseen environmental implications. For this reason, certain environmental planning interventions need to be made at appropriate points”. However, it is clear that in practice the land reform programme is not adequately incorporating environmental planning in its projects in order to achieve its objectives of sustainable land reform.

According to Rosenberg (2004: 230), “a first principle for sustainable development is that any development activity should help to sustain (and not harm) our natural resources”. In the past, exploitation of farmland, industrial waste, and a smoking chimney were seen as signs of progress and development. Recently that changed, and genuine concern for the (near) future of natural resources and preservation of those resources became an issue (Dekker 2003: 15). A sustainable livelihood approach (SLA) should be enshrined in land redistribution policies with the purpose to serve the needs of the beneficiaries, especially the marginalised. According to the SLA, “the public must be at the centre of development” (DFID 1999: 1.3) and any project should leave people better-off, and not negatively effect their livelihoods. However, because of many changes in land redistribution policies, the impoverished no longer seems to be a priority in development planning and it seems to be the more well-off black farmers who are presently benefiting from the new land redistribution policy (People’s Budget Campaign 2005: 19). Hussein (2002:6) says that the SLA promotes programmes that support poor people’s strategies and opportunities in a sustainable way. Therefore, in order for South Africa’s redistribution programme to achieve its objectives, sustainability principles must be carefully promoted in its projects.

Monitoring and evaluation of policy programmes must be promoted, as stated by Turner (1997: 6) in the following quote: “Environmental sustainability and impact issues must be monitored over time”. So should social and economic impacts also be monitored. It is also essential that any “sustainable development strategy must be fully integrated in existing budget processes to ensure that plans have financial resources to achieve their objectives” (OECD 2001: 68). Partnerships and collaboration

between spheres of government and departments in policy and budgetary processes in the land reform process must be promoted in order to achieve its objectives, which the land reform policy does not presently do effectively.

The Department of Environmental Affairs and Tourism (DEAT, 2002:5) claims that, “[e]nvironmental management tools can be used to enhance integration of sustainability principles in decision-making, implementation, monitoring and evaluation so as to move towards sustainable development”. Environmental planning in land reform can improve the quality of people’s lives (DLA 2001c: 2). According to another policy document (DLA 2001b: 7), the land that is redistributed to beneficiaries, grazing woodlots and water sources must be carefully preserved in order to continue producing, so that the next generation can also benefit.

There are those who contend that ecological concerns have played an important role in seeing development and the environment as an integral concept and not as separate entities (Ahmed & Mlay 1998: 67). Most of the time, development in the past only focused on social and economic development at the expense of the environment. Turner (1997: 5) claims that, “[e]nvironmental impacts of developments connected with land reform may also be significant, and highlight the needs to address land reform planning in a broader context”. According to the DLA (2001c: 1), the lack of sufficient environmental planning and practices have aggravated the unsustainable land reform projects in South Africa. According to a study conducted by the DLA on land reform and environmental aspects, “there has been little attention to any of these concerns in the land reform project planning process” (Turner 1997). According to the DLA (2001c: 1) various land reform projects have had a negative effect on the biological environment. The DLA (2001c: 1) further states that even where environmental concerns have been included in project planning, development, delivery, and business issues have frequently been given higher priority. This document identifies the importance of integrating environmental planning in the land reform programme in order to achieve its goals by 2015.

“DEAT identified three components to sustainable development: environmental, social and economic sustainability. This means a form of development that sustain the natural environment; looks after people; and ensures that economic welfare can be maintain” (Khan 2004: 230). When development

programmes consider the importance of environmental sustainability, economic growth and social development simultaneously, sustainable development is more likely to be achieved. The DLA (2001c: 1) asserts that, “land reform projects, which lead to deteriorating natural resources, impact negatively on the livelihoods of people and they are by definition unsustainable development”. In addition, the DLA (2001c: 2) suggests that, “a synergistic relationship between land rights and environmental rights needs to be created to ensure better chances of long-term sustainability”. Environmental sustainability is achievable when all sectors get involve in development programmes. In this regard, public awareness and participation is the core to environmental sustainability.

Bartelmus (1994: 6) agrees that, “consequently, environmental goals would provide a new dimension to the development concept itself, requiring an integrated approach to environment and development”. The researcher believes that integrated development in South Africa can help the government to meet social development (education, health, empowerment), as well as economic and environmental development goals. According to Rosenberg (2004: 232), “people’s well-being is not only about jobs or income – social sustainability also involves education, health and healthy environment, security, opportunities for relaxation and spiritual renewal, and people’s right to participate in decisions which affect them. This includes the right to information about the environmental health impacts of development activities, and the right to legal action if such activities prove to be harmful”. Development that is sustainable needs to be holistic in a sense that people must be socially, economically and environmentally empowered.

In addition, Conway *et al* (2002: 1) states, “rooting access to resource-based opportunity or to a minimum of state-provided social services and livelihood security in a framework of rights may also increase the social and political sustainability of pro-poor interventions”. This is an important point and it will ensure that the poor in particular have a right to benefit from any development programme. In addition, when people have secure rights over their own resources, environmental sustainability can more easily be maintained.

Integration of environmental planning in land reform can ensure that beneficiaries are economically, socially and environmentally enhanced, and that poverty alleviation and employment opportunities will

more likely result from the programme. Sustainable land reform can only be achieved if beneficiaries are given a mandate to participate fully in managing their projects. Sustainability also requires that sufficient post-transfer support is provided to beneficiaries. “Land reform South Africa needs to address major aspects of development such as increase crop production, improved nutrition and improve social status for poor households” (David 2005: 1). It can be the foundation for a sustained contribution to economic growth, reduced social unrest and instability. David (2005: 1) challenges that, “land reform can provide better environmental management, reducing the flow of desperate rural families to the cities, and improve access to credit for the new farmers. Successful land reform in South Africa can play an important part in promoting sustainability in a sense that it can help strengthen food security, reduce poverty and correct the inequality in land ownership”.

The following additional elements are required for sustainable development programmes:

### **1.3.1 Public Participation and a bottom-up approach**

People’s participation (in particular of marginalised groups such as women and youth) in development is essential and must be a transforming act. Such participation must give power to the poor people to access and control their resources (Thwala 2003: 17-18). Therefore, poor people can conserve their natural resources if they are given a chance to control their resources through a participation process. The land reform programme can play a pivotal role in assisting those who have HIV/AIDS to participate in planning and decision-making. The land reform policy, especially LRAD, must also make sure that these people (with HIV/AIDS) acquire agricultural land in order to feed themselves. The government, DLA and NDA must provide enough support for beneficiaries so that they can work towards sustainable production to feed themselves and to market additional production.

“Broad participation help to open up debate to new ideas and sources of information; depict issues that need to be addressed; enables problems, needs and preferences to be expressed, identify the capabilities required to address them; and develop a consensus on the need for action that leads to better implementation” (OECD 2001:27). Mutual learning, better understanding between different stakeholders and support are all possible results in this regard. Poor people particularly must participate throughout the development process so that they can influence the project. Non-Governmental Organizations (NGOs) and Community-Based Organisations (CBOs) that deal with land related issues,

the private sector, landless people and agricultural organisations (such as Agri-SA and NAFU) must also participate in the land reform programme.

Participatory approaches can motivate local people to propose solutions that will address the full range of land needs in a holistic fashion in South Africa. “Central government must be involved in order to provide leadership, shape incentive structures and allocate financial resources, but multi-stakeholder processes are also required. These should involve decentralised authorities, the private sector and civil society, as well as marginalized groups” (OECD 2001: 27). It is important to note that many community-based and civil society organisations are often better aware than line ministries of social, economic and environmental consequences of decisions taken by central government (OECD 2001: 21).

The involvement of the private sector is essential to stabilise sustainability in land reform programmes. The private sector can provide training for beneficiaries of the land reform programme. This requires good communication and information mechanisms with an emphasis placed on transparency and accountability (OECD 2001: 21). The private sector can play a meaningful role to ensure that “accelerated restitution; successful urban land release and housing; and the deracialisation of commercial agriculture and normalisation of the countryside, [as proposed by the CDE] are successful in land reform programmes” (CDE 2005: 25). According to this CDE report, the private sector could also make an essential contribution to resolve the broader development issues the report identified by developing and then sharing with government practical proposals with respect to an urbanisation and urban management strategy; a rural development strategy; and a strategy to reduce urban and rural unemployment (*ibid*). However, “as the private sector operates in a competitive environment, the key challenge is to create an environment in which competition is not just about lowest price of goods and services but is also concerned with improving social, economic and environmental conditions” (OECD 2001: 37).

According to Drijiver (1992, as cited in Carswell & Jones 2004: 93), a participatory approach is very important to the success of environmental (conservation) projects, particularly through use of local knowledge to develop locally appropriate solutions. Indigenous knowledge is critical to ensure the

success of any development project, especially at the lower levels of development planning. For development to achieve sustainability, indigenous or local skills/knowledge must not be underestimated, as a participatory approach is beneficial for any development programme in order to achieve long-term results. For sustainable development to be achieved, people, especially the poor must participate in all aspects of a development programme which include decision-making, implementation, monitoring, evaluation and sharing the benefits of development.

According to Kok & Gelderbloem (1994: 62), “When people begin to participate in all aspects of the development process, namely decision-making, implementation, monitoring and evaluation, they also start sharing in the benefits of development projects, which bring in the equity and self-reliance objectives of development”. Participation by people can motivate communities to accept responsibility for their own development. In addition, participation of people in all aspects of development will motivate people to own their development. Participation can also lead to capacity building of all government departments and spheres of government. Although public participation is important in development planning, it can be very time-consuming and costly; it can delay project start-up; it can increase the demands on project personnel and managers; it can increase pressures to raise the levels and range of services; it can bring latent conflicts to the surface, and runs the risk of the project being co-opted by certain groups or interests (Kok & Gelderbloem 1994: 47). These negative aspects of participation need to be resolved before the process starts.

A bottom-up approach in development planning is important to ensure sustainable development in decision-making. The Organisation for Economic Co-operation and Development (OECD) (2001: 38) maintains that, “it is important to learn from successful local sustainable development initiatives and promote replication where relevant”. However, these programmes have usually been most successful when they have supported local capacity utilisation and development, stakeholder organisation, information and education (OECD 2001: 38). The inclusiveness of local people in development planning will enhance sustainability in development objectives. Sustainable development can more easily be achieved successfully when planning and projects are driven by people at the grass roots instead of by those who at the top (OECD 2001: 42).

The top-down approach in development planning has been shown to fail and create unsustainable results. A bottom-up approach in development is needed and will encourage a strong partnership between those on grass roots and higher levels. “It is often only at the level of a district that people-centred approaches to sustainable development becomes truly evident. It is at this level that decisions are taken daily by individuals and groups of people, which affect their livelihoods, health and often their survival” (OECD 2001: 41).

Balancing top-down and bottom-up approaches will encourage decentralisation, transparency and accountability among government officials. This balance needs to be accompanied and supported by mechanisms, which ensure good dialogue, continuous monitoring, and learning within and between all levels. In addition, the trend towards decentralisation offers an opportunity to link national strategy processes to community-based participatory approaches (OECD 2001: 38). Bottom-up development programmes have the greatest potential to affect positively the lives of the marginalized groups (the poor, women, unemployed and the youth).

### **1.3.2 Empowerment, capacity-building and education**

Empowerment is crucial in any development programme in any country. It is a process through which people, particularly the poverty-stricken, are enabled to take more control over their own lives, and secure a better livelihood with ownership of productive assets as one key element (Chambers, 1993: 11, as cited in Carswell & Jones 2004: 105). Empowerment of marginalized groups can promote democratic rights, which encourages these people to conserve their own natural resources for future generations. The poor, who tend to be illiterate, need to be empowered through education, training skills programme and information. When people, particularly those who were previously marginalized are empowered to take the responsibilities of managing their natural resources or development in their areas, sustainable development can more easily be achieved.

Capacity building is a holistic approach that strengthens sustainability in development planning. Capacity building needs to be systematically built into the programmes and the donors need to be willing to admit programmes as a required investment and as a prerequisite for enhancing sustainable growth (Turnham 1992: 7). It can also promote the sharing of ideas and responsibility between the

different levels of government, departments, NGOs, private sectors, civil society organisations and work towards a common goal.

“Human resource development for upgrading and developing new skills may be required for facilitating development partnerships through local stakeholder participation and integrated relationships with other ministries” (Chilisa, Mafela & Preece 2003: 189). Our Land Reform Programme is still struggling to do so. Capacity building in development can also help to facilitate skills, such as coordinating, communicating, mediating, teambuilding, skills sharing and decision making. Advisory skills, such as knowledge acquisition and management, listening guiding and supporting are also included. Skills transferred from central government to lower government spheres are also necessary for the benefit of the marginalized groups.

“In earlier stages of any development project, it is essential to identify what skills or capacities will be required for the various mechanisms, what exists already, what can be achieved using them and then identifying training options and seeking support where needed” (OECD 2001: 56). This is a good policy for our government to use local skills to achieve sustainability in our development activities. Local capacity is important and must be strengthened in our legislation and policies. However, technical, human, organizational as well as financial resources must also be available in national, provincial and local government.

Education is another important instrument that can lead to sustainable development. Some authors argue that education is the foundation for sustainable development and should be used to judge progress (Chilisa, Mafela & Preece 2003: 118). They also argue that, “unequal distribution and utilization of knowledge is a barrier to peaceful and sustainable development. Only if there is equitable ownership of access to knowledge will [it] be possible in the long term to balance different needs, interest and viewpoints” (Chilisa *et al* 2003: 58).

Environmental awareness raising has not figured very prominently in Africa, partly because of the limited development and influence of local environmental NGOs and partly due to the limited environmental education in the school (Turnham 1992: 4). Environmental education is crucial not only

for local people but also for government officials to promote environmental sustainability in development planning. In addition, environmental education of officials will help to reinforce the communication with and listening to the local communities. Children in school, male and female adult member of the community, leaders and various levels of officials are potential audiences.

An informed and enlightened local leadership is important in securing an effective partnership between the local community and government officials. According to DEAT (2003: 38), “improving environmental education or awareness, developing environmental capacity and promoting an understanding of sustainable development within local government, are important ways of enhancing sustainability, and might usefully be cast as projects within the IDP”. In order to achieve sustainable development, people on the ground must be empowered and provided with skills. Government officials must therefore obtain adequate education about the importance of incorporating sustainable development criteria in development activities and integrating or incorporating sustainability criteria and principles into policy making and planning. Education for the poor is also essential so that they can be more aware and informed. Peaceful and sustainable development will only be achieved when equitable ownership of access to knowledge is taking place.

### **1.3.3 Delegation and decentralisation**

Delegation of power to the lower spheres of government is essential in South Africa where inequality still prevails. Decentralisation of powers from the centre to local levels is required for sustainability in land reform projects. Decentralisation of authority from above to local government institution is a vital link in the participatory process and an essential means of expediting action (Turnham 1992: 13). Delegation can motivate local people to mobilize themselves to participate in all phases of integrated development planning. This can necessitate the reinforcement of local capacity and devolution of financial resources. Decentralisation can bring spheres and departments of government closer to marginalized people. It can enhance people’s control over their resources, which they are entitled.

Decentralisation of power from central government to provincial and local levels can contribute to strengthen democratic rights of people, especially local poor people to have a say in strategic planning, decision-making and implementation. By strengthening the rights of the local people to manage their

own natural resources or development projects, sustainable development has a better chance to be successful.

“Successful decentralisation depends on a clear definition of the respective roles of local, regional and national-level authorities and the development of effective local level institutions for planning and decision-making” (OECD 2002: 20). Strong partnership between the national, provincial and local government’s policy developments and strategic planning will be useful to achieve sustainable development. Decentralisation has been undertaken in South Africa, but it has not worked properly. For example, Khan (2004: 5) argues that, “the move to decentralisation of political and administrative power to local and regional levels to strengthen participation, intensify accountability and rationalise service delivery has worsen the organisational crisis of the public sector as local and state governments are loaded with responsibilities that they are incapable to execute properly”. However, “decentralisation can foster development policies and strategies appropriate to local social, economic and environmental conditions” (OECD 2001: 20). The underlying principles of decentralisation in South Africa seem to be weakly understood and capacities for managing the process are inadequate.

Decentralisation can also have negative implications, especially in cases where powers are decentralised without the necessary funding (unfunded mandates) or available skills. Duplication of power, mistrust among sectors and lack of resources can easily occur when the decentralisation process is not well managed. Lack of significant progress in development may also result when the decentralisation process is not appropriate.

#### **1.3.4 Co-ordination and Integration**

Adequate co-ordination, particularly between government departments, is important to ensure that policies are successfully implemented at the lower level. Co-ordination will ensure sustainable development in basic service delivery such as clean water, electricity, health care, education and land to people. Adequate co-ordination can be helped by establishing co-operative structures from various government departments and spheres of government to facilitate the development and integrated land use planning systems involving national, provincial and local government. There has been a lack of adequate co-ordination between the Department of Land Affairs and the National Department of Agriculture in South Africa since 1994. The Strategic Plan of the Department of Land Affairs for 2005

to 2010 (DLA 2005a: 13) has acknowledged this and states, “it clear that one of the challenges facing government is to ensure adequate co-ordination and integration of efforts of the different institutions of service delivery”.

The DLA has been especially tasked with the responsibility of developing a framework for mutual support to land reform projects, whereby roles of different players are to be defined. Ensuring an integrated approach in the conception and planning of land reform projects for sustainability is one of the Department’s strategic priorities (DLA 2005a). In order to achieve an integrated approach, “the DLA is presently developing a Post Settlement Support Framework geared to achieving synergies through local level capacity and commitment. Initiatives to function within a common planning context would be central to this framework” (DLA 2005a). This is a vital “Strategic Plan” by DLA and if it implements these promises, it may eventually achieve its target by 2015. Good co-ordination between the government sectors, departments and spheres of governments will promote a holistic approach in development planning.

### **1.3.5 Partnerships**

The partnership between spheres of government, departments, the private sector and communities is crucial in achieving positive results in development. This partnership will ensure economic, social and environmental viability in development programmes. In order to achieve these objectives in development, strong alignment between different stakeholders is important. This partnership in development will ensure transfer of resources (such as human and financial resources) and encourage sharing of ideas between stakeholders. According to the Decentralized Development Planning Task Team (DDPTT), “sharing responsibilities for the same area of jurisdiction requires cooperation, rather than operating in isolation in different fields” (DDPTT 2002).

Institutions such as NGOs, CBOs, the private and public sector, church organizations and all other stakeholders will help to facilitate and innovate the implementation of integrated legislation or development in South Africa. According to the International Fund for Agricultural Development (IFAD), their mission is to enable the rural poor to overcome their poverty. IFAD believes that this can be achieved only through partnerships with the shared purpose of promoting conditions in which the poor can use their own skills and talents to work their way out of poverty (Hussein 2002: 22).

### **1.3.6 Monitoring and Evaluation**

Constant monitoring must be built in to allow the facts relating to success and failure to be confronted and to permit problems to be addressed before it is too late. Although the need for monitoring and evaluation is clearly stated within the LRAD policy document (DLA 2001a: 14), it does not practically always take place. Monitoring and evaluation of government programmes is important and will help to lead to sustainability in development programmes. Monitoring and evaluation will promote an integrated approach to development planning. Monitoring and evaluation will play a pivotal role “for improving strategic processes” (OECD 2001: 58).

It can also enable countries to track progress and to distil and learn lessons, and so react to emerging challenges (OECD 2001: 58). However, for the Department of Land Affairs to achieve its target by 2015, it needs to monitor and evaluate its policy progresses in an integrated manner. Yadav (1980: 92, as cited in Kok & Gelderbloem 1994: 82) argues that people’s participation in monitoring and evaluation is necessary to identify not only how but *who* benefits from a particular project. People’s direct participation in monitoring and evaluation is also likely to reduce mismanagement of resources.

### **1.4 Policy Context (RDP and GEAR)**

In order to understand South Africa’s land reform policy, it is necessary to investigate the wider policy context of which it forms part. The most important influence is often seen as the “Reconstruction and Development Programme” (RDP) of 1994, which, although it is still a policy, in practice seem to have been replaced by the later “Growth, Equity and Redistribution” strategy (GEAR).

Ngwane *et al* (2002: 545) claim that, “[t]he first democratic government in South Africa committed itself to improve the quality of life of all its citizens”. According to the discussion document prepared by Isandla Institute for SANGOCO (Isandla 2000: 3), “[t]he anti-poverty strategy of the first democratic government is embodied in the ‘Reconstruction and Development Programme’, which views poverty as a multi-dimensional issue”. The strategy to address poverty and inequality rested on the four pillars of the RDP, namely, building the economy, meeting basic needs, developing human resources, and democratising the state.

According to Simon (2003: 7), “The RDP enunciated basic principles, some mechanisms and a set of ambitious targets in every sector, ranging from new home construction and electricity connections, to land restitution and redistribution, equalisation of access to health, education and other social services, and sustainable development”. According to Cousins (2005: 1), South Africa’s new democracy has made strides in its first decade, as a host of ten-year reviews have pointed out. But Cousins (2005: 1) also declare that “continuing poverty and inequality undermine these gains; some see it as “a crisis, and perhaps even a threat to survival”. It is clear that now that South Africa has reached ten years of democracy, poor black people still face several problems in terms of accessing basic services such as clean water and adequate sanitation, basic education, basic health care and a healthy environment, electricity, land and adequate housing.

The People’s Budget Campaign (2004: 3) also states that, “[d]uring the last ten years, government has vastly improved services for the poor”. In addition, Cousins (2005: 2) agrees that there have been significant improvements in the provision of infrastructure and social services, such as clean water for 8 million people, electricity for 1.5 million households, and free medical services to all pregnant women and children under the age of seven. The provision of grants (e.g. old age pensions, child support grants) has risen steadily, and more people would be below the poverty line without them. Access to basic services such as water and electricity improved steadily, especially after total government spending began to grow from 2000 onwards. However, improved government services, including services through the social wage in poor communities, only went part of the way in alleviating the effects of higher unemployment and falling incomes (People’s Budget Campaign (2005: 6). The government has acknowledged “similar improvements in access to housing. The share of people living in subsidised (so-called “RDP”) housing rose from 13 % in 1996 to 26 % in September 2003”.

However, backlogs for housing continue to grow, as indicated by the growth of informal settlements. Access to social grants improved significantly and by 2003, over a third of the people had access to a social pension, compared to well under a fifth in 1996. Regardless of these achievements by the government, there is compelling evidence that structural poverty is worsening (Cousins 2005: 3).

Unemployment has risen rapidly, from 16 % in 1995, escalating to 29 % in 2002, but if those who are too discouraged to continue to actively seek work are included, the figure probably rises to over 40 %.

Poverty and unemployment are the most critical problems that face the South African government at the moment. According to the People's Budget Campaign (2005: 13) between 45 and 55 % of all South Africans presently live in poverty and the formal sector does not provide sufficient jobs, while the unemployed do not have the resources, skills or services they need to get jobs or support themselves. The HIV/AIDS pandemic is also contributing to continued vulnerability and impoverishment in South Africa and the rest of the region (Cousins 2005: 3).

Simon (2003: 7) contends that [t]he RDP was replaced by the basically neo-liberal Growth with Equity and Redistribution (GEAR) strategy, drawn up by a group of predominately senior white civil servants and World Bank officials. Khan (2004: 17) maintains that for some of the commentators, the displacement of the social democratic vision (the RDP) by the neo-liberal (GEAR) has fundamentally changed the relationship between the state and citizenry/communities. Under the RDP, the state played a principal and enabling role in development in partnership with the private sector and active involvement of all sectors of civil society (the concept of the developmental state). However, with GEAR, the state is called upon to play only a facilitative role. Development is perceived as less a matter of state involvement and organisation; and stress is rather placed on the role of policy and in particular the capacity of the state to develop policy frameworks to hold all stakeholders to these principles and targets (Khan 2004: 17).

Khan (2004: 17) also argues that, "[t]he shift from the RDP to GEAR with respect to the relationship between state and citizenry/communities is characterised as movement from an empowerment model to a bureaucratic model of 'limited' public participation". In addition, GEAR promotes decentralisation and partnership between the state and private organisations – not disassociated from the withdrawal of the state from direct service provision (Simon 2003: 7). According to Khan (2004: 17), the RDP policy was inclusive in the sense that it encouraged the participation of communities in development and decision-making. Moreover, it ensured partnerships and co-operation between the state and the communities in development.

However, the GEAR policy seems to discourage public participation in development planning and decision-making. It also limits the state intervention to development and promotes the interests of the private sector. “In terms of land reform and redistribution, for instance, the government has been insistent on a market-driven process – almost by definition – severely limiting the rate and scope of sales and is giving rise to growing frustration” (Simon 2003: 8). The shift from the RDP to the GEAR policy seemed to have influenced the Minister of Land Affairs, Thoko Didiza in 2001 to alter the pro-poor SLAG redistribution programme to the LRAD policy, which promotes a commercial way of farming.

Seeking & Nattras (as cited in Cousins 2005: 3) challenges, “this neo-liberal view and recommend a ‘social democratic policy agenda’, aimed at sustained job creation (including low-wage, labour-intensive employment), improvements in education, ‘democracy deepening asset redistribution’ (worker ownership of firms plus land reform), and welfare reform, in order to reduce inequality while ensuring growth in income”. Others such as Khan (2004: 19) suggest that policies that diminish inequality and poverty through increasing the income of the poor – investments in education, health, infrastructure and nutrition – are also policies that improve the productive capacity of the economy in the aggregate. Still others argue for a large-scale redistribution of productive development (De Swardt, 2003: 18; Terreblanche, 2002: 466; Makgetla & van Meelis, 2003: 103, all cited in Cousins 2005: 3). In addition, for May *et al* (2004: 20 as cited in Cousins 2005), a fundamental rethinking of economic strategy may be required, involving stronger linkages between macroeconomic and microeconomic reforms, the latter including channels that improve the access of the poor to productive assets such as land reform, infrastructure and financial services. Integration of macroeconomic and microeconomic policies will close the wide gap between those who belong to the first economy and those in the second economy.

Simon (2003: 8) states that, “it is important to note that market-led economic policies anywhere generally reduce the scope for integrated development policy and planning that is sensitive to local specificities and appropriateness, in terms of environmental, socio-cultural, gender or other factors”. According to Simon (2003: 8), market-led economic policies limit the role of the state in development.

In addition, they discourage the participation of marginalized groups such as the poor, women, unemployed, young people and people with HIV/AIDS in development. Economic-led policies such as GEAR in particular tend not to serve the needs and interests of the underclass citizens of South Africa.

Hall (2004a: 221) says that in 1996, when the new macro-economic policy (GEAR) was unveiled in South Africa, it encouraged the ANC government to strengthen its interests in commercial agriculture and underrate the land uses of the poverty-stricken. According to the above statement, the move to GEAR has influenced the state to undermine small-scale subsistence farming and prioritise the commercial farming sector in South Africa.

## **CHAPTER 2: HISTORICAL OVERVIEW OF LAND AND AGRICULTURAL ISSUES IN SOUTH AFRICA**

### **2.1 Background**

The struggle for land in South Africa dates back to the era of colonization when indigenous people were marginalised and land was taken away from them. When the first colonies of settlers arrived in Africa, their systems of land ownership, based on individual ownership or ownership by the state, clashed with the indigenous systems of communal ownership by groups of people. In the beginning the Dutch and British systems saw the government (the crown) as owning all land, and only allowed long term renting (quitrent, etc), which eventually became full ownership, linked to a formal registration system (Pienaar 2005: 1). The individual ownership system, when applied to traditional areas, limited the power of the chiefs over land and strengthened the power of government over land. Under the traditional communal systems, the chief is the main decision-maker over the land. According to Cousins (2002b: 3), traditional communal systems are based on the principle that everyone within the community of origin has rights to land, but that individual rights are balanced against their obligations to the social groups. Rights are therefore, shared and relative.

Traditional communal systems tend to be inclusive, not exclusive, and rights and obligations are held at a number of levels of social organisation, from the neighbourhood to the village to the larger community (Cousins 2002b: 3). The British and Dutch systems did not acknowledge the traditional system, except in so-called homelands (reserves). Sir George Grey, Governor of the Cape from 1845 to 1861, favoured individual tenure over the traditional communal system. Grey recognised the political advantage inherent in the individual land ownership system: it would limit the power of the chiefs and create a class of minority black landowners, which could be co-opted and controlled more easily (Pienaar 2005: 5).

However, as a consequence of these clashes, the majority of black people remain landless. According to Sihlongonyane (2005; as cited in Moyo & Yeros 2005: 144), referring to the apartheid government: the “white supremacist government carried land alienation further, securing and safeguarding land for the white population”. This process saw huge tracks of land being transferred into state control and

white capital at subsidized rates, and was accompanied over time by more and more segregationist laws.

According to Pienaar (2003: 2-3), the Communal Land Rights Bill (CLRBB), which is now a law, was introduced in South Africa in order for the government to acknowledge the traditional system of those who live in the reserves and homelands. The Communal Land Rights Bill sought to demarcate land areas on which communities lived and it would cause such portions of land to be transferred in ownership to a community legal entity similar to a Communal Property Association (CPA).

There were several laws that prevented black people from accessing or owning land in South Africa. “The Native Location Act of 1874 allowed blacks the right of occupation of land, although they could not own this land” (Fair Share 2002: 1). Several other laws systematically stole land from black people in South Africa. The 1913 Native Land Act decreed that blacks could not own land in urban areas (although millions lived there) and that they were to be “temporary sojourners” in the towns; allowed to reside there only while they “ministered to the needs of white” (Hendricks as cited in Coetzee *et al* 2001: 290).

According to the 1913 Native Land Act, blacks were originally only allowed to occupy 7% of the land in South Africa. Blacks were not allowed to buy land in urban areas. Bernstein, (1996: 5) claims that “legislation in 1936 (the Native Land and Trust Act) extended land ‘reserved’ for Africans from eight to 13 %, but this additional land had still not been fully allocated by the end of apartheid almost sixty years later”. In so-called “white areas”, only white people were given the right to own land while black people were only allowed to live on land because they were working for a white farmer.

Because of these racial laws, resistance from rural people was often as simple as leaving the farm to go and work in the cities. The Group Areas Act of 1950 was introduced, which focused on urban separation of different race groups. “As a consequence of the Group Areas Act of 1950, more than 3.5 million people were forcibly removed from their homes. At the time of the Group Areas Act, 80% of the land in South Africa was in the hands of the 20% white minority in South Africa” (Fair Share 2002: 1).

The 1991 land reform programme was designed to remove or amend all the laws that prevented black people from accessing land in South Africa. The expected objective of the following 1991 land laws to transform the lives of blacks from misery to happiness in terms of accessing land was not achieved even today. In 1991 the National Party government issued a White Paper on Land Reform. It proposed the repeal of the 1913 and 1936 Land Acts, the Group Areas Act and other discriminatory land laws (Gordon & Phiroshaw 2000: 11). In 1991 the following laws were implemented in South Africa in order to get rid of the discriminatory laws that prevented blacks from owning land: The Abolition of Racially Based Land Measures Act, 1991 (Act 108 of 1991), The Upgrading of Land Tenure Rights Act, 1991, The Less Formal Townships Establishment Act, 1991 and The Physical Planning Act, 1991 (Act 125 of 1991).

Various Acts of 1993 such as the, “Regulation of Joint Executive Action Regarding Certain Land Act, 1993 (Act 109 of 1993); the Distribution and Transfer of Certain State Land Act, 1993 (Act 119 of 1993); The Land Titles Adjustment Act, 1993 (Act 111 of 1993); Provision of Certain Land for Settlement Act, 1993 (Act 126 of 1993) now entitled the Provision of Land and Assistance Act, which was enacted in the latter half of 1993”, were implemented in South Africa (Rutch & Jenkins 1999: 8-9). According to Rutch & Jenkins (1999: 8-9), the Provision of Land and Assistance Act of 1993 was a refreshing change in that, instead of tinkering with old apartheid legislation, it addressed the reality of landless, rural people and made provision for swift development and settlement of persons upon State-owned land made available by the owner.

In 1994 when the new Constitution and a government of national unity took over in South African, a new approach to land reform started (Rutch & Jenkins 1999: 9). The new land reform programme, which is consisting of: land restitution, land redistribution and land tenure reform has been established in 1994. In order to redress the unequal patterns of land ownership, the Settlement/Land Acquisition Grant (SLAG) was established. Due to several criticisms, the new Land Redistribution for Agricultural Development Programme (LRAD) launched in August 2001, is now the official redistribution programme of the department (DLA 2001a). Evaluation of these programmes will be discussed below.

## 2.2. Land Reform and South African History

Due to many discriminatory laws and regulations that affected land ownership directly or indirectly, such as the Native Land Act of 1913 and 1936 and those mentioned above, it is generally believed that 10% of the South African population presently own more than 80% of the 122 million hectares of land in use. According to a 1990 estimation, of the 122 million hectare land available in South Africa, white farmers with their dependants used 77 million hectares, versus the 17 million hectares that were available in the ten homelands for blacks (see table 1 below) (Minnaar 1994: 30). This shows that the issue of land redistribution is very appropriate and it is necessary to find a solution.

**Table 1 Share of the 122 million hectare land in South Africa**

Place	Hectares	Share	Population	Hectare/person
White Farmers	77 million	63(%)	1.5 million	51
Black Homelands	17 million	14(%)	14 million	1.2
Urban/Per-urban	28 million	23(%)		
Total	122 million	100%		

Source: Minnaar (1994: 30)

## 2.3. Land Policy Before Apartheid (1652-1948)

During the colonial era dating back to 1652, under the Dutch and British occupation of the Cape, white settlers and colonial authorities successfully forced blacks from their land. Gordon & Phiroshaw (2000: 2) contend that the aim was mainly to obtain the best agricultural land for farming. Before apartheid the land programme consisted of successive land issues and reforms beginning from the first land settlement and occupation in South Africa by whites that developed and expanded their holdings using force, and slowly but systematically as well as through land use, as well as through the labour-tenant's system of work (De Klerk 1991: 45-46).

This reduced the availability of land for rural poor people and obliged them to become farm workers, either for cash plus payment in kind or to serve as tenants by residing on the farm while giving free service to the owner, which later developed into sharecropping relationships. However, the discovery of gold and diamond transformed the economy of the country into industrialisation, but the black people remained in a poverty trap as the government started to assist white farmers to introduce

mechanisation to boost production and reduce wage costs, while on the other hand there was a huge demand for a labour supply for the mining sector (*ibid*). The main method whereby a cheap migrant labour source was created in South Africa was to make sure that more black communities were deprived of their land, so that they can depend on whites for their livelihoods (Gordon & Phiroshaw 2000: 2).

According to De Klerk (1991: 46), in order to meet these double needs, the government passed laws that determined the number of farmers and squatters and for the rest of the black population reserve areas were set aside under the rational of protecting those dispossessed of their land. However, the other philosophy was to fulfil the needs of the white economy at home and in Europe in the form of food production while reducing competition by black production (De Klerk 1991: 46). The blacks were forced to enter the wage labour communities in the mining areas as the reserve areas were not sufficient to sustain them and consecutive laws, such as Native Land Act of 1913, forbade them to acquire more land. It was another ways of making sure that blacks did not own land but became cheap labour for the benefit of the white community in South Africa. The only concern of the white government was to boost South African economic growth to make it economically sustainable at the expense of poor black people (Gordon & Phiroshaw 2000: 2).

Thus the land system through these manipulations and the Act of 1913 has served in providing a labour force to mining and industries (Letsoalo 1987: 35). The Native Land Act restricted or limited the rights to blacks to own land, and removed African cash tenants and sharecroppers from their land and consequently replaced sharecropping and rent-tenant contracts with labour tenancy (Thwala 2003: 2). In later years, in an attempt to reform the land system, having recognised the shortage of land in the reserves and the ethical feeling to redress the problem, a commission was set up and its recommendation was to release more land, but this backfired due to opposition from white farm owners that instead promoted the 1936 Act to reject the commission's proposition.

But the 1936 Act did allow some land transfer that increased the original size of the reserve from 7.5 to 13 % (Letsolalo 1987: 39). However, according to Letsoalo (1987: 40-41), this had been done through the money paid by blacks in the form of taxes and fines. Letsoalo (1987: 41) states that the process of

buying released lands from white owners was never completed. Trust farming/land was used by the government to create the homelands. In practical terms the black people owned less than 13 % of South Africa with no full control or ownership rights. They were also forbidden, by the 1936 Native Land Act, to have job contracts with owners, as there was a sanction on the white farmer regarding the number of labourers allowed and the payment of registration fees. Webb (2000: 160 as cited by Greenberg 2002: 2) declares that, “between 1910 and 1935 some 87 bills related to land reform and agricultural assistance to white farmers were enacted in the South African parliament”.

Greenberg (2002: 2-3) illustrates the two major impacts caused by these laws on the structure of South African agriculture. “Firstly, this legal framework ensured that white farmers were able to gain control over the land, and consolidate this control over time without fear of competition from black farmers. Secondly, the laws consolidated the system of migrant labour, whereby the black rural population was forced to live within racially defined areas and migrate to white-owned farms, mines and industrial areas for employment”. He also argues that because of these laws “a dual agricultural structure was created, with a protected white commercial sector and a neglected black sub-subsistence sector”.

#### **2.4. Land Policy during the Apartheid Era (1948-1994)**

Later, a series of laws were passed to prevent blacks from living in towns and outside reserves. Following the National Party conquest in 1948, the apartheid system was legislatively formalised (Gordon & Phiroshaw 2000: 2).

When the Nationalist Party government took over in 1948, the reserved lands were transformed into ten tribal homelands (SAERT 1991: 129). To strengthen its land reform policy-shift from an economic to a political focus regarding the issue of the black population, many laws concerning land settlement and labour were promulgated, such as the Group Areas Act, 1950, the Prevention of Illegal Squatting Act, 1951, the Bantu Authorities Act, 1951 (as a result of which the tribal, regional and territorial authorities were established), the Pass Law, 1952, the Black Labour Regulation Act, 1964, the Bantu Homeland Citizenship Bill, 1969, the Homeland Constitution Act, 1971, the Proscription of Labour Tenancies Act, 1973 and many others.

The Group Areas Act, which affected all race groups, racially segregated areas with respect to residences and business and controlled interracial property actions (Moyo & Yeros 2005: 143). According to Festenstein (1987, as cited in Moyo and Yeros 2005: 144), “these groups were all forced to live in segregated areas, and they were not allowed to occupy land outside areas assigned to them”. In addition, the Group Areas Act can be seen as an attempt to ensure separation and “unequal” development. This was exacerbated by the promulgation of the Prevention of Illegal Squatting Act in 1951 and the Reservation of Separated Amenities Act in 1953, which created the power to remove people and demolish their homes without notice and ensured the reservation of public amenities for the use of persons belonging to a particular race (Moyo & Yeros 2005: 144). Through the Prevention of Illegal Squatting Act, the government was given the power “to establish resettlement camps for surplus people evicted from white farms” (Thwala, 2003: 2).

“The Blacks Resettlement Act was also passed in 1954. This Act gave the state the authority to remove Africans from any area in the magisterial district of Johannesburg and adjacent areas. The Promotion of the Bantu Self-Government Act was enacted in 1959 to build the so-called Bantustans and make the reserves the political homeland of black South Africans. Furthermore, the Black Laws Amendment Act was enacted in 1964. This Act alongside the Native Trust Act was used to fully abolish labour tenancy and squatting on farm” (*ibid* 2003: 3).

All these legal and administrative controls forced blacks to sell their labour to white farmers and also forced them into industrial areas, leaving control of vast areas of their lands to foreign firms and white settlers (SAERT 1991: 127-128). In addition, Letsoalo (1987: 34-44) mentions that forceful resettlement of millions of blacks, left more than half of the black population landless, making them further vulnerable to exploitation. Another measure was the Homeland Consolidation Programme (HCP), used in the 1970s for concentrating the dispersed reserves into specific areas and minimising the land occupation by blacks, while strengthening legal and administrative control mechanisms.

Later, in order to improve the conditions in the homelands and make provision for people to be able to support themselves to a certain level, the government introduced a kind of land reform known as “the Betterment Plan”. In order for the Apartheid government to deal with the problems of force removals

of more people to live on small areas of land, betterment planning was introduced. The effect of betterment planning was cattle culling, fencing off of fields and grazing land from residential areas, and the moving of people into villages set away from farming areas (Thalwa, 2003: 2).

In addition, “because of the 1936 Land Act, which established the legal basis for betterment planning, a top-down conservation approach was followed to divide the land into small parcels – the basis for the ‘one man one lot’ system – in order to limit stock and to institute anti-erosion measures” (Yawitch, 1982: 10 cited in Greenberg 2002: 3). But this type of reform or rural development plan (betterment plans) failed to improve the standard of living for the rural populace. Indeed, the observed growth in the landless population led to reductions in the available areas for ploughing, and the forced settlement of large numbers of people and, most importantly, reductions in livestock numbers resulted in the impoverishment of many (Letsoalo 1987: 56). This kind of land reform denied black people the chance to make a living from agriculture, because the land that was available for each person was too small.

Schirmer (2000: 143) states that under the apartheid government, large white farmers became successful only because they enjoyed state support. In addition, Greenberg (2003: 99) confirms that the white government played a critical role in terms of providing significant assistance to white farmers as its key constituencies, with major effects on the rural economy. The NP after 1948 enacted a number of laws which were designed to reassert control over rural labour and to shore up the agricultural sector, in particular by subsidising and otherwise encouraging mechanisation and the escalation of production (Greenberg 2003: 98-99).

The Marketing Act was enacted and contributed directly to stimulate mechanisation, the emergence of large farming units, and capital-intensive agriculture (Jeeves and Crush, 1997; as cited in Greenberg 2003: 99). There is a consensus that “black farmers had done well until the state denied them land, access to resources and prevented them from competing with favoured white farmers” (Schirmer 2000: 143). “Black farmers were also denied access to marketing and other credit facilities” argues Lipton (1993: 359; as cited in Kariuki, 2004: 28). Agricultural development in the former homelands was not

on the agenda of the apartheid government as stated by Greenberg (2002: 3), the “agricultural sector in the Bantustans was not part of the broader apartheid picture”.

As a result, black people in the reserves were forced to leave agriculture as their livelihood and become labours. The economic development of the homelands was stifled and a labour market was created so that labour remained as cheap as possible (Gordon & Phiroshaw 2000: 2). Kariuki (2004: 29) sees it as “a political instrument by the white government to separate and exclude the majority of black people from participating in the agricultural business in South Africa”. White farmers were seen as an important political component of the apartheid government in South Africa (*ibid*).

Because of the favouritism in terms of providing assistance to white commercial farmers by the government of the day, the government did not even look at how they used the soil (Schirmer 2000: 144; Greenberg 2003: 102). The apartheid government had a political ambition and tried through all means to retain white farmers on the land. According to Greenberg (2003: 102) in the reserves areas, the government policy from the 1930s onwards encouraged and favoured a small minority of richer producers, which led to class differentiation among the black population. Under apartheid this kind of “progressive farmer” approach was repeated in the findings of the Tomlinson Commission in 1955, which created a division among rural people in Bantustans into a landless population and a “progressive” farming sector.

According to Letsoalo (1987 as cited in Greenberg 2003: 102), “[t]he NP government discarded the Tomlinson Commission recommendations and implemented a ‘quasi-type of ‘betterment scheme’ in which land was divided into units that were allocated by officials and not economically viable”. As a result, people in Bantustans could no longer engage in agriculture as their main source of living. Although, the research by Hendricks (1993 as cited in Greenberg 2003: 102) shows that, “more than 1.3 million households in the Bantustans engaged in some sort of agricultural production, the vast majority of African rural households relied directly on wage remittances or social grants for living”. Greenberg (2003: 104) argues that, “inefficient, labour-intensive and individual undertakings declined in the agricultural industry”.

The government subsidies to white farmers led to overcapitalisation, the rising of the debt burdens of farmers and trade reduction that increase the cost of inputs and left many producers facing serious financial pressure in the 1980s (De Klerk, 1991 as cited in Greenberg, 2003: 104). There was pressure on government for agricultural reform. These problems contributed in hindering the agricultural development in South Africa even today.

According to Schirmer (2000: 146), the government responded to these problems by stopping its support to white farmers. The support, which was increasingly provided by the state to white commercial farmers, was henceforth designed to improve efficiency and viability of agriculture. The government was concerned about financial sustainability in the sense that the government reduced the levels of subsidy and support given to white farmers (Schirmer 2000: 146).

## **2.5. Land Reform during late Apartheid (1991-1994)**

During 1991, the NP government enacted various so-called “reform” laws. The stated objective of these 1991 “reform” laws, to quote from the White Paper of March 1991, was “to offer equal opportunities for the acquisition, use and enjoyment of all the people within the social and economic realities of the country”, together with a policy designed to make, “the market mechanism the primary instrument for facilitating land reform” (Rutch & Jenkins 1999: 1). The main purpose of the following laws was to repeal all the apartheid laws discriminating against black people in South Africa.

According to Rutch & Jenkins (1999: 2), the Abolition of Racially Based Land Measures Act, 1991 (Act 108 of 1991), which came into operation on the 30<sup>th</sup> June 1991, repealed a number of statutes, which formed the legal foundation for land segregation. This Act was designed to, “remove or amend those laws which restrict access to, or use of, land based on grounds of race; to phase out racially based institutions and systems; to regulate norms and standards in residential areas; and to set up the Advisory Committee on Non-Racial Area Measures and the Advisory Commission on Land Allocations” (*ibid* 1999: 2). Chapter 1 of this Act provided for the repeal of the Black Land Act 1913 and the Development Trust and Land Act.

Another of these “land reform” laws, the Upgrading of Land Tenure Rights Act, 1991 purported to provide for, “the upgrading and conversion into ownership of certain rights granted in respect of land;

for the transfer of tribal land in full ownership to tribes and matters connected therewith” (Rutch & Jenkins 1999: 4). The Act also ensures that people in the former reserves have secured tenure rights in their land (*ibid*). However, problems became apparent in the structure of the Act. In rural areas, the spectre of past administrations arose to bedevil its implementation. Several problems that were caused by the apartheid system made the provincial administrator’s task almost impossible (*ibid*).

The Less Formal Townships Establishment Act, 1991 was brought into operation on 1 September 1991. The purpose of the Act was to provide an interim measure whereby, on an immediate basis, opportunities can be created for the establishment of less formal settlements in areas where an urgent need existed (*ibid*: 7). The implementation of the Act was placed squarely on the shoulders of the Provincial Administrators (*ibid*). This Act did not provide a comfortable life for the Provincial authorities. Lack of funding hampered progress (*ibid*). Of all the 1991 “reform” laws it did attempt to face reality in the shape of the millions of persons housed in the informal and shack settlements surrounding the urban areas of the country (*ibid*).

“The Physical Planning Act, 1991 (Act 125 of 1991) came into operation on 30 September 1991. This Act was seen as the vehicle for co-ordination of proper development in both urban and rural areas” (*ibid* 1999: 7). The objective of the Act appeared to be twofold – to provide a framework whereby effect could be given to the policy and strategy for rural areas and to promote the orderly physical development of the country in the national, regional and urban context and reverse the effect of the distortions brought about by the unnatural needs and results of apartheid that made productive utilisation of land and other resources impossible. The Act was bedevilled by an apartheid legacy (*ibid*).

In the latter half of 1993, acts such as the Regulation of Joint Executive Action Regarding Certain Land Act, 1993 (Act 109 of 1993); the Distribution and Transfer of Certain State Land Act, 1993 (Act 119 of 1993); The Land Titles Adjustment Act, 1993 (Act 111 of 1993); Provision of Certain Land for Settlement Act, 1993 (Act 126 of 1993) (now entitled: Provision of Land and Assistance Act) were implemented in South Africa (Rutch & Jenkins 1999: 8-9). The Provision of Land and Assistance Act of 1993 was a refreshing change in that, instead of tinkering with old apartheid legislation, it addressed

the reality of landless, rural people and made provision for swift development and settlement of persons upon State-owned land made available by the owner (*ibid*).

## **2.6. The Land Reform Programme in The New Democratic South Africa**

Prior to 1994, land was used as an instrument to suppress and divide people along racial line in South Africa. Racial land laws such as the Native Land Act of 1913, the Group Areas Act of 1950 and others were implemented to discriminate and prevent black people from owning land. As a result, the majority of black South African people in both the rural and urban areas are homeless and landless. According to the National Land Committee (NLC 2001/2 cited in Moyo & Yeros (2005: 150), "...more than half of South Africans are landless and need land". Furthermore, insecurity of tenure, land shortage, unemployment and poverty in the South African former homelands has been acknowledged.

With the arrival of the new political dispensation in April 1994, the commencement of the new Constitution and a government of national unity, the whole approach to "land reform" transformed (Rutch & Jenkins 1999: 9). In 1994, the ANC-led government introduced the land reform programme, which consisted of three elements: land restitution, land redistribution and land tenure reform. The aims and objectives of the land reform programme was to redress the racial imbalances in landholding, developing the agricultural sector and improving the livelihood of the poor as set out in the Constitution. Land restitution involves returning land or compensating victims for land rights, lost because of racially discriminatory laws, passed since 19 June 1913. Land tenure reform is the most complex form of land reform (DLA 1997: 32). Land redistribution made it possible for the poor and disadvantaged people to buy land with the help of a Settlement/Land Acquisition Grant (SLAG). Ferrer & Semalulu (2004: 1) state that through the transition to democracy in 1994, an African National Congress (ANC)-led government initiated a land redistribution programme by offering Settlement/Land Acquisition Grants (SLAG) to poor black South Africans to purchase formerly white-owned farmers on a willing buyer-willing seller basis.

The objective of the grant programme was to redistribute 30 % of the country's commercial farmland (about 25 million hectares) to black people within five years (ANC, 1994 as cited in Farrer & Semalulu 2004: 1). The programme was criticised for its slow pace of redistributing commercial farmlands to

black people. For example, “by the end of 2000, the SLAG programme transferred about 780,407 hectares to previously disadvantaged households, which represented only three per cent of the 25 million hectares that the government had initially hoped to redistribute during this period” (Ferrer & Semalulu 2004: 1). Due to several problems that faced the SLAG redistribution programme, the new Land Redistribution for Agricultural Development Programme (LRAD) launched in August 2001, is now the official redistribution programme of the department (DLA 2001a).

The new policy was seen as a plan to create long-term sustainability where people would be able to use the land productively. According to Fair Share (2002: 2), the Minister stated, “the grant will be structured in such a way that they are able to support rural livelihoods, small farmer development, local authority efforts, commonage acquisition, share equity schemes and the setting up of black commercial farmers”. Yet, today, poor people in both rural and urban areas continue to struggle for land and security of tenure for different purposes.

The land reform programme was also aimed to equalize the racial imbalance in land holding and to secure the land rights of historically disadvantaged people. The land reform programme sought to redistribute 30 % of agricultural land between 1994 and 1999 through land restitution, land tenure reform and land redistribution programmes (Moyo & Yeros 2005: 150). “The aims and objectives, as set out in the Constitution of South Africa, the 1997 White Paper on South African Land Policy and a succession of legislation, are ambitious and potentially far-reaching, including redressing the racial imbalance in landholding, developing the agricultural sector and improving the livelihoods of the poor” (Lahiff 2001: 1). Furthermore, the land and agrarian reform system was also aimed to empower the previously disadvantaged groups such as blacks, Indians and coloureds to become sustainable commercial farmers.

The land reform programme was build around the World Bank’s 1993 prescriptions of a market-driven willing-buyer-willing approach coupled with a limited state grant, the protection of private property, and compensation based on market value for any appropriated land (Hall 2004b: 4-5; Kariuki 2004: 9). The World Bank’s proposal for rural restructuring was, “to transfer 30% of agricultural land to 600 000 black smallholders within first five years, at a cost of R71 billion” (Hall 2004b: 5).

Kariuki (2004: 6) declare that although South African people got their political freedom, approximately half of South Africa's 43 million people and two-thirds of its African population still live in deep poverty. In addition, "in line with its neo-liberal macroeconomic policy, the approach of the ANC-led government to land reform has been based on the use of free market mechanisms, tightly controlled public spending and minimal intervention in the economy- the so-called market-based, demand-led approach" (Reed & de Wit 2003: 85). Because of this approach, the land reform programme is still struggling to equalise the racial imbalances in land ownership.

The market approach to land reform has proved to delay the process of delivering more land to beneficiaries. Bush (2002: 26) have claimed that, "we have seen in the earlier review of the experiences in Latin America and elsewhere in Africa that policy shifts away from State planning and towards the dominance of the market have been influenced by US foreign policy regional security concerns". State intervention in land reform is essential to pick up the pace of the programme and facilitate the programme itself. The policy shift away from State planning and towards the market system increase inequality in terms of land distribution and the marginalized will continue to be excluded.

South African agriculture is characterised as a duality (Ainslie *et al* 2003: 1). "One sector has large farms, freehold tenure, capital-intensive farming systems and a well-developed input, processing and wholesale sector. On the other hand, the small farm sector is characterized with a traditional tenure system, labour-intensive farming systems, and a poorly developed output, processing and wholesale sector. It produces products for family subsistence or for poor consumers" (Murray-Prior & Ngcukana 2000: 3; cited in Kariuki 2004: 28).

These dualistic agricultural sectors in South Africa create inequality among these kinds of farmers in the sense that rich farmers are favoured and poor farmers are not part of the programme. The land reform programme occurred with the aim of changing the structural inequity that existed with respect to agricultural land ownership and to generate a viable agrarian transformation in rural South Africa (Kariuki 2004: 29). The ANC government must close this gap between the black and white farmers without disturbing commercial agriculture. According to Greenberg (2003: 106), agricultural policy in

South Africa during the new democratic government did not represent a fundamental break from what took place prior to 1994 when the ANC came to power. The policies of the World Bank and its local surrogates were adopted, for example, by the Land and Agricultural Policy Centre (LAPC).

Schirmer (2000: 162) points out that, “since the democratic government under ANC party took power in 1994, the kind of agricultural development that could have had an impact on South Africa’s massive rural poverty and unemployment has failed to materialise”. According to him the redistribution programme since 1994, delivered little agricultural land and failed to facilitate the creation of new black commercial farmers. Schirmer (2000:162) insists that some new agricultural farming mostly consist of share-schemes taken up by ex-farm workers.

The reason behind the lack of new black commercial farmers is that there is no state support for such activities, and land reform beneficiaries receive only R15000 each, which was swallowed up by the cost of the land purchase. The land that the beneficiaries received often was not in a good condition for agricultural purposes. The small amount of money from the government was not enough for them to buy farming equipments. Even if they received land, the beneficiaries received no proper assistance to support them with farming. Greenberg (2003: 110) challenges that, “large-scale land redistribution has not happened”. In 2000, a policy shift resulted in a closer link between the land redistribution programme and the creation of a commercial black farming class (*ibid*, 2003: 110). To some extent, since 1994, the land reform programme was hampered by the shortage of budget allocation, which delays the delivery of land to the hands of the poor.

Greenberg (2003: 111) explains that, “restructuring and deregulation of the agricultural sector in South Africa to date suggests that the opportunities to be successful will be severally constrained for new entrants, small farmers, and farmers in the former Bantustans”. He also makes a case that a decline in government support to all farmers has meant that successful farmers will tend to be those who have a resource base from which to grow. In other words, it seems as if the rich or the haves is benefiting significantly from the LRAD programme while the needy or the have-nots seem to be neglected. In 2001, the new land redistribution programme was adopted. The Land Redistribution for Agricultural Development (LRAD) was designed to create a group of black commercial farmers. The programme

has an element of support to subsistence farmers and non-market farmers, but the bulk of the resources are likely to flow to “emerging” farmers who have some resources to match government funds to enter into high-level commercial agriculture (Greenberg 2002: 16; Kariuki 2004: 29).

The Apartheid government created two agricultures, commercial agriculture on white-owned farms and subsistence agricultural production in the reserves. Kariuki (2004: 31) asserts that any policy has to take these differences into account. If the agricultural and land policies enhance differences among people, then the same old Apartheid divides in land will be perpetuated. “The Department of Agriculture echoes a similar dichotomization (division of agriculture/farmers) when it states that its main task is to establish an environment where opportunities for higher incomes and employment are created for resource-poor farmers alongside a thriving commercial farming sector” (*ibid*). To do this, “the policy aims to achieve the following goals for policy reform:

- To build an efficient and internationally competitive agricultural sector; and
- To support the emergence of a more diverse structure of production with a large increase in the numbers of successful smallholder farming enterprises” (MALA 1998 cited by Kariuki 2004: 31).

The above categorizations are not beneficial if farmers are to be differentiated in a meaningful way. Instead one needs a more nuanced understanding of what farmers do, since agricultural output is determined not by a category but also by the opportunities available along a spatial-temporal set of axes subject to factors ranging from rainfall to cash position (Kariuki 2004:31).

The new LRAD programme envisaged a hierarchy of black farmers who are characterised as “subsistence”, “semi-commercial”, “pre-commercial” and “commercial” (Kariuki 2004:31). Hall & Williams (2000: 12) state that it is hoped that state interventions will assist large numbers of people at subsistence level. Agriculture in the new democratic era is still controlled by white farmers as well as black elites who have enough resources to influence government. The poor are not really on the agenda although they are mentioned in the LRAD policy.

Transferring 30% of agricultural land from white farmers to black people by 2015 (Hall 2004a: 219) is impossible under the current market-system. Sustainable development will not easily be achieved under the market-driven approach nor will it be possible to redistribute agricultural land to black people by 2015, unless a new approach can be taken fast, for example by expropriation of farmland. Ravuku of the Land Access Movement of South Africa (Lamosa) insists that drastic and widespread expropriation of land is essential, if the skewed distribution of land ownership, caused by decades of apartheid is to be resolved (Cape Argus 2005: 12).

To date, land reform has little impact on the racially skewed distribution of land in South Africa. Lahiff (2001 as cited in Reed & de Wit 2003: 85) say, “agricultural land outside the former homelands-estimated at 82 million hectares in 2000, and divided into approximately 60, 000 farm units-remains overwhelmingly under white ownership. Over 13 million people, the majority of them poverty-stricken, remain crowded into the homelands, where rights to land are often unclear or contested and the system of land administration is in disarray”. These statistics state that during the first five phase of land redistribution, land transfer to blacks was not efficient or effective.

According to Lahiff (2001: 1), “on private farms, millions of workers, former workers and their families face continued tenure insecurity and lack of basic facilities, despite the passing of new laws designed to protect them”. There is an increasing consensus that the South Africa’s land reform programme is failing to meet its objectives during the first phase of redistribution.

The history that is mentioned above illustrate that dispossession and forced removal of black people under colonialism and apartheid periods resulted in landlessness, homelessness, unsustainable use of natural resources particularly in the former homeland areas, poverty, unemployment, physical separation of people along racial lines and most crucially an tremendous land shortage and insecurity of tenure for many of the black people in South Africa. According to the DLA’s Strategic Plan 2005 – 2010 (2005a: 20), “the total size of land delivered from 1994 to 31 December 2004 is about 3, 5 million hectares. This includes land delivered through the restitution, redistribution and state land”. This amount is about to 4.3 % of commercial agricultural land (CDE 2005: 13). The CDE report shows that, “according to the DLA, the government would need to redistribute an additional 20, 6 million hectares

of commercial agricultural land to reach the 30 % target – an average of 1, 87 million hectares a year”. Thus far delivery has averaged 0, 38 million hectares a year (CDE 2005: 13).

According to the CDE (2005: 13), the delivery of land will have to be increased fivefold to meet the 2015 target. The CDE also warns, “... if the current pace is maintained, the 30 % target will be reached in 54 year’s time”. These figures signify that our Land Reform Programme is still struggling to redress imbalances in land ownership. According to the Land Affairs Minister Thoko Didiza, in order “to speed up the pace of land reform she plans,

- To review the country’s 30-year-old expropriation law to make it easier to use land reform when the willing-buyer, willing-seller system fails; and
- A new look at valuation mechanisms to ensure that land reform does not drive prices to unrealistically high levels” (Boyle 2005: 6).

Minister Didiza told the Sunday Times (Boyle 2005) that the government has managed in 11 years to transfer just over 3 % of agricultural land, previously reserved for whites, to black owners. Minister Didiza argues that another 27 % has to be shifted to achieve the official target of 30% black ownership by 2015. She also insists that in order to achieve this commitment by 2015, proactive intervention by the State is needed. Matlala of the National African Farmer’s Union (Nafu) says in the Enterprise Magazine (Ndebele 2005: 20) that, “black people own 3, 3% of land in South Africa. He warns that this will result in a revolution if government and the different stakeholders do not resolve the land question within a reasonable time”.

According to the CDE (2005: 10-11), farming nowadays is very knowledge and skills intensive and more and more farmers are moving out of business. There are currently 45 000 commercial farmers versus 78 000 farmers 15 years ago. In addition, farm prices declined by 15% in real terms. The CDE (*ibid*) also found that commercial farming thus does not have the capacity to be “transformed into a large-scale anti-poverty or unemployment relief mechanism”. In the next section, an overview will be given of the land redistribution policies in South Africa.

## CHAPTER 3: OVERVIEW OF LAND REDISTRIBUTION POLICIES FROM 1994-2005

### 3.1. General Overview of Land Reform (SLAG and LRAD)

The specific original objectives and approach of the redistribution policy was set out in the White Paper on South African Land Policy (DLA 1997: 36):

*“The purpose of the land redistribution programme is to provide the poor with access to land for residential and productive users, in order to improve their income and quality of life. The programme aims to assist the poor, labour tenants, farm workers, women, as well as emergent farmers. Redistributive land reform will be largely based on willing-buyer willing-seller arrangements. Government will assist in the purchase of land, but will in general not be the buyer or owner. Rather, it will make land acquisition grants available and will support and finance the required planning process. In many cases, communities are expected to pool their resources to negotiate, buy and jointly hold land under a formal title deed. Opportunities are also offered for individuals to access the grant for land acquisition”* (DLA 1997: 36). The South African land reform policy is derived from the Constitution of the Republic of South Africa, 1996.

- Section 25 (5) of the Constitution states: *“The state must take reasonable legislative and other measure, within its available resources, to foster conditions, which enable citizens to gain access to land on an equitable basis”*
- Section 25 (6) states: *“A person or community whose tenure of land is legally insecure as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to tenure which is legally secure or to comparable redress”*; and
- Section 25 (7) states: *“A person or community disposed of property after 19 June 1913 as result of past racial discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to restitution of that property or to equitable redress”*(Republic of South Africa 1996: 12).

The programme for redistribution obtains its mandate from section 25(5) of the Constitution. According to Lahiff & Rugege (2002a: 1), “Section 25 of the 1996 Constitution can therefore be seen as an improvement on section 28 of the interim Constitution in that it introduced specific powers and duties on the state to implement land reform. Section 25 strikes a balance between the interests of

property holders and the general public interest, empowering the state to redress the injustices of the past through redistribution of land and other natural resources to the advantage of the previously deprived”. This section gives the state an obligation to look after its citizens through providing access to basic resources or socio-economic rights such as housing, health care, water, sanitation and land.

Access to land is recognised as one of a “cluster of socio-economic rights enshrined in the Constitution” (Lahiff & Rugege 2002a: 2). As stated by the Constitutional Court in the *Grootboom case*, these socio-economic provisions, “entrenched the right to land, to adequate housing and health care, food, water and social security. They protect the rights of the child and the right to education” (Lahiff & Rugege 2002a: 2). The State is obliged to take reasonable legislative and other measures within its available resources to achieve the progressive realisation of the socio-economic rights entrenched in the Constitution (*ibid*). Lahiff & Rugege (2002a) claims that, “land is thus treated as a socio-economic right, despite the fact that the relevant provision (section 25(5) does not use the explicit language of a right as used in relation to housing, health and other rights in sections 26, 27, and 28. Nowhere in the property clause is it stated that everyone has the right to land, or the right to have access to land. Section 25 (5) merely puts an commitment on the state to take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis”. Thus it would appear that no individual person may demand access to land. This is not different to the situation with regard to the right to housing. The responsibility of the State in both cases is to pass legislation and design and implement a programme that is reasonable within its available resources (Lahiff & Rugege 2002a: 2). In summary, section 25 of the Constitution therefore does not include a right of everyone to access to land although it imposes an obligation on the State to take reasonable measures to foster access to land.

The land redistribution programme was implemented in order to meet the obligation imposed by section 25 (5) of the Constitution, “to foster conditions which enable citizens to gain access to land on an equitable basis”. The Provision of Certain Land for Settlement Act 126 of 1993 as amended (and now called The Provision of Land and Assistance Act) forms the legal basis for the land redistribution programme (Cousins 2000: 144).

The land redistribution programme has undergone a number of shifts since 1994. “The redistribution programme commenced in 1995, was based on a flat grant of R16 000 per household for the acquisition of land and start-up capital” (Aliber 2003: 1-2). This grant was known as the Settlement/Land Acquisition Grant (SLAG). Due to unsatisfactory results, during 1999 the Department of Land Affairs (DLA) recognised that the programme was overwhelmed with serious problems. “In August 2001, the Department of Land Affairs (DLA) launched a revised programme, the Land Redistribution for Agricultural Development (LRAD). LRAD has since been promoted by the DLA as the flagship programme through which it will follow the objectives of land redistribution” (Kariuki 2004: 17).

The following sections will deal with an evaluation of the progress that was made during the first (SLAG) and the second (LRAD) periods of democracy in South Africa. Key problems and constraints to delivery of land under the SLAG and LRAD processes was evaluated.

### **3.2. Settlement/Land Acquisition Grant (SLAG)**

Land redistribution was designed to deal with the past injustices of land dispossession and forced removals to ensure equitable distribution of land ownership and to reduce poverty and contribute to economic growth. In addition, it was made possible for the poor and the disadvantaged to purchase land with the help of a Settlement/Land Acquisition Grant (SLAG) of R16 000, equal to the basic housing grant at that stage, provided to qualifying households (Thwala 2003: 12). Land redistribution is specifically designed as a source of reconciliation between those who were previously oppressed, disallowed to own land with the oppressors in order to build a united and sustainable South Africa. The SLAG programme allowed poor households to purchase land. Within the redistribution programme, most projects have involved groups of applicants pooling grants to buy formerly white-owned farms for commercial agricultural purposes. The reason was that the grants, at R16, 000 per household, were not enough compared to the price of land (Hall 2004: 215). Groups of farm workers have also used the grant to purchase equity shares in existing farming enterprises. A separate grant, the Grant for the Acquisition of Municipal Commonage, has also been made available to municipalities wishing to provide communal land for use (typically grazing) by the urban or rural poor (Lahiff 2001: 4).

According to Lahiff (2001: 4), “by the end of 1999, a total of 77 municipal commonage projects had been implemented and 75 more were in the pipeline”. The amount of land approved for transfer in the first five years of the redistribution programme is as follows:

**Table 2 Land Approved For Redistribution (1995-1999)**

<b>YEAR OF APPROVAL</b>	<b>HECTARES</b>
1995	11 171
1996	67 887
1997	140 527
1998	273 416
1999	174 286
<b>TOTAL</b>	<b>667 287</b>

Source: National Land Committee (2000-2001)

According to an interview with the Director-General of the Department of Land Affairs by the Personal Finance Magazine during 2002 (Mudzwiti; September 14, 2002), the Director-General conceded that there is still 80 million hectares, 85% of the agricultural land, in the hands of white owners that could be utilised for the land reform programme. He also mentioned that by 2002 the State had delivered 32 0477 hectares from the available government figures of 1.2 million hectare, less than 25% of the available agricultural land.

There are those who argue that even though the SLAG redistribution was inadequate, the pace of delivery of land accelerated rapidly between 1995 and March 1999 (Aliber 2003: 2; Lahiff 2001: 4). According to them, over this time, roughly 60 000 households were allocated grants for land acquisition, of which 20 000 benefited in the 1998/1999 financial year alone. They also agree that, “around 650 000 ha were approved for redistribution by March 1999, representing less than one per cent of the country’s commercial farmland”. Yet, the process of land redistribution has been slow. David (2005: 22) shows that, “from 1994 to end of 2000, only 68 494 hectares of land were transferred in only 2729 projects. In 1998 and 1999 the Department of Land Affairs (DLA) transferred land in just over 1000 projects for each year”.

Aliber (2003: 2) maintains that due to poor delivery of agricultural land, as the new ministry of the Department of Land Affairs in 1999, Thoko Didiza was just beginning to reach a critical level of awareness that its redistribution projects were overwhelmed with serious problems. Deininger *et al* (1999: 13) contend that, “while the decision in favour of a demand-driven approach has been upheld, difficulties in implementing the approach have indicated that land markets will not automatically work effectively for the poor and that both the private sector and (local) governments can help create greater transparency in these markets”. They also identify some of the problems that negatively affected the progress of the SLAG-redistribution programme.

For example, the neglect of provincial and local government structures has made it much more difficult for DLA staff to provide land reform beneficiaries with technical assistance and to ensure implementation of land reform projects as an integral whole (i.e. including complementary infrastructure such as housing, material for minor improvements in infrastructure, etc.). In addition, the business planning process itself proved to have limited capacity as an instrument to improve beneficiary capacity. Evidence illustrates that the process was perceived to be supply-driven and tended to disempower beneficiaries rather than giving them the tools they need to manage projects on their own (Deininger *et al* 1999: 17).

SLAG policy was seen as a process that deprived people from taking part in planning or implementing and managing their projects in an extensive manner. Beneficiaries lack knowledge about the policies under which they had received support and their use of the planning grant and their involvement in the selection of consultants appear to have been limited. Hall (2004: 215) points out that the programme was criticised for the complex group dynamics that resulted, because it reproduced overcrowding, and because it did not link the acquisition of land to support and resources to enable beneficiaries to generate a livelihood off it.

According to Turner & Ibsen (2000: 12, as cited in Darroch & Lyne 2003: 4), “by the end of 2000, the Ministry of Agricultural Land Affairs had approved 484 projects under the SLAG programme, transferring a total of 780, 407 hectares to 55,383 households of which some 14 % were headed by

women”. Land that was transferred to disadvantaged South Africans over a period of six years by both land restitution and land redistribution roughly totals one million hectares or less than 1.2 % of the 84 million hectares of white-owned farmland (Darroch & Lyne 2003:4). As a matter of concern, “too many redistribution projects were not economically viable, and linked to this, redistribution did not appear to provide a stepping-stone into medium or large-scale commercial farming” (HSRC 2003: 5). Hall (2004b: 5) claim that, “in practice land reform in the first five years of democracy was a relatively small and isolated intervention into the livelihoods of the rural poor”. The first five years of democracy failed to enhance the livelihoods of the marginalized groups both in rural and urban areas. As stated above, since 1994, during the first period, the redistribution programme has not done well in terms of meeting its targets (Lahiff & Rugege 2002b: 10).

### **3.3 Land Redistribution for Agricultural Development (LRAD)**

When Thoko Didiza was appointed as the new Minister of Agriculture and Land Affairs shortly after the national elections in 1999, she called for a sweeping review of the redistribution programme. According to her, “the programme should be broadened to cater for those aspiring to become full-time, medium-scale commercial farmers, and should build more on synergies between Land Affairs and Agriculture” (Aliber 2003: 2).

The LRAD programme is a new sub-programme of the Department of Land Affairs since 1999. LRAD is specifically aimed at giving black farmers access to land for subsistence or productive purposes and is jointly run by the Department of Land Affairs and the Department of Agriculture (DoA 2004: 6). The LRAD programme was established just after the Ministerial Statement of February 2000, which was followed by a lengthy period of policy review and debate (Cousins 2002a: 8). According to Lahiff (2001: 4), “the new redistribution programme, entitled Land Redistribution for Agricultural Development: A Sub-Programme of the Land Redistribution Programme (LRAD), was designed in close co-operation with the World Bank, drawing on its recent experiences in Brazil, Columbia and the Philippines, with minimal input from staff at DLA or civil society”.

The Department of Land Affairs (2001a: 5) shows that the redistribution programme has three components or ‘sub-programmes’:

- “Agricultural development – to make land available to people for agricultural purposes;

- Settlement – to provide people with land for settlement purposes; and
- Non-agricultural enterprises – to provide people with land for non-agricultural enterprises, for example, eco-tourism projects”.

As stated, the collective aim of land reform is to ensure the transfer of 30 % of all agricultural land over a period of 15 years (DLA 2001a: 6). In addition, “the programme aims to transfer agricultural land to previously individuals or groups, and provide land for commonage projects in both municipal and tribal areas” (Cousins 2002a: 8). In order to achieve this target in such a time span would require an average annual transfer of 1.64 million hectares. The total cost of the programme is estimated at R 16 to 22 billion (Kariuki 2004: 17).

These two parts (Agricultural land and Commonage projects) of the sub-programme have in common that they deal with agricultural land redistribution (DLA, 2001a: 5). The LRAD programme aims to be a single, integrated facility for redistribution and is designed to provide grants to black South African citizens to access land specifically for agricultural purposes. The programme has the following strategic objectives: “not only contributing 30% of the country’s agricultural land over 15 years but; improving nutrition and incomes of the rural poor who want to farm on any scale; decongesting overcrowded former homeland areas; and expanding opportunities for women and young people who stay in rural areas” (DLA 2001a: 5).

The LRAD policy document also reveal the importance of sustainability in its projects by stating that it should be the policy, which “promote environmental sustainability of land and other natural resources” (DLA 2001a: 6). Although, it aims towards sustainability, many projects failed due to lack of environmental sustainability. Turner (2001: 4) declares that, “the challenge is to bring environmental considerations to the attention of land reform beneficiaries and to work with them to develop sustainable production with conservation systems”.

The DLA (2001a: 6) identifies the basic underlying principles of the programme:

- “It is unified, basic and beneficiaries can use it in flexible ways according to their objectives and resources;

- All beneficiaries make a contribution in kind or cash, but in varying amount;
- It is demand directed - beneficiaries define the project type and extent;
- Implementation is decentralised: local level officials provide opinions and assistance in preparation of project proposals;
- Inter-departmental collaboration will take place at all spheres of government, with district government assuming a key role;
- Projects will be undertaken in a manner consistent with district and provincial spatial development plans;
- Projects are reviewed and approved at provincial level;
- Local level staff assist applications, but do not approve the application;
- *Ex post* audits and monitoring will substitute a lengthy *ex ante* approval process; and
- The mode of implementation is adopted in the interest of maximum participation and empowerment of beneficiaries, speed of approval and quality of outcomes”.

The LRAD grant is a grant provided by the government to for the purchase of farmland. The grant serves as an additional mechanism to an own contribution that the beneficiary has made in order to access farmland. The key mechanism offered by LRAD is a grant system that beneficiaries can access along a sliding scale from R20 000 to R100 000. All beneficiaries are required to make a contribution, in cash or in kind, the size of which will determine the value of the grant for which they qualify. The minimum “own contribution” is R5 000, with which an applicant can obtain a grant of R20 000, while a maximum grant of R100 000 is available to those who are able to contribute private finance totalling R400 000 or more. Those who make a higher contribution of own assets, cash and/ or labour receive a higher grant, determined as a basic proportion of their own contribution. At the bottom end of the scale, the R5 000 minimum contribution can be made in the form of “sweat equity” (labour), ostensibly to ensure that poor people can participate in the programme (DLA 2001a).

The grant and own contribution is calculated on a per individual adult basis (18 years and older) (DLA 2001). Darroch & Lyne (2003: 4) assert that, “LRAD differs from SLAG in one major respect: Beneficiaries do not have to be poor to qualify for a minimum grant of R20, 000 – and those who have more savings and who can raise bigger loans to finance their farms qualify for successively larger

grants”. If people choose to apply as a group, the required own contribution and the total grant are both scaled up by the number of individuals represented in the group. The approval of grants is based on the viability of the proposed project, which taken into account total project costs and projected profitability (DLA, 2001a: 7).

“Own contribution by beneficiaries in labour can be for up to R5 000 per individual applicant. In order for the applicant to claim the full R5 000 in own labour towards the own contribution requirement, the business plan must show evidence that the applicant intends to devote a significant amount of own labour to the establishment and operation of the project. The policy document continues that the contribution in kind could be calculated by costing assets such as machinery, equipment, livestock and other assets that a beneficiary may possess” (DLA 2001a: 7).

The policy document (DLA, 2001a: 7) insists that, “the cash contribution can be in the form of one’s own cash contribution to the project, or borrowed capital, or a combination of the two. These three forms of own contribution can be added in any contribution to make up the required own contribution from the beneficiary”. The grant given to the LRAD applicants would cover expenses such as acquisition of land, land improvements, infrastructure investments, capital assets and short-term agricultural inputs (*ibid*).

According to the DLA’s policy (DLA 2001a: 7), “for some beneficiaries who have skills and resources to manage larger farms, the total project costs can range up to R500 000 or higher, of which the grant can cover up to R100 000. The remainder (about R400 000) would be financed through a combination of normal bank loans approved under standard banking procedures, and own assets and cash. Farmers choosing this option would have to possess managerial skills adequate to handle the debt, as well as prior experience in agriculture. Land would be either owned or leased on an individual or household basis”. The Policy also allows beneficiaries to “trade up”, or graduate, from one grant level to another (Jacobs, Lahiff & Hall 2003a: 4).

In addition, grants may be accumulated until the ceiling of R100 000 (the maximum level of the grant) has been reached. LRAD has largely, but not entirely, replaced SLAG, which continues to be used for

certain, limited purposes (Jacobs *et al* 2003a: 4). According to Kariuki (2004: 21), “The LRAD sub-programme is flexible enough to accommodate a number of types of projects. Moreover, residential projects would not be supported under LRAD unless beneficiaries sought to begin household gardens at their new residences and unless funds for top-structures were sourced from elsewhere, e.g. Department of Housing”.

According to DLA (2001a), the LRAD programme has four types of projects that can be supported under LRAD:

- “Food-safety-net project: This type is for people to acquire land for food crop and/or livestock production to improve household food security;
- Equity Scheme Projects: This type of project allows for the participant to make the requisite matching own contribution and receive equity in an agricultural enterprise. However, the equity share must be equal to the value of the grant plus your own contribution.
- Production for market: This is for people who want to engage in commercial agricultural activities.
- Agricultural in communal areas: If you are living in a communal area and already have secure access to agricultural land but do not have the means to use the land productively, you may apply for the grant in this type of project”.

Cousins (2002a:8) argues that, “the LRAD programme continues to be described as “demand directed”, meaning that beneficiaries themselves must define the type of project in which they wish to engage and, with appropriate assistance, identify available land. Acquisition of land, from either private or public sources, continues to be on the basis of willing-seller, willing-buyer. Therefore, under the demand-directed approach, the poor will be unable to meet participation requirements in order to acquire land and they will be excluded from the programme. It seems as if the policy only cares about those who have enough resources (Lahiff 2001: 5; Hall & Williams 2000: 9). At the same time as the process is still ‘demand-led’ as in SLAG, it did not involve the prior acquisition of land by the State for subsequent resettlement (Adams & Howell 2001: 4).

Politicians, who hold public office, and civil servants do not qualify and will not be eligible for the grant (DLA, 2001a: 10). The document makes it clear that LRAD is specifically for “South African citizens who are members of previously disadvantaged groups including Africans, Coloureds, and Indians; who are willing to live on or near the land and operate or work on it; and are committed to use the grant to purchase or lease land for agricultural activities”. The DLA (2001a: 10) makes it clear that, “men and women will have equal access to all benefits under LRAD, and women will be actively encouraged to apply” (DLA 2001a: 10). The policy document has a section on “Gender and LRAD”, which it states that LRAD, “provides an excellent vehicle for redressing gender imbalances in land access and land ownership, and thus in improving the lot of rural women and the households they may support” (DLA 2001a). The LRAD sub-programme is also portrayed as the one that will, “serve as a means of creating opportunities to enable women to develop in numerous spheres of life, thus given them security against poverty and providing them independent economic status” (DLA, 2001a: 6). Women-only projects are to be allowed and encouraged and in terms of targets, and altogether not less than one third of the transferred land resources must accrue to women (DLA, 2001a: 7).

According to the LRAD policy document (DLA, 2001a: 10), successful applicants will be required to participate in training courses and activities designed to assist them in successful operation of their farms and gardens. LRAD is an integrated programme, which through its initiatives set up chances for beneficiaries to increase their level of participation within the programme. Those who have previously accessed the Settlement/Land Acquisition Grant (SLAG) are eligible to apply, though priority will be given to first-time applicants (DLA 2001a: 11). Beneficiaries will be allowed to graduate from smaller to larger farms.

### **3.4 Project Design and Approval (LRAD)**

LRAD projects experience a complex project planning cycle before they are implemented. According to the Department of Agriculture in the Western Cape (2004: 4) a completed application form must be completely filled in and submitted at the nearest office of the Department of Agriculture or Land Affairs. After officials from Agriculture have examined the application form, it will be sent to the district office of the Department of Land Affairs, where a planner will deal with the project.

In order to access LRAD grants, the applicants must identify a property they would like to purchase and negotiate a provisional sales agreement with the owner, the applicants then fill out application forms furnished by the PLRO or PDA; the property is assessed for its suitability; a business plan is drawn up explaining what the applicants propose to do with the property and the project money; the various application materials are submitted to the District Assessment Committee; after whatever reworking is required, the application is submitted to the Provincial Grant Committee; if approved, the project proceeds to the Provincial Director of the DLA (HSRC 2003: 6). Planners are appointed to work together with applicants to develop the application into a sustainable project proposal.

Land Affairs and Agriculture officers will arrange information sessions with all role-players and where necessary, appoint a design agent to assist with project planning. During the project identification stage, the intended beneficiaries are informed about the programme options available. They then decided on the desired amount of the grant according to their preferred own contribution. They also decide whether to apply individually or as members of a self-selected group (Kariuki 2004: 24). According to the DLA (2001a: 10) once a suitable area of land has been located, the participant (s) enter into a contingent contract with the seller.

In the project design/planning phase, the business plan is formulated consisting of the following details (DoA 2004: 11):

- Loan or financing arrangements
- Legal entity or institutional arrangement
- Subdivision sketches
- Environmental impact assessments
- Sale agreements
- Land rights investigations
- Title deeds
- Valuation
- Farming plan
- Training

The completed business plan is then forwarded to the Department of Land Affairs for comment, who presents it to the District Assessment Committee (DAC) for evaluation. During the assessment stage the business plan is evaluated by the District Assessment Committee for viability and sustainability. If it meets all requirements the Land Affairs Official sends a memorandum to the Provincial Director: Department of Land Affairs for the release of the grant (DoA 2004: 11).

The participant obtains evidence of additional financial resources (loan, own resources, or both). In terms of contributions in own labour, an individual applicant can claim up to R5 000 (Kariuki 2004: 24). The abovementioned memorandum with recommendations is presented to the Provincial Grant Committee (PGC). In the project approval stage, the applicant must submit all relevant documentation to the local extension officer to receive his/her opinion regarding the feasibility of the farm plan, including the agricultural potential, value of the land relative to market prices for land of comparable quality and access to water, cash flow projections, and environmental assessment.

Once the local extension officer has provided an opinion, the participant submits the proposal package to the provincial grant committee. This committee comprises officials from both the Department of Land Affairs and the Department of Agriculture. The complete package ready for submission would include the following:

- The project plan
- A draft purchase or rental contract
- A list of all the beneficiaries and their contribution, if the proposal is not individual
- Evidence of own contribution and any necessary financing in addition to the grant
- Confirmation from the local extension officer that the seller is in legal possession of the title
- Confirmation from a professional evaluator that the price of the land is reasonable in comparison with recent land transactions in the area
- Opinion of the local extension officer on the feasibility (agricultural and environmental issues) (SENWES 2005b: 2).

LRAD projects are initiated, designed and implemented by different institutions or agencies. According to Jacobs *et al* (2003a: 17) all applications must eventually come before the PGAC. According to the

DLA (2001a: 12), “the Provincial Grant Committee under the appropriate MEC should consists of provincial officers of Land Affairs including the provincial accounting officer, directors from Land Affairs and officials from the Provincial Department of Agriculture together with other necessary Departments and stakeholders”.

The committee should check that the proposal package is complete and coherent, and whether, based on the information provided in the proposal, the project is eligible for approval under LRAD (DLA 2000: 12). The provincial grant committee will review the package and evaluate the application and make one of three recommendations:

- Complete and in conformity with the requirements of LRAD approval;
- Complete but not in conformity with requirements of LRAD: do not approve and state reasons; or
- Incomplete: return to applicant and state reasons (Kariuki 2004: 25).

When the Provincial Grant Committee supports the release of the grant to the Provincial Director, the Department of Land Affairs will authorise payment thereof (DoA 2004: 12). According to the Department of Agriculture in the Western Cape (2004: 12), in the transfer stage, the Provincial Land Reform Officer: Department of Land Affairs, issues instructions to the conveyancer to effect transfer. The grant is paid to the conveyancer upon registration of transfer. The balance of the grant is then available as stipulated in the business plan.

Jacobs *et al* (2003a: 17) agree that post-transfer activities are now being incorporated into the project cycle. The project planning cycle takes between three and eighteen months before the land title is transferred. Minister Thoko Didiza, as cited in the LANDNews, states that the reduction of the project cycle has been with DLA for some times and the department have now reduced it to between four and six months (DLA 2004e: 4). Didiza stated that the number of beneficiaries who get supported as a group to a manageable number per project was reduced. However, the purpose behind this according to Minister Didiza (*ibid*) was to “increase prospects for the sustainability of LRAD’s projects as production units”.

Designation and implementation of LRAD is divided into two sections, namely the transfer of land titles, which is the responsibility of the Department of Land Affairs, and post-transfer support, which is the responsibility of Provincial Departments of Agriculture. In the post-transfer stage, the Provincial Department of Agriculture is responsible to move in and help the beneficiaries in implementing the goals of the business plan, such as starting farming enterprises, etc.

The Departments of Agriculture and Land Affairs and the Land Bank are instrumental in helping to implement the business plan. LRAD beneficiaries now also receive the training that was identified in the business plan. The Department of Agriculture and Land Affairs undertake joint monitoring of the project. During this phase the Department of Agriculture and Land Affairs and Land Bank support beneficiaries by providing additional aid to ensure project sustainability. This phase thus concludes the project cycle (South African, Ministry of Land Agriculture 2000 as cited to Kariuki, 2004: 26).

The DLA (2001a: 12) states that the Departments of Agriculture and Land Affairs at national level will be responsible for the overall design of LRAD and monitoring of its impact. The Department of Land Affairs should budget for the grant components of LRAD, while the Department of Agriculture must budget to ensure that its provincial departments are financially prepared to meet their commitment to provide post-transfer agricultural support. Both the Department of Land Affairs and Agriculture should provide training for beneficiaries, design agents and local and agricultural officers. According to the Department of Agriculture in the Western Cape (2004: 12), during the last phase of the project cycle (i.e. sustainability phase) the Departments of Agriculture and Land Affairs and the Land Bank will support beneficiaries by providing additional aid on request in order to ensure project sustainability.

Jacobs *et al* (2003a: 17-18) contend that, “these two phases haven’t been perceived by many government department officials as quite distinct, resulting in poor integration of the efforts of the two departments. Efforts to integrate the two phases have progressed more in some provinces than in others, particularly where the PDoA has also become involved in the processing of LRAD applications”. In addition, in some places, Provincial Departments of Agriculture (PDoA) are limited to verifying business plans and valuations submitted to them by the DLA (*ibid* 2003a: 18).

Project planners are meant to work with land redistribution beneficiaries until the land title has completely been transferred (Jacobs *et al*, 2003a: 18). The partnership and collaboration between the Provincial Land Reform Office (PLRO) and Provincial Department of Agriculture is essential in terms of strengthening sustainability in land reform projects and making sure that post-transfer support is deliberately incorporated during the project design period. In some provinces this collaboration between the PLRO and PDoA has successfully happened during the project design and approval phase (e.g. in the Western Cape) (Jacobs *et al* 2003a: 18).

Although LRAD repeats some of the SLAG based redistribution incidents, the Land Redistribution for Agricultural Development (LRAD) programme is different from the previous Settlement/Acquisition Grant (SLAG) redistribution programme in a number of ways. LRAD programme makes grants available to individuals rather than to households, and it substantially increases the level of grant funding obtainable, since each adult in a household can apply.

Under LRAD, a typical poor black household with three adults would, in theory, be able to obtain three grants of R20 000 each (a total of R60 000) rather than one grant of R16 000 under SLAG. In addition to these differences, the approval and implementation of projects have been decentralised to provincial and district municipality level, and closer cooperation is expected between various government departments and spheres of government, with an enhanced role for district municipalities and provincial departments of agriculture (Jacobs, Lahiff & Hall 2003a: 5; Hall 2004b: 8; Kariuki, 2004: 27). Closer cooperation is expected between various government departments and spheres of government, with an enhance role for district municipalities and provincial departments of agriculture (Kariuki 2004: 27).

The DLA (2001a: 6) regards this move (of decentralisation of powers from central to provincial and district municipality levels) as, “the substitution of *ex post* audits and monitoring for a lengthy *ex ante* approval process”. All the projects approved under LRAD must meet certain eligibility criteria. The approval of the grants is based on the “viability of the proposed project, which takes into account total project costs and project profitability” (Jacobs, Lahiff & Hall 2003a: 5). Every project application must

be accompanied by a business plan and strict commercial criteria are employed to assess the viability of these projects.

LRAD is open to individuals or groups, although large groups are discouraged from applying (which differs from SLAG, where the creation of large groups was often the only way in which certain land could be bought). Group projects require the setting up of an appropriate legal entity, such as a communal property association (CPA), a trust or a close corporation (Jacobs, Lahiff & Hall 2003a: 5). Despite these changes in LRAD, considerable continuities with past policies are also evident. Hall (2004b: 31) states that LRAD has been successful in increasing the pace of delivery, spending the available budget, and private finance has been leveraged. Critically, the purpose of reducing the number of people from larger groups to smaller groups under LRAD was to generate and promote sustainability in its projects, but although LRAD is aimed at helping the poor, it excludes the poorest of the poor from acquiring land on an extensive scale. Darroch & Lyne (2003: 4) claim that the new South African land redistribution policy has shifted away from poverty alleviation and group settlement, in favour of settling prospective farmers on their own farms. Lack of after care support is still one of the main challenges facing LRAD, although it is envisaged within the policy itself (Kariuki 2004: 30).

Lack of sufficient funding for the DLA and DoA's programmes (the Comprehensive Agricultural Support Programme, Land Care Programme and Agricultural Mentorship Programme) lead to the unsustainability of LRAD's projects. Lack of coordination; lack of cooperation and lack of commitment between spheres of government and departments contribute to the lack of improvement in food security and livelihoods of the beneficiaries. Lack of integrated training to new black farmers is another problem that contributed to the lack of successful in LRAD' projects. The budget allocated to LRAD is very small in itself and yet the money applicants qualify for is far more significantly than the previous SLAG grant (Kariuki 2004: 50). Although LRAD cater for both poor and rich people, in reality it is used by the more empowered emerging groups of farmers, and according to Kariuki (2004: 50), it is not promoting the marginalized people. According to some (Wegerif 2004: 44), LRAD has failed to stimulate land markets, and has not encouraged any new investments. LRAD has not brought about any change in existing farming operations and has created no new jobs.

There are individuals such as Lahiff (2002: 16) who declares that in order for the redistribution programme to achieve its targets of transferring 30 % of agricultural farmland to blacks by 2015; much bolder steps will be required. Lahiff (2002: 16-17) also suggests that, “for a start, land adjacent to the former homelands and townships, and in areas of acute landlessness, needs to be targeted and acquired by government, through a mixture of aggressive interventions in the market and selective expropriation. The emerging consensus around the urgent need for land reform suggests that this may not meet with as much resistance as has been feared in the past”. According to the July National Land Summit, if South Africa is concerned about land delivery, LRAD needs to be reviewed (Hall 2005: 1).

### **3.5 The key problems and constraints to delivery of land (SLAG and LRAD)**

Recently, July 2005, South Africa hosted a National Land Summit to address and overcome the problems and constraints that hampered and still hamper the delivery of land to previously disadvantaged citizens under the SLAG and presently LRAD programmes. Furthermore, the Summit addressed the slow pace of land delivery of agricultural land to blacks, mostly during the first period of democracy (SLAG).

According to researchers such as Jacobs, Lahiff and Hall of PLAAS (2003b: 1) progress with land reform has been painfully slow and to date there has also been a lack of debate around land reform policy, especially over the key question of who will benefit. Many writers claim that the land redistribution programme is no longer about redressing the imbalances of the past but is strengthening those imbalances under the post-apartheid period. Those who were socially, economically, politically and environmentally marginalised during the apartheid period tend to be excluded again in the new democratic development programmes in South Africa.

In support of this view, the CDE (2005: 27) makes a case that, “the fact is that 11 years into a democratic South Africa, the land reform programme is still struggling to meet its own targets”. Therefore, the market system approach to redistribute 30 % of agricultural land from white landowners to black people is one of the major problems that hamper South Africa’s land reform programme since 1994. The market-driven approach presumes existing wealth as key entry requirements. This

hypothesis is fraught in the sense that millions of poor South Africans are likely to be excluded from the reform process while the wealthier sector will gain access (Kariuki 2004: 10).

Various projects under SLAG based land redistribution were faced with several problems, which made SLAG struggle to meet its objectives of improving food security and enhancing the livelihoods of beneficiaries. McIntosh & Vaughan (2000: 227) challenge that, “the absence of a rational policy framework, and the fact that communities have been encouraged to meet the cost of the land through pooling their R16 000 grants, has resulted in the emergence of large, unviable and poorly-located settlements, or planning for such settlement”. The lack of “aftercare” to beneficiaries is one of the main obstacle to the success and sustainability of LRAD projects (Deiminger *et al* 1999: 16).

According to Lahiff (2001: 4) and others such as Hall (2004b: 6) and the HSRC, (2003: 5), some of the problems hampering the process of redistribution are the inexperience of officials in conducting land transactions, leading to lengthy delays and loss of interest from sellers; reliance on current land owners to determine when, where and at what price land is made available; insufficient co-ordination between the provincial Land Affairs branches (known as Provincial Land Reform Offices, or PLROs) and the provincial departments of agriculture (PDAs), leading to poorly designed projects and lack of post-settlement support, unwieldy groups schemes, cumbersome approval mechanisms that require ministerial approval for every project; and the imposition of inappropriate business plans on poor communities. Sibanda (2001: 5) formulates the following key problems and constraints to delivery of land during the SLAG process:

- “Scarcity of human resources at government level,
- Lack of coordination and integration with other spheres of government and departments;
- Lack of effective organisational, technical and managerial support to new farmers and land reform beneficiaries beyond the point of land acquisition and
- The inadequate government capacity for land reform”.

According to the researcher’s assessment, even though the SLAG programme focused on the poorest of the poor, it lacked to ensure that these people’s (the poor) lives and livelihoods are improved or enhanced. Under this programme (SLAG), beneficiaries were given land but not the necessary support

from the State to ensure sustainability in their daily lives. As was said before, during the first decade of democracy, the DLA fell far short of the objectives it set itself (Kariuki 2004: 9). Lack of institutional and financial resources, which also hinder the LRAD programme, exacerbated the low rate of delivery of land to the marginalized groups (*ibid*). If perhaps, the sustainable development principles such as participation, consultation, coordination, integration, education, partnerships between different stakeholders, monitoring and evaluation and bottom-up approach to land reform, were taken seriously, it would meet its objectives. In addition, Hall (2004a: 219-220) maintains that lack of accountability in terms of the operating budget and staffing are also constraints to land delivery. Hall insists that a greatly constrained and overburdened bureaucracy in the DLA is itself reliant for success on cooperation and contributions from other overburdened and cash strapped institutions, most notable local government (district and local municipalities) and the national and provincial departments of agriculture. The following paragraphs will focus on LRAD's currently problems and constraints that hamper the programme. In order to ensure sustainability in agricultural development in South Africa, the DLA established a new sub-programme of land redistribution called "Land Redistribution for Agricultural Development (LRAD)" in 2001. In addition, the new programme was designed to address and correct the problems and constraints that hindered the previously SLAG redistribution programme.

There is a fear that LRAD policy will repeat the mistakes of the SLAG policy, even though some of the problems were carefully reviewed by the DLA. According to Hall (2004b: 32), firstly, though LRAD has reproduced some of the previous problems, it has reduced but not stopped the tendency for groups to pool their grants in order to buy land. Secondly, the lack of sustainability in its projects (due to lack of accountability and responsibility of DLA and NDoA to ensure post-transfer support to beneficiaries) is unresolved within the LRAD programme. It seems as if, although, under LRAD, co-operation between spheres of governments, and departments and decentralisation of power from national to provincial and municipal district levels has been promoted since 2001, lack of commitments and mistrust between these levels is real. Kariuki (2004: 34) says that there is little evidence that the national or provincial Departments of Agriculture have experienced staff to take on the roles that LRAD is offering them.

Lack of resources such as money, agricultural inputs, infrastructure and so on seems to be the critical problems that still hinders the LRAD programme. Hall (2004a: 217) argues that despite the improvements of delivery of land to previously disadvantaged people, the marginalised and wealthy compete for limited resources. Kariuki (2004: 30) points out that the LRAD programme has failed to integrate its projects within a broader framework of agrarian change, which affects the delivery of land to blacks negatively. Furthermore, black farmers are not able to engage in viable agricultural ventures, which to date have remained a key domain of white farmers (*ibid*). One of the main problems connected with the new programme (LRAD) grant structure is its inflexible nature in dealing with the specificities of South Africa's provinces with regard to the land market (Kariuki 2004: 54). Even under LRAD, poor families or individuals are forced to group themselves to acquire land within the market. Post-transfer support to beneficiaries is one of the main challenges that faced SLAG policy and the new LRAD policy in South Africa. The lack of sufficient support to beneficiaries of land redistribution could ruin the country's land reform programme. Various objectives of the land reform policies were not and are still not fulfilled.

The pace of land reform has been very slow, although under the LRAD programme it improved. The former homeland areas, which constitute a third of the national population, over 18 million, are faced with severe problems of poverty and insecurity of land tenure, which is seen as the slowest part of the government's land reform programme. For example, most of the inequities remain stubbornly in place. Many of the injustice still have to be addressed. The inefficiency and unfairness of land tenure and administration in the former homelands have yet to be tackled (Turner 2001: 1-2). Mngxitama (2000:2) of the National Land Committee have tried to show the similarity between the Zimbabwean land reform programme's failures with South Africa's failure to meet its promise of redistributing 30 % of agricultural land in the first five years of democracy. Land reform has managed to provide less than 2 % of agricultural land. In addition, Jacobs (2002: 5) of the Surplus People Project (SPP) also shows that, "the land redistribution programme of government has not been successful in changing ownership patterns: the total amount of land redistributed between 1995 and 1999 constitutes less than 1% of the total farmland in the country". The main reasons for this is the impracticability of the willing-buyer and willing-seller market principles where the landowners are assumed to place land on the market at fair and just prices; the restitution programme has been slow and costly with more emphasise on

compensating in cash than restoring in land terms; redistribution is involved in costly procedures and high market-value compensation paid to white farmers; and a lack of cooperation or willingness and commitment to reconciliation and change by land owners (Mngxitama 2000).

Therefore, a radical land redistribution programme that focuses on the needs of those who have nothing, (the poor, landless and marginalised) is needed to overcome the above-mentioned problems and constraints. Radical land redistribution is a programme that accelerates the pace of land delivery of land to black people. It is a programme that promotes equity in ownership of land in South Africa. In 2001, South African land reform was redesigned and LRAD was introduced, which still embraced a market-assisted approach. According to Obi of the University of the Free State (as cited in DLA 2004d: 7), although under LRAD the pace has improved compared to SLAG, “the pace has remained extremely slow and growing discontent among the poor and landless raises concerns about the future of the programme and, indeed democracy”. The lack of funds to ensure the implementation of the land reform process constitutes a problem. Therefore, the government needs to mobilize financial resources from alternative sources e.g. private and international agencies (David 2005: 33). Partnerships between the State and the private sector are also important in order to mobilise financial resources.

### **3.6 Conclusion**

This chapter presented an overview of the land redistribution programme in South Africa during the period from 1994 to 1999 and the period from 1999 to 2005. The chapter revealed that during the period 1994-1999 the policy was characterised by slow delivery of land reform. Problems such as groups that were too large, poor post-transfer support; neglect of provincial and local government structures to ensure integration, and limited human resources within the DLA were documented. Following the slow pace of the SLAG redistribution, in 1999 the Land Redistribution for Agricultural Development (LRAD) programme was born as a new sub-programme of the DLA. Since the establishment of LRAD, delivery of land to beneficiaries improved enormously. Although, the delivery of land improved during the second five years of democracy, the policy was still faced with problems, some of them originally occurring in the SLAG programme. Therefore, some of the authors have suggested that in order for land redistribution to pick up its pace in future, radical steps must be taken. Some argue that more effort is needed if the State is to meet the obligations imposed by Section 25 (5) of the Constitution (1996). A total of 1 347 943ha (43%) commercial agricultural land was transferred

through the redistribution programme. Regardless of significant achievements and a steep learning curve for implementers in the DLA and elsewhere, the early years of the programme were subject to criticism regarding the slow pace of delivery, the small size of grants relative to the cost of land, and the resultant tendency for large groups to pool their grants (People's Budget Campaign 2005: 20).

## CHAPTER 4: OVERVIEW OF POLICIES IN SUPPORT OF LAND REDISTRIBUTION

### 4.1 Post-transfer Support

The Department of Land Affairs's White Paper on South African Land Policy (DLA 1997b) distinguishes between equitable distribution of land and the provision of complementary development services. Support services, or complementary development support, as specified in the White Paper, include assistance with productive and sustainable land use, infrastructure support, farm credit, agricultural inputs, and access to markets for farm outputs (DLA 1997b: 16, as cited in Jacob *et al*, 2003a: 3).

Since 1994, the SLAG-redistribution programme was criticised for lacking in terms of providing sufficient post-transfer support to land reform beneficiaries. The main purpose of the LRAD programme was to create black commercial farmers and to provide additional post transfer support to them to ensure project sustainability. Jacobs *et al* (2003a: 19) and Kariuki (2004: 44) dispute that this is happening in practice or that holistic post-transfer support and advisory services are being provided, even though government institutions such as the Comprehensive Agricultural Support Programme (CASP) and the Micro Agricultural Finance Institutions of South Africa (MAFISA) are designed to assist black commercial farmers. The DLA promises in its Strategic Plan 2005 – 2010 (DLA 2005a: 10) that, “the issue of institutional arrangement to support our beneficiaries once land has been transferred is also receiving attention”, but the DLA still needs to resolve problems that face land reform at the moment in order to meet its promises. More money needs to be allocated to land reform and to the Comprehensive Agricultural Support Programme to ensure that beneficiaries receive sufficient post-transfer support.

The Department of Land Affairs will therefore be developing a comprehensive strategy on what type of institutions would be appropriate to provide continuous support, as well as what government intervention strategies would be appropriate if it becomes clear that some of the projects are heading for collapse. One of the proposals being considered is the Proactive Land Acquisition Strategy (PLAS). The Department of Agriculture, particularly its Provincial Department, has been given the mandate to provide post-transfers support services as is stated in the LRAD policy. Provincial Departments of

Agriculture have been restructured to incorporate Farmer Settlement Support (FSS) units, which are intended to coordinate post-transfer support and training. The Department of Agriculture presently lacks the resources and expertise required to execute this responsibility successfully.

According to Hall (2004b: 58), it is not only the lack of financial resources that contribute to the delay of providing sufficient post-transfer support to beneficiaries, but Provincial Departments of Agriculture are also under-capacitated and short-staffed, given the role they are meant to play in supporting land reform. Hall (2004b: 58) identified some of the problems that some of PDoAs experienced, such as large numbers of unskilled staff, particularly those that inherited old Bantustan agricultural bureaucracies. She also states that there have been improvements, with new extension officers being hired and trained in some provinces. The Department of Land Affairs' key mandate is to facilitate the transfer of land (Kariuki 2004: 44; Jacobs *et al* 2003a: 20).

Gwanya, the Chief Land Commission made the following statement in "This Day", in LANDnews: "We need a statutory body separate from land affairs that deals specifically with post-settlement support" (DLA 2004c: 6). The Chief Land Commissioner, in the researcher's opinion realised that not providing sufficient post-transfer support to beneficiaries will spoil the land reform programme and delay the redistribution process as well. Furthermore, sustainable land reform will not be achieved without sufficient post-transfer support to the new black farmers.

Although the redistribution programme (LRAD) between June 2003 and March 2004 settled 1 655 black farmers and the accumulative figure of beneficiaries of LRAD since 2001 is 19 736, in her 2004/2005 budget speech Didiza, the Ministry of Land Affairs and Agriculture noted that, "our experience of implementing the Land Reform for Agricultural Development (LRAD) and the Restitution Programme over the past ten years makes it clear that it is not sufficient to provide prospective farmers with access to land without also providing government support for production inputs and technical advisory services" (DLA 2004b: 4-5). The Department of Land Affairs has committed R210 million for 2004/05 for the initial roll out for the implementation of the Comprehensive Agricultural Support Programme.

Money will be made available to individuals or groups for purposes of erecting fences, dipping services infrastructure and infrastructure to support the handling and marketing of livestock. At the same time, through the linked programme for food production within the context of the Integrated Food and Nutrition Security Programme, DLA shall also work with the provinces and other national departments involved in the social cluster to ensure the availability of agricultural starter packs for poor people (DLA 2004b: 5). Research by Jacobs (2003a; as cited in Hall and Lahiff, 2004: 2) indicates that programmes of both national and provincial departments of agriculture are poorly aligned with DLA's land reform programme, and that the resources allocated have been insufficient to provide even basic levels of support to the majority of land reform beneficiaries. Alignment between the Department of Land Affairs and National Department of Agriculture apparently improved during the implementation of the Comprehensive Agricultural Support Programme in 2004.

Post-transfer support needs more financial resources and attention in order to ensure that land reform is successful and sustainable. It is also important to train beneficiaries so that they can manage their projects successfully. Kariuki (2004: 70) asserts that, "post-transfer support is essentially about providing finance and the technical support needed for beneficiaries to implement the goals of the business plan they have drawn up". He also states that technical support without the necessary finances is inadequate since beneficiaries will not be in a position to purchase the vital farm inputs required for the project. Ainslie, Andrew & Shackleton (2003: 19, as cited in Kariuki 2004: 49) contend that support with agricultural production is mandated by the relevant provincial Department of Agriculture (PDoA), while the private sector or relevant NGOs also provide such assistance. They also state that unfortunately only a small section of communities are able to access assistance from these sources. According to them, lack of capacity in PDoA is the main constraint.

According to the Department of Land Affairs in its Strategic Plan 2005-2010 (DLA 2005a: 10) one of the hard lessons they learned during the First Decade of Democracy is that without investment in skills development training, extension services and institutional support for land reform beneficiaries, projects that the DLA have implemented at much cost, both human and material, will fail. The DLA also argues that in order to ensure sustainability on its projects, the Department of Land Affairs and the National Department of Agriculture will jointly administer the Comprehensive Agricultural Support

Programme (CASP) to benefit those acquiring agricultural land through state assistance. The quality of land delivery is being impacted upon positively by the environmental planning guidelines now in place and mapping and integration of our projects into Integrated Development Plans (IDPs) (DLA 2005a).

In addition, the Department of Land Affairs also stresses that they will jointly develop a framework for aligning CASP, LRAD and land and agrarian reform. The framework will indicate how CASP funding will be allocated and aligned to ensure the necessary support to LRAD projects and land reform projects. In addition, the framework will form the basis for an envisaged Memorandum of Agreement between the Department of Land Affairs and the National Department of Agriculture (DLA, 2005a: 23). This is an interesting and promising strategic plan by DLA, which if implemented, will contribute to sustainability in land reform programmes. Integration of land reform projects into municipal Integrated Development Planning (IDP) will help to promote the environmental management of the land reform policy. The Department of Environmental Affairs and Tourism's policy document (DEAT 2002: 12) state that Integrated Development Planning seeks to support the appropriate integration of sectoral strategies, in order to achieve the optimal allocation of scarce resources between sectors and geographic areas and across the population in a manner that promotes sustainable growth, equity and the empowerment of the poor and marginalized.

In her 2005 budget speech, Minister Didiza of the Department of Land Affairs stated that, "the 2005 Budget sets out additional allocations of R200 million for 2005/06, R300 million for 2006/07 and R350 million for 2007/08, for the implementation of the Agricultural Black Economic Empowerment programme and the agricultural credit scheme, Micro Agricultural Finance Institutions of South Africa [MAFISA]. R100 million in 2007/08 is added to the Comprehensive Agricultural Support Programme [CASP] conditional grant" (DLA 2005b: 8). Through CASP, beneficiaries can get government assistance in six priority areas, namely: information and knowledge management; advisory and regulatory services; training and capacity building; finance; on-farm and off-farm infrastructure and marketing.

According to the Ministry of Land Affairs, the R1 billion which was allocated to CASP will enable those beneficiaries to experience the new possibilities for growth and economic development in their

lives and within their communities. Minister Didiza stated that during the 2005/2006 financial years, government will be spending a total of R250 million on CASP. She also contended that on entering its second year, CASP aims to continue to provide effective farmer support and streamline the provision of services to its beneficiaries.

The Ministry promises that CASP support will reach at least 50 000 beneficiaries in the rural areas, particularly in the Rural Development Nodes serviced by the Department of Agriculture (DLA 2005b: 9-10). There is a consensus that there is already a gap between progress that the Department of Land Affairs has made with providing access to land for black people, and the provision of agricultural services to these beneficiaries. There are those who still argue that "...the recent announcement of a Comprehensive Agricultural Support Programme is encouraging, but its budget allocation is still small (R200million in the first years) and the thrust and content of the programme is still unclear" (Cousins 2005: 4).

Bosman, Deputy-President of Agri-SA said at the conference held in Johannesburg during 2004, "if, however, the Comprehensive Agricultural Support Programme (CASP) is effectively launched, with effective co-operation between all role players, it seem reasonable to expect that service delivery could catch up with the backlog to the extent that the government's objective of providing effective agricultural services will materialise over the next ten years" (DLA 2004b: 12).

In addition, in order to enhance post-transfer support through CASP, the co-operation between partners and alignment of strategies, clear definition of roles and responsibilities for partners and an approach of "management by project" is needed (DLA 2004e). Although there were changes in terms of increasing budget allocation and other promises, it is clear that National and Provincial Departments of Land Affairs and Agriculture still lack the capacity to provide adequate post-transfer support to land redistribution beneficiaries.

According to the Human Sciences Research Council's (2003: vi) final report, post-settlement support of new farmers is now recognised as of critical importance to sustainable development and support is being provided by a range of private providers and the Provincial Departments of Agriculture. The

report highlighted that, “though individual cases often have success with bringing in private support, results from the case studies suggest that in many cases there is still no institutionalised alternative to laying the whole burden of training, mentoring and general capacitation on the provincial agriculture departments” (*ibid*).

The CDE (2005: 13) and HSRC (2003: vi) agree that, “national and provincial departments lack the capacity to adequately support land reform beneficiaries”. Broader steps such as “a quite extraordinary increase in budget, official capacity, interdepartmental co-ordination, and political consensus will be required to achieve government targets” (CDE 2005: 13). Black farmers, however, need the same kind of support by the State, as white farmers received during the time of the apartheid government. Financial, technical and infrastructural support are the main mechanisms that are needed. Furthermore, the July National Land Summit’s delegates felt that more resources for land reform beneficiaries is needed in terms of training, implements, loans, mentoring, and also greater co-operation between the Department of Land Affairs, which implements land reform, and Provincial Departments of Agriculture, which are largely responsible for farmer support (Lahiff 2005b: 1).

## **4.2. Agricultural Mentorship Programme**

The Government’s mentorship programmes in agriculture have a particular significance in realising the vision of various growth and development policies within agriculture (DLA 2005b: 11). Jacobs (2003a: 12) states, “farmer training is critical for the viability and sustainability of agricultural projects”. The programme will assist in skills transfer within the industry, particularly with the assistance of organised agribusiness, commodity groups, donors and other bodies.

Additional ways to enhance the technical and management skills of LRAD beneficiaries are through mentorship and management programmes. In her 2005 budget speech, Minister Didiza have said that, “government call upon those partners to actively engage in the mentorship programme and come up with specific frameworks on mentorship programmes within their sector as part of the AgriBEE consultation processes. Agricultural SETAs are responsible for the registration and accreditation of mentors. In addition, agriculture-aligned SETAs will be expected to submit reports on mentorships undertaken and results achieved to the department” (DLA 2005b: 12). The Land Bank also offers a

social discount product that encourages neighbouring farmers to mentor new farmers in exchange for rebate on interest payments (Jacobs *et al* 2003a: 20).

The KwaZulu-Natal Provincial Department of Agriculture (PDoA) has developed a mentorship policy framework (Jacobs *et al* 2003a). Some of the agricultural colleges, such as Cedara in KwaZulu-Natal, operated by the PDoA, and Elsenburg in the Western Cape, which is operated by the Agricultural Research Council (ARC), provide training but these are oriented toward commercial farming and not in the language of beneficiaries (Jacobs 2003a: 13).

Jacobs (2003a: 13; as cited in Kariuki 2004: 42) also claim that, “although training needs are identified and stipulated in business plans, actual training only starts after transfer, rather than at the time of preliminary project approval by the DACs”. For example, in the Western Cape, training was provided upfront, as a result it did not correspond with the post-transfer farming activity. The LRAD projects driven by the sugar industry in KwaZulu-Natal carry important lessons in this regard. Immediately after small-scale farmers have been selected for joint venture projects and about six months prior to transfer, the participants are put through an agricultural training programme. Beneficiaries are therefore well prepared for the first year, considered the most critical phase of any agricultural project (Jacobs 2003a: 13). TRAC-Mpumalanga, a land rights NGO, has also developed a three-year mentorship pilot programme for redistribution projects in the province (Jacobs *et al* 2003a: 20 and Kariuki 2004: 56). Providing training to land reform beneficiaries before the transfer of land is sustainable in the sense that beneficiaries are capacitated and prepared to drive their projects successfully for themselves. Although several programmes have been initiated to provide training skills to emergent farmers, it seems that more new farmers still lack adequate farming skills (Kariuki 2004: 60).

One of the key problems associated with the LRAD grant structure is its rigid and inflexible nature in dealing with the specificities of South Africa’s nine provinces with regard to the land market (Kariuki 2004: 54). For instance, in provinces where land is expensive such as the Western Cape, Mpumalanga, Guateng and North West, people are forced to form large groups so that they can increase the grant funds they are eligible for and consequently decrease the loan component they can qualify for from the Land Bank (*ibid* 2004).

Leon, the leader of the DA, also calls for skills training for would-be-farmers (Mail & Guardian 2005b). He says that would-be farmers should be provided with comprehensive courses in agricultural management before receiving state assistance (*ibid*). The researcher thinks this is a valid point in order to ensure sustainability in LRAD's projects. The training courses for aspirant farmers will improve productivity and enhance their livelihoods. In addition, according to Leon, providing comprehensive courses in agricultural management for the would-be farmers will ensure that land provided to new farmers will be a long-term investment, not short-term loss.

The following two tables illustrate the amount of land distributed to farmers as at March 2004, as well as the state of farmer training in terms of LRAD, as at April 2004.

**TABLE 3: LRAD: AMOUNT OF LAND REDISTRIBUTED TO FARMERS, AS AT MARCH 2004**

<b>Province</b>	<b>Farmers</b>	<b>Area in hectares</b>	<b>Provincial proportion of total land redistribution</b>	<b>Redistribution ratio: hectares per farmer</b>
Eastern Cape	2 122	65 416	16.9%	31
Free State	1 513	49 420	12.8%	33
Gauteng	398	2 068	0.5%	5
Kwazulu-Natal	1 691	37 647	9.7%	22
Limpopo	368	26 671	6.9%	72
Mpumalanga	6 479	72 782	18.8%	11
North West	1 579	35 153	9.1%	22
Northern Cape	467	53 878	13.9%	115
Western Cape	5 145	44 450	11.5%	9
South Africa	19 762	387 485	100. 0%	20
Source: Department of Agriculture, as cited in SAIRR (2005: 1)				

**TABLE 4: LRAD: STATE OF FARMER SUPPORT AS AT APRIL 2004**

<b>Province</b>	<b>Farmers trained</b>	<b>Farmers trained as a proportion of total beneficiaries</b>	<b>Average cost of training per farmer</b>
Eastern Cape	250	11.8%	1 751
Free State	723	37.8%	745
Gauteng	115	28.9%	1 652
KwaZulu-Natal	116	6.9%	3 448
Limpopo	226	61.4%	3 646
Mpumalanga	189	2.9%	1 321
North West	230	14.6%	1 245
Northern Cape	98	21.0%	1 755
Western Cape	1 143	22.2%	336
South Africa	3 090	15.6%	1 127

Source: Department of Agriculture, as cited in SAIRR, (2005: 1-3)

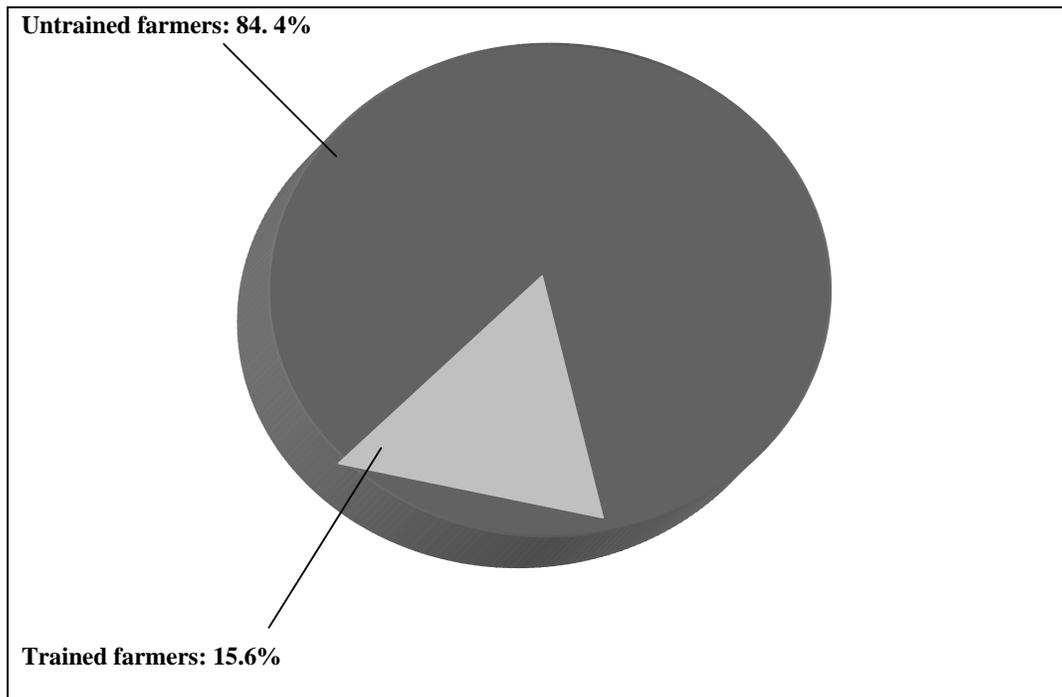
Note to understanding the above two tables:

- a. This land was redistributed to commercially viable farmers from previously disadvantaged communities under the Provision of Land and Assistance Act of 1993. The aim of the farmer settlement programme is to transfer 30% of all agricultural land to these farmers by 2014.
- b. Land redistribution only for agricultural use.
- c. Figures should add up vertically but do not, owing to rounding.

Figure 1 below shows that trained farmers make up only 15.6% of all beneficiaries, while 84.4% of new farmers are untrained. Government is still struggling to provide training for the new farmers to become sustainable. Minister Didiza acknowledges that State resources to help beneficiaries of land reform with capital and skills to work the land they have received have not been enough (SABCNews 2005). Therefore, comprehensive courses for LRAD beneficiaries are necessary in order to enhance sustainability in its projects. Training is important to the success of the land redistribution process. According to Bernstein (2005, as cited in Wanneburg 2005: 1), “to think you can move poor, unskilled people onto a farm and say ‘ farm’, it’s not going to happen”. During the last 11 years many projects

have failed for this reason. The CDE report also warns that, “putting more agricultural land in black hands without proper training and support could have dire consequences for a region dependent on South Africa as a major food producer” (*ibid*). Training of new farmers, before and after land transfer, will promote the sustainability of land redistribution’s projects in South Africa. Proper training and support can ensure sustainable livelihoods and food security for the poor black farmers. Lack of training can also derail food production and security in South Africa.

**FIGURE 1: PROPORTION OF FARMERS TRAINED, MARCH 2004**



Source: Department of Agriculture as cited in SAIRR (2005: 3).

### **4.3. Land Care Programme**

In her budget speech, Minister Didiza states, “without effective resource management, all our well-meaning policies on economic development cannot prosper if we continue to abuse our water and land”. She also states, “it is precisely for this reason why government has set aside approximately R 64 million towards the Land Care Programme”. Some years back the Land Care Programme has been criticised for not promoting sustainable natural resource use in the communal areas. The budget allocation was the main problem in this regard (Jacobs *et al* 2003a: 21). Turner (2001: 4) criticises this programme for focusing too much on short-term poverty alleviation through labour-intensive public works.

The South African government promised that 6 000 ha will be cultivated over the next year and will benefit approximately 3 000 households. The Provincial Departments of Agriculture, district and local municipalities as well as the Department of Provincial and Local Government will jointly implement this project. It is hoped to create jobs opportunities within communities (DLA 2005b: 10). This joint project will be helpful in terms of creating employment opportunities, local economic development, empowerment of ordinary people and capacity building programmes.

According to Hall (2004b: 59), regardless of these recent improvements, the challenge ahead is to stimulate the Provincial Departments of Agricultural, to enhance their skills base to upgrade extension services and to provide more capital funds, to enable land reform beneficiaries to invest in and use their land productively. Although our land reform programme is not presently doing well in terms of ensuring environmental sustainability in its projects, Dekker (2003: 15) insists that, “contemporary land reform is also closely linked to ecological and environmental issues”. Land Care Programmes need to create long-term employment opportunities for the poor.

#### **4.4 Agricultural Broad-Based Black Economic Empowerment (Agri – BEE)**

Similar to other initiatives to transform the economy and society, land reform is now considered as a means of achieving black economic empowerment (Hall 2004b: 59). The Agricultural Broad-Based Black Economic Empowerment (AgriBEE) Framework, unveiled by the Minister of Agriculture and Land Affairs in July 2004, seems largely consistent with this new direction, despite its use of the term “broad-based” (People’s Budget Campaign 2005: 19). The Charter reiterates the existing target of redistributing 30 % of agricultural land to black South Africans by 2014, but also set ambitious targets for the deracialisation of ownership, management and procurement in the agricultural sector, including 35 % black ownership of existing and new enterprises by 2008 (NDA 2004b, as cited by Hall 2004b: 59). Hall (2004b: 59) makes a case that, “the Charter is present largely an agribusiness charter. It is not clear what commitments are entailed for the majority of the landowners in the farming sector, nor how it will empower farm workers and smallholders who are marginalized within the agricultural sector”. Therefore, the current view seems to be that only a minority will benefit from the AgriBEE Charter and the poor, who tend to be uneducated, will not benefit on a large-scale.

As stated earlier, “economic policy analysts are beginning to suggest that land reform could form a central thrust of government’s anti-poverty strategy, and recent government rhetoric implies that it should be seen in this light” (Cousins 2005: 3). Cousins also state that policy statements now portray land and agrarian reform, as well as the Black Economic Empowerment Charter for the Agricultural Sector (Agri-BEE) as part of a strategy to integrate the second economy into the first. The CDE (2005: 9) reports that these new initiatives raise expectations of much enhanced “delivery”. This move by the government is important because it promotes the spirit of sharing between the rich and the poor.

According to CDE (2005: 9), “while the draft AgriBEE framework asks established farmers, co-operatives, and agribusiness to help achieve the well-known national objective of transferring 30 % of agricultural land to blacks by 2014, it also wants them to lease an additional 20 % of ‘high-potential’ land to blacks by 2014; and make available another 10 % of farmland to farm workers for their own farming activities”. The CDE (2005: 9) declare the government’s targets for agricultural land restitution and AgriBEE to be overambitious and unrealistic, raising expectations which cannot be fulfilled, especially since the budget provision is too small for what has been promised. The CDE’s Report further states that, “development such as these will not be good for investor confidence in the South African agricultural sector”. The People’s Budget Campaign (2005: 20) make a case that, “the establishment of targets designed to make additional high-value agricultural land available for lease by black farmers is welcome, but is likely to have limited impact on economic transformation in the industry, especially with respect to poorer communities”. For the charter to be successful, it needs to prioritise the needs and interests of the poor and historically marginalised groups. It must also ensure that these groups are socially, economically and environmentally improved or sustainable.

Despite the criticisms above, the Charter (maybe with some amendments) is essential and is one of the government’s anti-poverty initiatives to close the wide gap of inequality between the rich and the poor in South Africa. Integration of the first economy and the second economy will strengthen sustainable development in the agricultural sector, which is presently dominated by white farmers. It will also improve economic growth in our country. In order for this AgriBEE to be successful, strong co-operation and partnership between government departments, private sector, NGOs, civil society

organisations, the poor, landless, and farm workers must be promoted and be a reality. The Charter should empower black farmers who are still marginalized within the farming sector. These farmers should be empowered through training skills in order to achieve agricultural skills so that they can produce sustainable production from their own farms. This is another government initiative to ensure that there is equality in the agricultural sector, presently dominated by white farmers.

#### **4.5. CONCLUSION**

The researcher assessed the contribution which the government's Land Redistribution Programme, specifically the Land Redistribution for Agricultural Development (LRAD) programme is making to transform the unequal distribution of landownership in South Africa since its inception. To speed up the redistribution process, however, various policies are needed to support it, such as the subdivision of agricultural land. The lack of sufficient post-transfer support for beneficiaries is broadly recognized. The Comprehensive Agricultural Support Programme (CASP) was initiated during 2004 to provide adequate post-transfer support to land redistribution beneficiaries in South Africa, showing that the South African government and particular the DLA and PDoA are concerned about the sustainability of its land reform projects. Mentorship and Land Care Programmes were also fully recognised by the government to empower new farmers through the transfer of skills. Sharing of skills from better to lower skilled farmers is essential to empower those who are engaged in commercial farming. The AgriBEE programme was unveiled to balance skewed ownership in the agricultural sector. Training and post-transfer support are the critical parts to the success of the LRAD programme in South Africa. However, the government is still struggling to ensure that new farmers get sufficient training in order to promote sustainable development in LRAD's projects. The following chapter will provide an evaluation of LRAD.

## **CHAPTER 5: CRITICAL EVALUATION OF CERTAIN ELEMENTS OF LRAD**

### **5.1 Introduction**

This section will critically evaluate certain elements of LRAD, inter alia by looking at the different views held by various parties on land policy. In order to do this, similarities and differences put forth by different authors on the Land Redistribution for Agricultural Development (LRAD) programme in South Africa will be examined.

### **5.2. Achievements**

The main purpose and challenges facing land redistribution in South Africa is to achieving greater equality in land ownership and improve the livelihoods of rural people. During the first ten years of land reform, most land has been transferred through the redistribution programme (Hall 2004: 25). This section will discuss and assess the contribution that the government's land redistribution programme, specifically LRAD, is making to transform skewed landownership and promote development in the rural economy.

There are those who agree that the delivery of land under the LRAD programme has accelerated since 2001 (Jacobs *et al* 2003a: 11, Hall 2004: 9). According to the DLA (2004e: 4), Minister Didiza states that, "between June 2003 and March 2004 we settled 16 55 black farmers through LRAD and the cumulative figure of beneficiaries of LRAD since we launched the programme in 2001 is 19 736". During the National Land Summit in July 2005, the DLA came up with the new following statistics on land delivery:

**Table 5: The latest statistics on land reform delivery**

	Ministry (Oct 2004)	Ministry (July 2005)	Changed %
Redistribution	1 732 111	1 347 943	-22.18
Tenure reform	145 258	100 175	-31.04
State land	770 000	772 626	0.34
Restitution	810 292	916 470	13.10
<b>TOTAL</b>	<b>3 457 661 ha</b>	<b>3 137 214 ha</b>	<b>-9.27</b>

Sources: Ministry of Agriculture and Land Affairs, October 2004; July 2005 cited in PLAAS (2005b: 3).

The latest statistics on land reform delivery come from the publication issued by the Department of Land Affairs and Agriculture for the National Land Summit in July 2005. These figures shows that approximately 3.1 million hectares of land have been delivered under all aspects of the land reform programme (presumably up to June 2005), equivalent to 3% of the total of white-owned commercial farmland in 1994.

These figures are, substantially lower than those presented by the Minister of Agriculture and Land Affairs before the public hearings on the pace of land reform convened by the Portfolio Committee on Agriculture and Land Affairs of the National Assembly on 18 October 2004. There, the Minister reported that approximately 3.5 million hectares had been transferred (as of 31 September 2004). This drop of over 9%, is largely accounted for by a decrease of 384 168 ha in the figure for redistribution. This figure for tenure reform has also declined, while the only significant increase is in the figure for restitution (PLAAS 2000b: 3). According to PLAAS (2005b: 3), “[i]t would appear that the need for accurate and reliable data on the performance of the land reform programme is as pressing as ever”. It seems that there is a lack of correct and consistent statistics in terms of delivery of land to blacks. The figures also symbolise that LRAD is not moving as fast as it was expected in 2001 when it was launched.

The total land redistributed through redistribution and tenure reform, as of September 2004, was nearly 1.9 million hectares (Hall 2004: 25). Organisations such as the South African Communist Party, Dora Tamana Co-operative Centre, SAAPAWU, FAWU and the Landless People’s Movement, criticize the implementation of land reform process in South Africa. They assert that the process of redistribution is going very slowly (David 2005: 17). Since 1994 to 2004, only 4.2% of the 80% of agricultural land in the hands of white farmers was redistributed (David 2005: 11). On the other hand, Minister Didiza says the country has made impressive progress on land reform during its first ten years of democracy (SABCNews 2005). The Minister, however, also acknowledged that there are still challenges ahead. For example, she says that to date government has settled about 62 000 land claims and transferred ownership of about 900 000 hectares of land to communities at a cost of R1.9 billion (SABCNews 2005). By the end of 2002, a total of 1 480 835 hectares of land had been transferred through land redistribution to an estimated 130 000 households (Hall, Jacob and Lahiff, 2003, as cited in Kariuki

2004: 11). The one discernible trend in the redistribution programme has been an increase in the amount of land being transferred year on year, but a decline in the number of people benefiting. This is to be expected, with the change in the grant structure that allows households to obtain larger grants. In 2004, when South Africa reached ten years of democratic government, the country has reached a critical moment in the development of its approach to land reform. So far, by December 2004, it had only transferred an area equal to 4, 3 % of commercial agricultural land to blacks. This figure includes the transfer of state land; and if this is excluded, the percentage drop to 3, 4 % (CDE 2005: 7).

**Table 6: Land redistribution, 1994 to 2004**

<b>Year</b>	<b>Total of hectares</b>	<b>No of project</b>	<b>Average project size (ha)</b>
1994	71 656	5	14 331
1995	26 905	12	2 242
1996	72 416	49	1 478
1997	142 336	97	1 467
1998	205 044	236	869
1999	245 481	156	1 574
2000	222 351	236	942
2001	249 302	400	623
2002	299 969	742	404
2003	158 668	502	316
2004(to Sept)	183 625	251	732
<b>Total</b>	<b>1 877 754</b>	<b>2 686</b>	<b>699</b>

Source: Ministry of Agriculture and Land Affairs (2004, as cited in People's Budget Campaign 2005: 21)

The People's Budget Campaign (2005: 20) illustrate that, "by 31 August 2004, a total of 187 7754 hectares of land had been transferred under the land redistribution programme to 153 545 households plus 39 221 individuals" (see table 6). However, despite significant achievements and a steep learning curve for implementers in the DLA and elsewhere, the early years of the programme were subject to

much criticism regarding the slow pace of delivery, the small size of grants relative to the cost of land, and the resultant tendency for large groups to pool their grants (*ibid*).

In its Strategic Plan 2005 – 2010 (DLA, 2005a: 15), the Department of Land Affairs (DLA) has promised to increase the pace of the redistribution programme and ensure that the land redistributed will improve the rural livelihoods of beneficiaries and have a positive impact on rural communities' welfare. The Department also promised that to further contribute to rural development, the alignment of LRAD and CASP will contribute to increasing the agricultural performance of beneficiaries on transferred land. Since 2001 when the LRAD programme started, a total of 19 736 new black farmers have reportedly been resettled (CDE 2005: 12).

### **5.3. Market-Led Approach to Land Redistribution**

Eleven years after white rule ended, most of South Africa's agricultural land remains in white hands and some of the representatives at the July 2005 Land Summit felt that the government's target of 30% under black ownership by 2015, cannot be achieved under the current approach (Apps 2005: 2). It became clear that a majority of delegates felt strongly that the way the current market led approach in land delivery works, does not enable the State to deliver land faster. It was felt that where the market mechanism on its own does not work, the State must intervene (Apps 2005: 2). Representatives of the recent July Land Summit agreed that market-driven land reform was not working because land purchase grants were too small, landowners have been able to inflate prices and there is no compulsion on landowners to sell (PLAAS 2005b: 2).

The South African government has adopted a market-driven approach to redistribute land. This approach utilizes the forces of the market to redistribute land and is largely based on the willing-buyer-willing-seller principle. However, many academic writers, researchers, students, NGOs, landless people and many more argue that the commitment by the government to a neo-liberal macroeconomic programme and market-driven capitalist approach in land reform programme has helped to slow down land redistribution during the first, as well as the second phase of democracy (Moyo & Yeros 2005: 150). A purely market approach to land redistribution may not lead to positive outcomes in South Africa; instead it may perhaps strengthen the skewed distribution of landownership between white and black people. In other words, the market approach will not on its own correct the inequality in land

ownership but should be aligned with other non-market-related programmes. There are some land reform experts such as Cousins (2002a: 9) who contend that market-driven land redistribution programme imposes extreme difficulties in terms of integrating projects with other rural development processes.

According to the National Department of Agriculture (NDA)'s Strategic Plan (2001: 16; cited in Greenberg, 2002: 16), LRAD, "strengthen the philosophy of market-assisted land redistribution of earlier land reform", which means that the LRAD programme will continue the struggle to overcome the legacy of unequal land distribution, poverty and environmental degradation in both rural and urban areas. The policy is also struggling to produce sufficient results in terms of improving the lives of the new entrants in commercial farming sector. Efficiency and equity will not easily happen under a market-led redistribution programme. A holistic approach and the integration of economic, social and environmental factors in the land reform policy is essential for promoting sustainable development.

"The policy which initially guided the land redistribution programme was very general, and often contradictory in that the goals of providing land for the poorest of the poor, and promoting economic growth and environmental sustainability was not necessarily compatible" (McIntosh & Vaughan 2000: 227). Kariuki (2004: 10) argues that the market-based approach is often seen as paternalistic, patronizing and ahistorical in that it does not recognise perceived injustices or non-monetized rights to land. Equally, it does not recognize the financial weaknesses of rural black people as a result of apartheid policy. It is also argued that the potential for land reform to succeed is compromised by current initiatives, which stress the market as a distributive mechanism (Kariuki 2004: 10). The problems that are outlined here had caused a negative impact on the rate of delivery the Department of Land Affairs could embark on, as noted earlier.

The land redistribution programme cannot meet its original purpose of enhancing the livelihoods of the poor, unless the marginalized groups such as poor people, women, unemployed, disabled, young and HIV/AIDS people's needs can be practically served, and environmentally sustainable projects can be promoted. Land redistribution can only achieve sustainable development when the integration of economic, social and environmental factors is seriously incorporated in our land policy in South Africa.

It is not only the amalgamation of these factors that can contribute to a sustainable redistribution programme in South Africa but the willingness of the State to practice its powers to expropriate land, increased budgets, more professionals in the land reform sector, proper support programmes to beneficiaries and the contributions of others as well.

Haar & Zoomers (2000: 69) agree that, “little is known about the functioning of land markets as an instrument for achieving sustainable development”. According to them, the market-led approach to development is not designed to redistribute resources such as land to those who were previously disallowed to access land. Policy makers must try by all means to provide an alternative policy in order to speed up the land redistribution process in South Africa. Therefore, the government have no choice but to also use expropriation as an alternative to speed up the process. “The market-based approach to land redistribution has been rationalised on the basis of efficiency. This rationale is to ensure that efficiency in the agricultural sector is maintained, so as to be able to maintain or even improve the current production level of the country and ensure food self-sufficiency” (Thwala 2003: 14). Yet, the agricultural sector is still experiencing problems of inequality. Agricultural farming in South Africa is still divided. Small-scale farming or subsistence farming is still marginalised while commercial farming is regarded as the best industry in terms of boosting economic growth in this country.

According to Greenberg (2003:1), a market-centred approach in land reform in South Africa, which was adopted in 1994, is biased towards those with resources. Hence, the poor and landless will be excluded from the same development that is designed to help them. Moreover, Greenberg (2003: 2) claims that, “markets allocate resources on the basis of ‘effective demand’; goods and services flow towards those who can pay the market rate for them”. He further states that as a result of this approach, the majority are marginalized from the same development process that is meant to benefit them. Because of the market system in land reform, the State plays a small role to assist the previous disadvantaged groups in acquiring agricultural land. Lahiff & Rugege (2002a: 8) contend that this dependence on the market, which continued after 1999 when the new Land Reform Ministry took over, has exposed itself to be slow and burdensome. According to them this approach cannot meet the needs of either sellers, buyers or the State, unless bolder steps can be taken.

There is growing recognition that the market system alone will not transfer land to poor farmers without adequate or concerted efforts by the State to eliminate or remove advantages favouring large-scale producers (International Crisis Group 2004: 192).

There are those who also agree that “redistribution of land through the market is problematic in two ways: it ignores the lack of purchasing power of blacks and more importantly, it is a blatant disregard for history because blacks are essentially asked to buy back what had been wrestled from them by force” (Irogbe 2003: 24). The land market approach overlooks an important tenet of “property rights” law in South Africa, namely that it has historically been applied with double standards (*ibid* 2003: 24). Another problem of the market approach to land is that it creates an opening for only a small minority of blacks, leaving the majority land hungry (*ibid* 2003: 24). Similarly, Greenberg (2003: 172) points out that, “market-driven neo-liberal policies based on land reform programmes ensure that land belongs to those who can pay for it”. South Africa’s market-led land reform is consistent with the government’s present macro-economic orientation and notions of the roles of the State and market.

Kariuki (2004: 10) supports the above view by stating, “the potential for far-reaching land reform is restricted by current initiatives stressing market forces as the chief mechanism for land redistribution”. He also states that Markets are never truly free, they are bound by social and political power-relations, which determine their regulation. According to Thwala in the LANDNews document (DLA, 2003a: 21), the South African government has failed to fulfil its obligations to the landless by choosing a market-driven approach to land reform.

Where there is unequal distribution of resources (such as clean water, sanitation, electricity and land in particular) there will be no sustainable development. And where there is equality in distribution of resources among people, there is a much larger chance of sustainable development. The Land redistribution process under the market approach is struggling to redress the unequal distribution of land between white and black people in South Africa. To substantiate, Wegerif (2004: 41) agrees that, “Clearly the programme is falling dramatically short of its own targets and making a negligible impact on the unequal and highly concentrated patterns of land ownership”. South Africa is faced with chronic problems and constraints in land issues, which have clear roots in the dispossession of Africans

under colonialism and apartheid, and the powerful legacy this has left both in terms of outright suffering and also in the historical memory.

#### **5.4. The “Willing – Buyer, Willing – Seller” (WBWS) Approach**

The slow progress, according to most civil society, trade union, NGOs, church organisations, academics and political party representatives who met at the recent National Land Summit in Johannesburg, was a effect of the willing-buyer, willing-seller policy (Howell 2005: 3). The Summit was organised to address the complexities of land reform in South Africa. The WBWS policy was seen by the delegates as the key matter to the success of land redistribution in South Africa. However, the Summit concluded with the government pledging to consider scrapping the WBWS process but according to Apps (2005: 1) saying little on what would replace it. There was disagreement about the role of the market in delivering of land to blacks. Most delegates at the Summit share the same feeling that land reform should not be market-led, but others, such as AgriSA, disagree. The Summit agreed that the WBWS principle is the same as the market-driven approach. The Land Summit delegates asked the government to use expropriation as it provided for in the Constitution (1996).

This section will give an overview of the different views of people about the willing-buyer, willing-seller (WBWS) principle in delivering agricultural land to blacks in South Africa. The African National Congress (ANC) has since 1994 adopted a market-driven land reform programme that embraces the WBWS principle. The WBWS provision occurs when private land has to be purchased and the owner is a willing seller. Hall (2004b: 56-57) states that the confidence in this principle resulted in *ad hoc* land transfers that are isolated from wider processes of development such as local economic development, and delivery of infrastructure and services. The government intended to use this principle to redistribute 30% of agricultural land from white farmers to black South Africans by 2015. However, no real progress has been made in redistribution of agricultural land to black owners. For example, over the past 10 years of freedom, the government has only redistributed about 1% of agricultural land, according to Leon of the Democratic Alliance (cited in Mail & Guardian 2005b). According to Jacobs (2003:1) the availability of land for redistribution continues to be limited by the unwillingness of landowners to sell.

According to the DLA (2003b: 33), “the willing-seller side of the equation is an obstacle to any form of systematic designation of land for redistribution”. The willing-seller wants to get rich overnight by asking high prices for land without any interest in the redistribution programme. The land redistribution programme relies heavily on the voluntary sale of land by current owners who, according to Cousins (2002a: 7), “cannot be assumed to be motivated by the spirit of transformation”.

Cousins (2002a: 7) states that, “the implementation of the redistribution programme is heavily dependent on a private party – current landowners – who have a vested interest in the envisaged transactions and can be reasonably be assumed to wish to maximise their own interest”. As a result, the pace of the land redistribution programme has been slow. There are those that feel that some white farmers are not willing to embrace land redistribution, and have a tendency of asking high prices for their land. There are those who dispute that the market-based programme and racism among landowners who have allegedly refused to sell their land to black applicants is an issue (Hall 2004b: 56). Furthermore, landowners in South Africa can easily refuse to sell their land to beneficiaries for land reform because it is their rights to do so (Mudzwiti, 2002). This attitude by some white farmers may lead to the failure of the redistribution programme. Although, the State and DLA have a right to expropriate land for land reform in terms of the Constitution of 1996, they were reluctant to use these powers. The National Land Summit has urged the State to use these powers to speed up the delivery of land to blacks by 2015.

For instance, the unwillingness of white farmers to sell their land at fair prices is the reason why ‘in August 2003 a senior land official reportedly warned white farmers that if they did not co-operate, a situation similar to Zimbabwe was not far off. He attacked farmers who were asking too much for their land, accusing them of making land reform unworkable (CDE 2005: 8). In addition, Lahiff (2005a: 2) contends that a, “willing-buyer, willing-seller principle (WSWB) has granted enormous discretionary power to landowners to influence the pace and direction of land reform in South Africa, tantamount to a veto over the land reform process”. Therefore, more state involvement is needed in this situation. To substantiate, according to Nzimande of the SACP (SABCnews, 2004: 1) “white commercial farmers were stumbling blocks to land and agrarian reform because they resisted the transfer of productive land to the South African majority”.

Unequal distribution of agricultural land between white and black South Africans will prevail and will not be corrected if the government rely on the WBWS principle alone. Cousins told the Mail & Guardian (2005a: 2) that the willing-buyer, willing-seller system rests on landowner's willingness to sell at prices the State consider reasonable, and to make their land available for sale. He further states that despite a recent legal amendment allowing the Minister of Land Affairs to expropriate, the government has been hesitant to expropriate farms where negotiations have broken down. In other words, the government is not presently prepared to use expropriation to fast track the redistribution process. Only one farm in the North West has been expropriated for land reform purposes (Groenewald 2005).

Greenberg (2002: 16) makes a case that privatisation of State land is one of the fundamental features of the land reform programme and that State land should rather be transferred to land reform beneficiaries. He also states that privatisation not only opens up more opportunities for potential investment in the future, but also allows for the redistribution of some land without white landowners having to give up any of the land under their control unless they choose to do so.

According to Dixon-Gough (1999: 7), "the process of land privatisation and re-privatisation has tended to create inefficient patterns of land use, with many farmers being in the position of owning several small land parcels". The willing-buyer, willing-seller approach promotes the process of privatisation of land in South Africa, which led to the minimisation of access to land by the historically disadvantaged groups. The consequences of this principle in land reform spoil the redistribution process in South Africa. For example, Lahiff (2005a: 2) contends that, "...a co-ordinated effort by landowners to refuse to sell to any land reform beneficiary could bring the entire land redistribution programme to a halt".

Cousins & Kepe (2002: 3-4) call for radical reform and state that, "...a large-scale redistribution of land and resources, accompanying by the securing of tenure rights, in practice as well as in law, is required for long-term sustainability". A state-driven approach and expropriation of land to blacks is required. Lahiff of the Programme for Land and Agrarian Studies (PLAAS) at the University of the Western Cape argues that the willing-buyer, willing-seller policy ensures that land reform in South

Africa remains expensive and that the government should adopt the approach mandated by the Constitution of 1996, which allows expropriation (Insession 2004: 14). However, thus far the government has not been keen to expropriate land to speed up the redistribution process and to fulfil its constitutional commitment.

Cousins (2002a: 12) contends that land redistribution (as manifested in both SLAG and LRAD) has combined market-based land acquisition and a highly bureaucratic project planning process. He argues that the inefficiency and ineffectiveness of this approach is clear, and flows from the fact that the least appropriate and useful aspects of both approaches have been combined.

There are other people like Crosby (Democratic Union of Africa; 2001: 83) of Agri-South Africa who support a land reform programme that include an orderly, sustainable process underpinned by legislation and based on the WBWS market principles. According to her, a WBWS policy is efficient and effective and it needs to be respected to achieve positive results in our land redistribution programme. Some authors relate the programme to the fact that agricultural production covers a significant portion of the existing GDP and also plays a role in attaining foreign markets. They point out that not only the issues of redistribution and poverty must be of concern but also the viability of the existing commercial agriculture sector (SAERT; 1991: 2). This is also an important aspect, because in Zimbabwe, parts of their economic problems are due to the collapse of their agricultural sector. In other words, any negative measures taken against the commercial agricultural sector would mean affecting the whole economy adversely, as food output would be disrupted and reduced, with detrimental consequences for domestic consumption, production and exports (De Klerk 1991: 37).

Crosby, who is a Parliamentary Liaison and Land Policy Adviser for AgriSA says in the Cape Argus (2005: 12) that, “they are concerned that farmers whose land is to be expropriated might not be compensated at market-related prices that will allow them to continue farming elsewhere”. She states on behalf of AgriSA that they are not convinced that they have reached a point where government needs to start interfering in the market. Ramuka of the Land Access Movement of South Africa (Lamosa) rejects Crosby’s view that farmers whose land has been expropriated would lose out because they would have to sell at a below the market price and re-enter the market elsewhere at market-related

prices (Cape Argus 2005: 12). Ramuka stresses that the government's intervention does not mean it will do so without taking cognisance of the market value of land. In other words, government will not eradicate the market system in land reform but should harmonize it with other policies.

AgriSA states that the economic contribution of agriculture was already under threat and that the current land reform approach further jeopardised this sector. While it recognised that transformation was essential, land reform could not be achieved if stability and output were affected by unresolved land claims and inadequate technical support to new farmers. In addition, AgriSA president Bosman says the calls for the scrapping of the WBWS system were misinformed because even under the expropriation system, market value of the land had to be paid (Insession 2004: 15). AgriSA also say that there is a lot of land available for redistribution other than land presently farmed commercially, but such redistribution does not take place due to the red tape created by government. AgriSA cited an example of a farmer who said he had been struggling for years to sell his land and the State had not responded to his letters.

In relation to the free market system in dealing with this issue (willing-buyer, willing-seller) Payze (as cited in Minnaar 1994: 3) oppose this principle as an inadequate solution and gives two reasons for this: Firstly, whites, currently holding deeds, have not obtained these within the parameters of a proper free-market system while the original owners were forcefully removed, often without any compensation whatsoever. Secondly, very few blacks can presently afford to participate in a free market system. The poor black people will therefore remain excluded from market-assisted willing-buyer, willing-seller based land reform. Additionally, those without title deeds will also be excluded from the free market process, although they might legitimately lay claim to certain pieces of land. Thus it seems that the free market system is not only inadequate, but will also keep most of the land under the control of the white minority (Minnaar 1994: 3).

After arguing that repealing the instrumental acts of apartheid would not be enough without assessing their legacies, Minnaar (1994: 31) states that the free market in land reform would not significant uplift the rural or landless poor, which is the group that need the most assistance, as they have no money to buy land. According to him, it's one thing to ensure the rights to buy the land but another to be given

the ability to buy land and use it productively. In order to deal with these two opposing views and override the complexity of equity and sustainability of production there are different propositions.

The National Land Committee complains that the market-driven conditions coupled with policies to achieve 30 % black ownership of agricultural land by 2015 would entrench the middle class and benefit only a small black elite. On the other hand, the Landless People's Movement complained that the Department of Agriculture's LRAD programme did not recognise that landless people often need land for reasons other than agriculture. It calls for the market-based system to be scrapped and for restitution to be offered to people dispossessed when white people first arrived in South Africa in numbers in 1652.

Leon of the Democratic Alliance warns that rejection of this principle by many delegates at the Land Summit means land reform in South Africa, "has reached a potentially dangerous turning point" (M&G 2005b). He said, the government's plans to re-examine this principle threatens to, "reignite one of the most contentious issues in our society". In addition, rejection of the willing-buyer, willing-seller principle could also frighten away foreign investors. Leon also comments that estimates of the number of black South Africans who want to become farmers may have been exaggerated. The CDE (2005: 14) states that there are fewer black South Africans that want to farm (only 9%), than is commonly supposed – most people according to this report, would rather have jobs and houses in urban areas or a place to stay in rural areas. The scrapping of the WBWS principle as many commentators suggested in the Land Summit of July 2005, will destabilise our economic growth and reduce the interests of foreign investment. Land Affairs Minister Didiza view is that the willing-buyer, willing-seller principle should not go out of the window, to be replaced by expropriation (Boyle 2005: 6). She believes there is a place for both methods.

The recent Land Summit has rejected the WBWS principle as a basis for land reform in South Africa (Cape Argus 2005: 12). AgriSA, the only opposition to the Summit's recommendation, warns that any departure from the principle would set a dangerous new model (Cape Argus 2005). On the first day of the Summit, Deputy President Mlambo-Ngcuka said that adherence to the WBWS principle was

slowing down land reform in South Africa. She declares that this principle must be reviewed (Groenewald 2005). Many stakeholders at the Summit welcomed this idea.

Cousins (as cited in Groenewald 2005: 1) states that the Deputy President's announcement at the National Land Summit was a shift in policy and a clear sign that the government realised South Africa's land reform programme was not yielding the desired results. On the opposite side, Bosman of AgriSA disagrees with those who blame the WBWS principle for the slow pace of the redistribution process (Hall 2005: 7).

Bosman stresses that it is not the WBWS principle that contributes to the slow pace of the redistribution process but the lack of enough money from the government's side. In addition, AgriSA shows that in this year's budget there was R2. 7 billion for restitution and only R770 million for land redistribution (Hall 2005: 7). They also came up with the following figures that, "in the legal framework of restitution, 812 million hectares were transferred, whereas 1.78 million hectares were transferred through redistribution". Therefore, according to AgriSA, the problem is not with the willing-buyer, willing-seller principle. AgriSA states that the State will dictate the pace of reform, through allocation of budgets (Hall 2005:7).

Matlala, the President of the National African Farmer's Union (Nafu) disagrees with AgriSA's views that a WBWS approach is the best way to manage land reform. He feels that the WBWS concept has seen prices of land escalating beyond the reach of black farmers (Ndebele 2005: 20-21). Matlala maintains that, "some farmers have used the willingness of foreign buyers to spend large sums of money on acquiring land, therefore overpricing their farms" (Groenewald 2004). He contends that this is making it difficult for blacks to access the land. In addition, in its submission to the portfolio committee on agriculture and land affairs, PLAAS blamed the market-based approach for the slow pace of land reform (Groenewald 2004: 5).

The Landless People's Movement (LPM) and the National Land Committee (NLC) declared that the WBWS model is "doomed to failure". Phoko of the Pan African Congress (PAC) insists that the "willing-buyer, willing-seller principle will not solve the land question in South Africa" (SABCNews

2005). Pheko also warns, “The present land reform policy of this government can only perpetuate land dispossession and landlessness of African people”. According to him, the land reform programme repeats what the NP’s land reform programme did to African people. The new land reform does not change anything, instead it continues to oppress the poor and those who were previously marginalized under the apartheid government.

In order to speed up the redistribution process, Matthew, spokesperson for the chief land commissioner says, “but we are encouraging land owners... to offer reasonable prices for their land” (Groenewald 2004). A donor government’s official commented that the WBWS approach “should be the basis of land reform efforts, but don’t expect it alone to solve the problem” (International Crisis Group 2004: 182). In addition, this principle can play a critical role in terms of redistributing land equally to previously disadvantaged people and to reduce poverty but it needs to be complemented by other policies to increase agricultural productivity and promote integrated rural development.

Moyo of the African Institute for Agrarian Studies told the National Land Summit in Johannesburg that the WBWS concept is the “opposite of development” because farmers decide what land to sell, when to sell it and what it should cost (Musgrave 2005). Moyo states that, “if you want to develop people, it won’t happen under this principle” (Musgrave 2005). In the same trend, Tseehana, The Permanent Secretary for Land in Namibia told the Summit that the willing-buyer, willing-seller principle has also failed in his country. He told the delegates that his government has decided to expropriate more land and the land of foreign absentee landlords will be the first to be expropriated (*ibid*).

In order for the land redistribution programme to speed up, the South African government needs to put pressure on white landowners to give up some of their land. According to the International Crisis Group (ICG) (2004), a, “land tax should be introduced to encourage larger owners to sell land and combined with subdivision, make available a large pool of commercial farmland and introduce incentives for smaller farmers”. However, land reform beneficiaries should be free from an obligation [to pay tax] for ten years (*ibid*). A land tax would not remove the landowner veto over sales, but it would be expected to increase pressure on landowners to release land onto the market, and could also serve to dampen land prices (Lahiff 2005a: 3). Bosman of AgriSA opposed the calling of a land tax in

the Summit as an alternative to large-scale land redistribution, as he feels that “the viability of a land tax is uncertain, since most commercial farmers are small businesses and are not very profitable” (Hall 2005: 12). AgriSA is convinced that land reform is in everyone’s interest, so everyone will have to pay for it through a tax (Hall 2005).

Many land stakeholders have also supported expropriation at non-market related prices, as it is already mentioned in the Constitution of 1996 as a cheap option than paying market-related prices for farms (Groenewald 2004: 5). Mngxitana, Programmer Director of the NLC’s land rights campaigns pronounces that, “the government can also pay a flat rate to farmers for their land”. Mngxitana states that this would be feasible because, “there is nothing in the Constitution that suggests that market compensation must be paid when land is redistributed for land reform” (Groenewald 2004). Hall agrees with those who called for expropriation and a non-market option price in the redistribution process to speed up the pace. She points out that the government may be able to bring down the cost of acquiring land for land reform purposes to some extent by expropriating land and paying “just and equitable” compensation, as stated by the Constitution (1996), rather than market prices (Groenewald 2004).

“This potential savings to the fiscus need to be weighed against the potential backlash from farmers and investors” (Groenewald 2004). Lahiff (2005a: 3) points out that granting the State the right of first refusal to purchase land before it is offered for sale on the market is another option. Mnisi of LPM says that the government will have to move away from the “failed” market-led WBWS land reform programme, or any other policy that requires poor people to buy back stolen land (Groenewald 2004). Hall challenges that a state-driven process of land confiscation is not on the cards politically, though community occupations of unutilised land may become more common in the future.

The Department of Land Affair (DLA) makes a case in it’s Strategic Plan 2005 – 2010 (2005a: 21-22). They state that they will accelerate the pace of delivery on land redistribution to ensure that they get closer to achieving the target by 2015. In order for the DLA to meet its objectives, problems such as small budgets for land reform, the lack of human resources and financial assistance for beneficiaries and others need to be challenged and improved.

There was disagreement on the issue of a fixed land size and also on the role of a land ceiling. There are those such as Siyabulela of NERPO, who insists that the ceiling and subdivision should depend on the type of land use. The Summit recommended that the WBWS system written into the Constitution (1996) should be abandoned in favour of aggressive expropriation (Boyle 2005: 6). In addition to this, Palmer as cited in the LANDNews document (DLA 2003c: 19), concluded that, “if the ‘willing-buyer, willing-seller’ has been a constraint in the past, and it is now judged to be irrelevant, it should be dropped from the agenda altogether”.

This section identified that the willing-buyer, willing-seller principle in land reform is not working and need to be reviewed by government. State intervention is also needed in this case to facilitate the process.

To conclude, Ntsebenza identifies three main obstacles to land redistribution:

- The WBWS principle. There seems to be broad consensus that this principle is one of the key obstacles to land delivery. Not everyone agrees, however, but there is broad consensus.
- The price of land is an obstacle. There is broad consensus that the price of land is too high and makes it difficult for the Department of Land Affairs to budget for an effective land delivery programme.
- Foreign ownership of land not only makes it difficult to get land but also impacts on the price of the land. Because people come with foreign currency, they inflate prices for prime land in particular (Hall 2005: 1).

Several consensus have pointed out that the market led willing-buyer, willing-seller approach in land delivery is not working effectively. They stated that a market approach on its own does not work efficiently, it need to be assisted by the other alternative mechanisms. The National Land Summit’s delegates in Johannesburg have radically called for a State-driven approach, with expropriation of land. The current policy (WBWS) has failed during the first phase and second phase of democracy to ensure positive or sustainable results in our redistribution programme. The researcher believes that the deputy president Mlambo-Ngcuka was right when she says that it is time for South Africa to learn a lesson from Zimbabwe. The deputy president, according to the researcher’s view, does not mean that South

Africa should forcefully removed white farmers from their commercial farms, but she insists that the white farmers should be more co-operative in terms of releasing land for redistribution programme. Therefore, in order for South Africa to avoid what happened in Zimbabwe, strong collaboration and more commitment between the government and white farmers is necessary.

### **5.5 Who are Beneficiaries?**

Following the National Land Summit's resolutions, beneficiaries of land reform, particularly LRAD, should be the poor and the historically disadvantaged (Hall 2005: 9). Some representatives at the Summit point out that for sustainable to happen, the real criteria for projects must be supportive of the very poor, farm workers and other marginalised groups (*ibid*). To ensure that this is happening, strong partnership and co-operation between the government, the Department of Agriculture and as well as commercial farmers are required. The poorest of the poor should be priority number one.

The shift from the SLAG to LRAD policy in 2001 was seen as an abandonment of the marginalized groups. According to Hall (2004b: 28), "land NGOs responded to the policy shift with hostility, arguing that LRAD represented an abandonment of the poor". She also argues that LRAD is designed to open the programme to people who already have substantial resources. LRAD introduced the principle of "the more you have, the more you can get" and emphasised the creation of a class of black commercial farmers, in place of the previous emphasis on redistributing land to the poor for subsistence purposes (Hall 2004b: 28).

The LRAD programme encourages beneficiaries to access a range of grants along a sliding scale from R20 000 to R100 000. Jacobs *et al* (2003a: 11) illustrates that, "the limited evidence that is available suggests that grants are being made all along the scale, but mostly in the range of R20 000 to R40 000". In addition, the "scale differs considerably between provinces and between projects processed through the DLA and those through the Land Bank" (Jacobs *et al* 2003a: 11).

Jacobs *at al*, (2003a: 11) state that "according to the Department of Land Affairs (DLA)'s implementation directorate, poorer applicants are in the forefront under LRAD by means of the ratio 5:3:2, whereby 50% of resources (land and capital budgets) go to the poor, 30% to a 'middle category' and 20% to individuals accessing the grant at the upper-end of the scale". Jacobs *et al* (2003b: 1) shows

that, “the use of a ‘sliding scale’, that pegs state grants to the size of beneficiaries own contribution, means that, among those who do qualify for help, substantially more is given to those who already have assets”. For example, in the Eastern Cape and Western Cape, individuals and small groups with access to loans and other resources acquired 72,8 ha and 88 ha of land per person, respectively (Business Day 2003: 1). However, poor people who formed larger groups only acquired 15,1 ha of land per person in the Eastern Cape and 3 ha per person for the Western Cape (Business Day 2003: 1). These differences between the figures of the Eastern Cape and Western Cape, are due to the fact that in the Eastern Cape, land is not as expensive and is less productive.

The LRAD programmes need to strengthen the needs of the poor and put them at the forefront of its projects. Kariuki (2004: 33) makes a case that the creation of commercial black farmers as is stated within LRAD policy, “is an implicit class bias entrenched within the policy objectives”. As a result, the LRAD policy targets those who are well resources and skilled farmers (Kariuki 2004: 33).

Access to land by smaller groups is actively encouraged by the DLA, NDA and Land Bank to ensure sustainability. Lahiff & Rugege (2002b: 10) agree that the R5 000 “own contribution” of beneficiaries offered by LRAD is not an insignificant amount. They also state that it is unreasonable to assume that the unemployed or the working poor, who typically engage in multiple time-consuming activities to meet their daily survival needs, have a year’s worth of available time to donate to a new activity. Secondly, it sends a strong message to would-be applicants and officials alike that the programme is not aimed at the very poorest, potentially discouraging many applicants and making it unlikely that applicants from the very poor will be prioritised. In addition, Greenberg (2002: 16) supports the above view by saying that the shift is a sign of a new focus by the Department of Land Affairs (DLA) on providing adequate support to well-resourced farmers with their own resources and the capacity to enter the market.

According to DLA (2001a: 6-7), adult individuals under the LRAD programme are encouraged to apply for grants in their own right, rather than as members of households, so that women can apply for grants to acquire land individually. Although the programme included women in a marginalized group, according to Jacobs *et al* (2003a: 14), “as far as could be established, no specific measures are in place

to ensure that such groups participate and benefit from LRAD grants, and no specific budgets are reserved for this purpose”. LRAD is designed to benefit all kind of people whether you are poor or rich. However, although LRAD clearly caters more to well-off applicants than did the SLAG-based redistribution programme, LRAD is still widely accessed by poor households (HSRC, 2003: iv).

The Human Science Research Council’s final report also states that it is unclear whether or not the “poorest of the poor” are accessing LRAD in significant numbers. Thwala (2003: 17) makes a case that, “the current policy focus (LRAD) of redistribution limits development in several ways: it seeks to concentrate resources in the hands of a small number of black commercial producers who are unlikely to spend much of their disposable income in the rural economy, while confining the poor majority to ongoing dependency on rural farm wages and paternalistic social relations; it limits the socially transformative impact of land reform to a small number of relative elites; and it delays the potential impact of asset redistribution on the ability of the poor to take economic risks and diversify their livelihood sources”.

Lahiff (2001: 5) states, “while LRAD may be able to meet the needs of a small minority of emergent black farmers, it is unlikely to come even close to meeting the needs of the mass of poor and landless households or transforming the racially-skewed pattern of land ownership”. During 2004, the Director-General disagreed with those who argue that LRAD policy is only for rich people, and claimed that 72% of land reform beneficiaries were poor, from which he conclude that ‘targeting of the most poor has taken place (Hall 2004b: 28).

According to this status report by Hall (2004b: 28), “clearly, the poor are no longer exclusively targeted, but it is not apparent how benefits are now being distributed and whether or not the poor continue to be the primary target”. A debate on who is benefiting is delayed by a lack of consistent information in the public domain (Hall 2004b). To some extent, according to Wegerif (2004: 43), “experience in Limpopo has confirmed the concerns of critics that it is the richer and more powerful who will benefit the most from LRAD”. Wegerif (*ibid*) further states that, “this has not happened so much because of their wealth, but because of their access to information and political influence”. According to the Summit, the poor and the historically disadvantaged should be beneficiaries. In

addition, the delegates call for a preference for women, farm workers, the unemployed and youth. There are those who sense that the marginalised are not benefiting significantly through LRAD projects. The government officials disagree with those who state that LRAD is only for well-off but for the poor as well. But there was a consensus that the poor should benefit most from the LRAD programme.

## **5.6 The Budget and Land Redistribution**

The primary thrust of land reform in South Africa to address the racially skewed pattern of landholding need to be the redistribution of agricultural land. Transferring more commercial agricultural land from white owned farmers to black people has been and is still constrained by a lack of funds. “Slow progress in redistribution over the past nine years underscores the urgency of finding ways to expedite the process, including, but not only, through substantially increased budget allocations for land acquisition and related costs” (People’s Budget Campaign 2005: 23).

“The total budget for the DLA has gradually increased since 1994, reaching R1.9 billion for the 2005/6 financial period” (Jacobs, Lahiff & 2003a 8). Although the budget for the DLA has increased since 1994, Hall (2004a: 219) states, “fiscal restraint is one reason why the redistribution of land has been so limited.” A total of only 2.9% of agricultural land was transferred in the first decade of democracy, and during this period, the budget for land reform has remained at or below 0.5% of the national budget (DLA, 2004; National Treasury, 2004; as cited in Hall, 2004: 219 & Cousins, 2005: 4).

“The land restitution programme and the land reform programme (comprising redistribution and tenure reform) together consume over 70% of the DLA budget” (Jacobs *et al*, 2003a: 8). Surprisingly, since 1994, when the land reform programme started in South Africa, lack of spending or underspending has been a prominent feature in the financial reports of the DLA (Jacobs, Hall & Lahiff 2003: 8). The gap between budget and expenditure has narrowed considerably in recent years. “In the 2001/02 financial year, underspending by the DLA appeared to be down to about 6% of the budget, or R63.8 million (DLA 2002@: 89 cited to Jacobs, Hall & Lahiff 2003a: 8).

According to a press release by Jacobs (2003b: 5) on redistribution and the LRAD programme, more resources (budgets) are needed. In addition, the following four points were stated in the press:

- Although the land reform budget gradually increased since 1994 and capital budgets (from which LRAD grants are paid) rose to approximately 63% of the land reform budget, it is still inadequate to meet redistribution commitments.
- DLA offices throughout the country are committing funds to redistribution that exceed their available budgets.
- Over-commitment of funds in 2002 and 2003 forced the Western Cape Land Reform Office to cease processing new LRAD applicants. In the Western Cape, DLA had accumulated LRAD commitments worth R102 million, of which only R48 million was available from current budgets.
- In the Eastern Cape, before the end of 2002 the provincial land reform office had already committed itself to expenditure of R45.7 million, against an available budget for the year of just R44 million.

In a press release Hall (2003: 4-5) maintains, “some provinces of DLA exhausted their budgets within their first quarter of their financial year, have been approving projects for which funds are not available, and are now unable to proceed with new projects”. For example in both the Western Cape and Mpumalanga provincial offices of DLA have refused new grant applications because the backlog of existing commitments will consume all budgets for at least the next two year (*ibid* 2003: 4-5). Furthermore, a R50 million initial disbursement to the Land Bank is exhausted and, having approved grants for which it has no further funds, the agreement between the two institutions has not been renewed.

It is not clear when, or how, these commitments can be honoured. Hall (2003: 5) states that “the ‘freeze’ on land redistribution means that, in some situations, landowners and land reform applicants are ready to implement projects but are unable to proceed due to lack of funds”. Therefore, there is evidence of opportunities of sales being missed where willing sellers and willing buyers are unable to proceed because of institutional and budgetary backlogs (Jacobs *et al.* 2003a as cited in Hall and Lahiff 2004: 2).

“The recurring inability of DLA to spend its allocation has been one reason for significant fluctuations in its budget. More recently, the achievement of the department in accelerating land transfers has resulted in some provinces exhausting their budget”(Hall & Lahiff 2004: 2). The 2004/05 allocation to Land Reform is R474 million, a below-inflation increase of 1.9% on the previous financial year, and it is entirely due to the growth of the current budget (Hall & Lahiff 2004).

The land redistribution programme in South Africa cannot meet its main objectives of redressing the unequal distribution of landownership and enhance the livelihoods of the poor, unless an adequate budget can be allocated to the Land Reform Programme. Hall (2004b: 57) maintains that the budget for the Land Reform Programme needs to be increased if the pace of delivery of land, and the quality and sustainability of projects, is to improve.

In addition, it is also important for the strategic planning processes to be fully integrated into the national budget, so that LRAD can meet its objectives by 2015. Integration of national budget can also lead to transparency and accountability. Improving sustainable development in the land redistribution process will strengthen partnerships and alignment between the spheres of government and departments.

Effective participation by all stakeholders and partnership can ensure the effectiveness of the budgetary process in the LRAD programme. Capacity for building budgets, which is based on strategic priorities, should be strengthened in land reform policies to ensure sustainability in projects planning. Hall (2004b: 58) emphasises that “substantial funds are still needed, even if below-market prices are to be paid for land”. In some instances, she also argue that experience to date suggests that, if the current approach is pursued in order to scale up delivery towards the targets, R 2 billion will be needed each year for land redistribution’.

Interestingly, the land reform budget for the 2005/2006 financial year was dramatically increased (PLAAS, 2005a: 2). The budget of the Department of Land Affairs rose by 91% on the previous year, with further above-inflation growth predicted for subsequent years. More money was also allocated for farmer support in the budget of the National Department of Agriculture (PLAAS 2005a:2). A sum of

R250 million was allocated by NDA for the Comprehensive Agricultural Support Programme (CASP), and most of this money will benefit land reform beneficiaries (PLAAS, 2005a :). In addition, the budget for land redistribution and tenure reform was substantially increased from R770 million in 2004/05 to R1 016 million in 2005/06 (an increase of 55.56%) (*ibid*, 2005a:2). Didiza of Land Affairs told Sunday Times, “Treasury figures released this week showed that the budget for land reform would rise from R735 million in 2001/02 to R5.2 billion in 2007/08” (Boyle 2005: 6).

The largest amount was allocated to land reform grants, which are expected to increase from R345 million this year (2004/2005) to R564 million in 2005/06, R774 million in 2006/07, and R1.1 billion in 2007/08, or a total of R2.4 billion over the next three years. According to ‘*Umhlaba Wethu*’ (PLAAS, 2005a: 2), “at current prices, this is unlikely to be sufficient to enable government to achieve its target of redistributing 30% of agricultural land by 2015”.

Hall & Lahiff (2004: 4) advise that for the redistribution programme to achieve its objective of transferring 30% of agricultural land to blacks, it requires either that the budget be scaled up substantially, or that non-market options for acquiring land be considered – or both. The People’s Budget Campaign (2005: 23), “assumes that the redistribution programme makes a significant contribution towards the 30% target (with the bulk of the remainder coming from restitution), it would be reasonable to expect the redistribution programme to transfer 20% of land from white to black ownership by 2015”.

Sibanda (2002, cited in Surplus People Project, 2002: 14) writes that, “[t]he budget constraints is a critical variable for the success of the redistribution programme in South Africa”. He further states that as long as the DLA operates on the basis of the current land redistribution budget, delivery on scale in order to reach the stated target will remain an illusive goal. In other words, the land reform budget must increase. The People’s Budget Campaign (2005) proposes, “in order to achieve this, the land reform programme would require a capital budget of at least R1 billion per year, more than double the current allocation”. It is crucial for the DLA to increase its land reform budget to achieve its well-known target.

The resources that have been made available for the purposes of land reform can be seen from the size of the annual budget allocated to the Department of Land Affairs. This has fluctuated between 0.22% of the national budget in 1997/98 and 0.38% in 2001/02. Future expenditure is projected at between 0.33% and 0.34% of the national budget (Cousins 2002a: 10). Cousins (2002a: 10) have challenged that “the Department of Land Affairs has failed to spend its budget due to the lack of human resources and lack of skills among departmental staff and high staff turnover”.

Cousins (2002a: 10) attributes all of these points to a lack of coherence between the targets quoted by government, the resources available in terms of the land reform budget and the capacity of DLA to deliver on the required scale. According to Cousins (2002a: 11), lack of sufficient funds is not the only obstacle to successful implementation of land reform programmes. Low skills levels, poor management, poorly designed processes and unrealistic planning are problems as well. This has led to severe underperformance, which in turn imposes limits on the resources that can be demanded from treasury. Lack of resources in our Land Reform Programme since 1994, has contributed negatively to the performance of the process. The small budget allocation for our Land Reform Programme is also one of the key constraints to the success of transferring land to the hands of black people in South Africa. Even though, the budget allocation has been increased, it seems as if it is not enough to meet its objectives.

### **5.7 The Land Acquisition Process**

The model of redistribution developed around the Settlement/Acquisition Grant (SLAG) programme, and largely carried over into the implementation of LRAD centres around individual projects (Cousins 2002a: 9). The market-driven land redistribution process according to Lahiff & Rugege (2002a: 8) forces every group of people or individuals who wish to acquire land to identify land available for purchase and negotiate with the landowner. While this can be expected to be a lengthy and difficult process, it is complicated by the fact that buyers and sellers are negotiating in advance of funding being approved for the project. Once an agreement is reached between the buyer and the seller, the project planning procedures starts that involves feasibility studies and the preparation of business plans, verification of beneficiaries, valuation of the land (typically conducted more than once) and vetting by various government officials.

Lahiff & Rugege (2002a: 8) state that until recently, this process alone would typically take between one and two years, during which time buyers and sellers could not finalise the transfer of land. This has created uncertainty for property owners and, in cases where projects are not approved, can result in the transaction being abandoned, with no recourse for the disappointed seller. The long duration and uncertainty surrounding purchase of land has led to many property owners withdrawing from the process and deterred others from becoming involved.

Grants for purchase for land are released only towards the end of the lengthy project planning cycle, which itself is tied to a specific property. As a result the buyers cannot, in practice, acquire land through auctions or opportunistic purchases as farms come on the market (Cousins 2002a: 9). It also means that planning is abandoned, should the price eventually offered by the DLA be rejected by the landowner, thus obliging the applicants (and the DLA) to abandon the project or to start the entire planning process over again for another property.

The uncoordinated redistribution projects and unpredictable negotiations between willing-buyers and willing-sellers create a problem for municipalities and other government departments to plan effectively for the provision of services such as agricultural extension, water, school and clinics to resettled communities (Lahiff & Rugege 2002a: 8).

According to Cousins (2002a: 8), the most notable exception to this pattern is the Land Reform and Settlement Plan currently being implemented jointly by Amatola District Municipality and the Department of Land Affairs in the Eastern Cape. The process of moving beneficiaries on newly acquired land is long and difficult, and beneficiaries continue to depend on the availability of housing, infrastructure and basic services in their existing residential areas (Ainslie, Andrew & Shackleton 2003: 3). They also contend that the reason behind this is that most beneficiaries are poor and there is little infrastructure on the farms, and it will take them many years to gradually accumulate the resources to build houses and develop the other basic services to make it possible to move onto these farms (*ibid*). Cousins (2002a: 9) also state that, because beneficiaries are obliged to choose from whatever land is on offer, they often end up far from their former homes, where they generally had some access to such services and benefited from close reciprocal relations with their wider community.

Lahiff & Rugege (2002a: 8) state that, “an alternative would be a planned programme of land acquisition by the state that deals fairly and efficiently with current owners but also delivers land of the scale, quality and location best suited to the intended beneficiaries and allows for the delivery of support services in a planned and coordinated manner”. In addition, to this, Hall & Lahiff (2004: 4) insist that, “...the decision to pay full market prices is clearly a policy choice, rather than a legal necessity, and any departure from this policy, for instance a more interventionist approach which is expropriation of state land would certainly have major political implications”. They also declare that the market-driven procedure of acquiring land is too expensive, complex and slow and need to be reviewed. According to Hall & Williams (2000, cited by Kariuki, 2004: 33), the new land policies such as LRAD show the government’s unwillingness to acquire land for the majority of rural South Africans.

## **5.8 Project Planning**

Sustainable development planning is an essential requirement in any redistribution project. Project planning in redistribution programmes encounter many problems in South Africa. “Many of the problems associated with redistribution projects to date have centred around a mismatch between the initial requirements of grant applicants and the projects they end up with” (Cousins 2002a: 9). This is evident both in the size of projects – in terms of land parcel and number of members – and in the nature of the agricultural activities carried out.

“The needs of people applying for assistance under the redistribution programme – as well as the levels of resources and experience they bring to the projects – are undoubtedly varied” (Cousins 2002a: 9). Some want no more than a small patch of land to grow food for household consumption, or land on which to graze existing livestock; others have the desire and the resources to engage in much larger scales of production for the market. In addition, some have years of experience working their own land or as employees on commercial farms; while others have no direct experience of agriculture.

Yet, the DLA officials and the consultants appointed by them have, on the whole, attempted to fit applicants to existing agricultural enterprises rather than the other way around. As a result, this has added to the complexity of project planning and goes a long way towards explaining the slow pace of

implementation. It has also had undesirable consequences for applicants who have made it through the lengthy implementation cycle to the point of land transfer, with a growing number of project failures being reported (Cousins 2002a: 10).

Agricultural land in South Africa tends to come on the market in the form of entire farms. This is related in part to the long-standing legal prohibitions on the subdivision of agricultural land, but also to a well-founded belief by landowners that piecemeal sales are both costly and time consuming. Thus, planning typically begins with the offer of a whole farm for sale. In many cases, the size of land available is not well matched to the needs of would-be beneficiaries or is beyond their price range.

This has typically meant reducing or expanding the size of applicant groups so that the combined value of the grant matches the asking price of the farm, with little or no regard to the potential of the land to support that number of people. According to Lahiff & Rugege (2002a: 8), “this problems led to the formation of larger and unwieldy groups with little internal cohesion (the so-called ‘rent-a-crowd’ phenomenon), but also to cases where relatively coherent groups are split, with some receiving land and others not”.

The paltry size of the Settlement/Land Acquisition Grant has been seen as one part of the problem, which may be resolved to some extent through the larger grants available under LRAD. It has been said that the failure to subdivide land where appropriate and the insistence by officials and consultants on perpetuating the forms of agricultural activities carried out by the former owners are further problems. Redistribution beneficiaries can only select land from what is currently available on the market. If this happens to be an intensive dairy farm, especially one with sizable fixed capital assets, these activities are typically reflected in the business plan drawn up by officials and DLA-appointed consultants, regardless of the original intentions of the applicants (Lahiff & Rugege 2002b: 16).

Because these intensive forms of agriculture require sizeable amount of working capital, which cannot be met from the DLA grant, such projects typically begin life with a substantial loan from the Land Bank or other lender, which borrowers often struggle to repay (Cousins 2002a: 10). At the same time, Reed and de Wit (2003: 92-93) make a case that, “the process of land acquisition and transfer implied

by the demand-led approach means that land must be acquired farm by farm, involving numerous uncoordinated negotiations between landowners, buyers and the state”. Land acquisition under this method is not only time consuming and complex, it also allows for little or no overall co-ordination over the location and sequencing of land transfers (*ibid*).

### **5.9 Access to Land (LRAD)**

The July National Land Summit’s delegates called for the government to promote subdivision of farmland so that the poor, and historically disadvantaged as well as other marginalized groups such as women, youth and the unemployed can get access to land for farming. The government must also play a critical role in terms of identifying unused state and private land for subdivision and redistribution.

There is a need to subdivide agricultural land in order to assist those who lack resources and who are struggling to buy large commercial farms. Jacobs *et al* (2003a: 16) claim that, “without effective measures to facilitate the subdivision of agricultural land – ideally prior to it being offered to land reform beneficiaries – the size of existing land parcels could severely limit the progress of reform and perpetuate the pattern of large groups projects experienced under redistribution to date”. In addition, to this, the Subdivision of Agricultural Land Act no 70 of 1970, allows for the subdivision of agricultural land only by means of application to government. In practice, getting authorisation for land subdivision is time consuming and costly. It has been argued that use of subdivision would be the advantage of land redistribution because redistribution applicants are not always able to identify land on the market that suit them in terms of price and size (Aliber & Mokoena, 2002 cited by HSRC 2003: 74). There is consensus that the issue of subdivision should be promoted in order to meet government’s objective of redistributing 30% of agricultural land to black ownership by 2015 (Hall 2005: 13).

The LRAD’s policy document (DLA 2001a: 13) states that, “signature of the repeal of the Subdivision of Agricultural Land Act, Act 70 of 1970 is pending, and in the meantime subdivision requires the approval of the Minister”. According to some writers, this provision alone cannot be enough to overcome the major practical and financial difficulties linked to subdivision of land. Lyne & Roth (2004: 1) agree that, “it is not always feasible to partition large commercial farms into smaller more affordable units due to indivisible resources and the high cost of surveying, transferring and registering subdivisions”. It will be helpful for the State and the DLA to promote the subdivision of commercial

land in order to improve delivery of land to beneficiaries. To some extent, it will be also helpful for the State to remove all restrictions on the subdivision of land, only to replace them with certain zoning restrictions (International Crisis Group 2004: 181). In addition to this, in, “highly suitable land for small-scale farming, the state should involve itself directly in actual subdivision, despite the time and cost involved”. It was also anticipated that developers might buy farms and then subdivide them, invest in improving infrastructure, and sell off individual units to LRAD beneficiaries at a profit. No evidence could be found that either landowners or speculators are doing this on any significant scale. Where this has occurred, it would appear to be driven by philanthropic or empowerment motives rather than by profit (Jacobs, *et al* 2003a: 16).

Tongaat-Hullet and Illovo have subdivided many of their large sugar estates for sale to Land Redistribution for Agricultural Development (LRAD) programme beneficiaries, both in KwaZulu-Natal and Mpumalanga. An extension officer was appointed and beneficiaries encouraged to attend a six-months training programme before settling on the land (*ibid* 2003a: 17). There are some writers who believe that the repeal of Act 70 will be helpful for many poor and part-time farmers who will be rationed out of the proposed LRAD programme to finance smaller, more affordable farmers (Daroch & Lyne 2003: 6-7).

There is an agency agreement between the Department of Land Affairs and Land Bank, whereby repossessed properties are first offered to the DLA to meet the demands of the distribution programme (Jacobs, *et al* 2003: 15). According to Ferrer & Semalulu (2004: 8), “In financial year 2001/02, the Land Bank received R50 million from the DLA to award LRAD grants contingent upon loan funding. In the same period, the Land Bank approved 152 LRAD applications”. According to the LRAD’s policy document (DLA 2001a. 12), the LRAD programme is flexible enough to allow beneficiaries to use their grants to acquire state land and parastatal agricultural land that is being sold. In addition, the State would have to publicly announce its intentions to dispose of its agricultural land in order to invite beneficiary bids for the purchase of such land.

Jacobs, *et al* (2003a: 15) say that, “since 2000, the Minister of Land Affairs has prioritised state land disposal as a means to make land available for redistribution, and indicated that 669 000 hectares of

land will be disposed of in favour of land reform beneficiaries”. The Minister has pointed out in her 2004 budget speech that, “government has continued to contribute to land reform not only through financial resources received out of our budget, but has also contributed with assets from the land that is held by the state. To date 772 626 hectares of land have been delivered under the State Land Disposal Programme” (DLA 2004b: 4).

The State and DLA are reluctant to publicly announce or identify the State land because they fear that the land might be illegally invaded by the public (Jacobs *et al* 2003a: 15). In 2002 the National Department of Agriculture reported that just over half of the targeted land had been disposed of and that only 11.8 % of this land went to LRAD beneficiaries. Offices in the Western Cape Department of Agriculture contested the accuracy of these figures, suggesting that no state land had been available for disposal in the province and that none had gone to LRAD beneficiaries (Jacobs *et al* 2003a: 15). There is consensus that the issue of subdivision should be promoted in order to meet government’s objective of redistributing 30 % of agricultural land to black ownership by 2015 (Hall 2005: 13).

## **5.10 Conclusion**

This section evaluated different views on land policies, particularly LRAD, in South Africa. Many writers share similar views regarding the commitment of the South African government to market-driven land redistribution, which they believe has created many problems in delivering more land to beneficiaries. Some writers argued that the market-driven method in land redistribution is not sustainable. As a result, many people started to blame this principle as the main contributor to the slow pace of delivery of land to beneficiaries. There is also disagreement about the role of the market system in the land reform programme. Constraints and problems such as the “willing-buyer, willing-seller” principle, lack of post-transfer support to beneficiaries, lack of human resources at government level, lack of an adequate budget to land reform, the way the land is acquired and inadequate project planning were also discussed. For the government to meet its well-known objective of transferring 30% of agricultural land to black people by 2015, the feeling was that the expropriation mechanism is the best strategy. At the National Land Summit, many delegates called for the government to support subdivision of agricultural land to fast track the delivery of land to black people. State and private unused land are the main priorities to be subdivided, according the Summit’s representatives. The preceding discussion illustrated that land reform problems are more complex and will need various

interventions, inter alia increasing the budget, better post settlement support, taking better note of the needs of beneficiaries and integrated planning. The solution also does not seem to lie in replacing one approach with another (such as the willing-buyer, willing-seller approach with expropriation of land), but in combining all these various approaches into a workable solution.

## CHAPTER 6: SUMMARY AND GENERAL CONCLUSION

### 6.1. Key Concerns

The land issue in South Africa is crucial, and at the same time problematic. It will require thorough attention as well as open public debate, where everyone can contribute to speed up land reform. Every concerned body must learn the lessons from neighbouring Zimbabwe in dealing with the issue where unrealistic land redistribution expectations and settlement targets caused a lag in time in meeting the objectives of land reform. The comprehensive but painfully slow land reform programme in South Africa shows no sign of picking up speed, despite events North of the Limpopo (SARPN 2003: 2). It is evident that land reform is presently not a priority in the wider macro-economic framework of the ANC government (*ibid* 2003). Effective policies that will prioritise land reform need to be promoted in South Africa. Cousins (2000: 144) points out that the land redistribution programme seeks to draw the poor into the productive sector and the mainstream of the country's economy.

Unrealistic land redistribution expectations and settlement targets will stimulate social unrest and become a manipulative factor for political reasons as is happening in Zimbabwe and can lead to local land invasions, which has mostly occurred in metropolitan areas in South Africa. Some politicians see this issue as a time bomb, as is stated by the then PAC Secretary General Thami ka Platjje (Scheepers 2001: 1). He discarded the willing-seller and willing-buyer market principle, pointing to Zimbabwe's experience, as impracticable. He called, "for a strong land reform programme as the present land restitution programme is characterised by nonsensical, out of date and a host of legal requirements and procedures". The present government is not fulfilling its promises while poverty, unemployment, crime and diseases are increasing due to the historical landlessness and unfair ownership (Scheepers 2001: 1). Importantly, the CDE (2005: 18) contends that our country is not well suited to agriculture and all the promises made relating to land reform's role in poverty alleviation, employment opportunities and other issues is questioned. It mentions that white farmers are moving out of farming because it is so hard to make a living.

Market-based land reform programmes are not appropriate on its own and it fails to correct the unequal distribution of landownership between white and black people in South Africa. The willing-buyer,

willing-seller principle as an official weapon to redistribute 30% of agricultural farmland from white farmers to black South Africans is no longer appropriate as well. According to the Deputy President Mlambo-Ngcuka, reliance or adherence to the willing-buyer, willing-seller principle was slowing down land reform in South Africa (Mail & Guardian 2005b). There is therefore a general complaint in South Africa that land reform is too slow, and a general call for the expropriation of more land to people (*ibid*). Where market acquisition is slowed down by unwilling sellers, then government's powers of expropriation can be used (or threatened), and procedures such as the designation of blocks of land to be acquired for land reform can be considered (Cousins 2005: 11). The expropriation of land by the government will not prohibit market transactions and negotiations (Cousins 2005: 11). In other words, the intervention of government in land acquisition will not remove the market system approach in land reform.

Cousins told the Mail & Guardian (Groenewald 2005) that an alternative to the existing system, backed by many land stakeholders, including PLAAS, would take into account the way the land was acquired in the past, past government assistance to the landowner, current use of the land, its future earning prospects and its current value. Hall, also from PLAAS, told the same newspaper, "Past subsidies provided to commercial farmers [under apartheid] could be discounted from the price".

Cousins (2005: 10-14) identifies five options that can contribute to a sustainable land reform programme in South Africa:

- i. *A wide-ranging programme of land reform is a necessary but not sufficient condition for the resolution of the agrarian question of the dispossessed*

According to Cousins, land reform is required, therefore, to create equitable access to land and natural resources, and across the whole country. It must also aim to secure people's rights to land and resources, in both law and in practice, within range of tenure systems (including both group and individualized systems as options) that must receive institutional support from government.

- ii. *A decisive break with market-led approaches to land reform is required and these must be replaced by an approach premised on the central role of the State, together with progressive forces in civil society, in driving processes of land acquisition and redistribution*

Experience since 1994 suggests that the dichotomy between demand-led (or market-based) and supply-led (or State-based) land reform is not particularly useful. Rather, a pro-active State, acting in concert with progressive forces in civil society, can make use of the market and other mechanisms to drive land reform in regions of emerging opportunity where need (and demand) are also found (Aliber & Mokoena 2002; Hart 1996; Lahiff 2001). Expropriation of farmland by the State is encouraged in order to accelerate the redistribution process. Expropriation of agricultural land will not only help to speed up the process but also to avoid wasting opportunities and saving taxpayer's money.

*iii. Area-based land reform is required to create the conditions for agrarian reform*

According to this point, a State-led approach would facilitate planning for area-based land and agrarian reform. "Planning for land and agrarian reform should be made central to the processes leading to the formulation of Integrated Development Plans by local government bodies (Cousins, 2005: 12). The integration of the land reform programmes into IDP will ensure that sufficient support such as infrastructure and finance is provided to beneficiaries. Integration of the land reform programme into IDP will also enhance environmental sustainability in LRAD's projects. The researcher argues that our government and particularly DLA and NDA must take this move seriously in order to achieve its objectives. The integration of the Land Reform with Municipal Programmes (IDP) is essential and will strengthen public participation, transparency, empowerment, decentralisation, co-ordination between government departments, partnerships and monitoring and evaluation of government's programmes.

"An area-based approach facilitates coherent planning for land transfers on a large scale, the securing of land rights, local institutional development, and investment aimed at creating conducive conditions for smallholder production and other land-based livelihood strategies" (Cousins 2005: 12). In addition, Hall (2004b: 57) calls for a district or area-based approach, which involves government proactively matching supply and demand, so that larger blocks of land could be acquired at reasonable cost or expropriating where necessary.

*iv. Paradigm shifts are required to focus state policies on agrarian reform*

The first involves policy makers questioning their widespread and deep-rooted scepticism about the potential for smallholder production and their consequent bias in favour of large-scale commercial production (Lahiff & Cousins 2004 as cited by Cousins 2005: 14). Secondly, the multiple and diverse character of the livelihoods of the rural poor, and emerging opportunities for petty commodity production must be a key focus of policy (Andrew *et al* 2003 as cited by Cousins 2005: 14). Thirdly, government must recognise its central role in land and agrarian reform, and allocate sufficient resources to the relevant sub-programmes. An adequate budget for implementing these policies must thus be secured from Treasury. Fourthly, the active participation of the “beneficiaries” of agrarian reform in processes of policy-making, planning and implementation must be secured. Cousins (2005: 14) insists that the notion of community participation in agrarian reform is not happening, it is just lip service. Sustainable land reform will take place in South Africa when community participation in strategic planning of agrarian reform is taken seriously.

v. *Land and agrarian reform require a major investment in capacity building as well as innovative institutional arrangements*

Capacity building can strengthen sustainability in land reform projects. Capacity building can also promote the sharing of ideas and responsibility between the different levels of government, departments, NGOs, private sector and civil society organisations to achieve sustainable development in land reform. Cousins (2005: 15) contends that, co-ordination between government departments and programmes is a major problem. He also does not believe that the solution lies in simply requesting local governments to include land reform projects in their Integrated Development Plans. According to Cousins (2005: 15), new forms of institutional arrangement are required which integrate land acquisition and tenure reform with diverse forms of land development, including but not limited to, agricultural production.

A land tax is seen as an intervention into land markets that could improve the availability of land for redistribution (Hall 2004b: 56). Ntsebenze (as cited by Hall, 2005: 1) highlights seven points which will help the South African government to achieve its objective of redistributing 30% of agricultural land from whites to black people by 2015:

- Government should be given a right of first refusal to purchase land before it is offered for sale on the market.
- The State should not be limited to paying market prices for land, but there must be a mechanism to arrive at a price for land that is not market-related.
- The State should reclaim unused and underutilised land for redistribution.
- A land tax on agricultural land should be imposed, in order to bring more land onto the market for redistribution.
- LRAD does not work and should be urgently reviewed.
- The target of 30% by 2014 is not enough. Together with the 13% of the Bantustans, by 2014 only 43% of the land will have been transferred., which leaves more than half the land still in white hands.
- The willing-buyer, willing-seller principle must be scrapped. Some people suggests that the principle that should prevail be ‘one farmer, one farm’ (‘een boer, een plaas’); and
- Expropriation should be used and should be used effectively.

An alternative proactive approach would take local people’s land needs as its starting point and then identify appropriate public or private land that could address these needs, either available State land, land available through the open market, or through negotiated sale or expropriation (Hall 2004b: 57). An alternative proactive approach in land reform will encourage the participation of local people in decision-making and also in implementation. A proactive land redistribution programme will promote close working relationships with both landowners and the landless (Lahiff 2005a: 4). It will allow local governments to take significant steps in implementing land reform in South Africa. The promotion of cooperatives will allow for the organization of the ordinary to share common goals as well as to reach economic growth (David 2005: 28). There must be a land audit. This will address private as well as State land, so that both can be subdivided and redistributed (Hall 2005: 13). Subdivision of commercial land must be promoted to improve the delivery of land beneficiaries.

“Local solutions will be important in decision-making because they ensure a balance between resources and groups of people in need” (David 2005: 33). In this regard, participation of ordinary people in decision-making is meaningful and useful in land reform. Sustainable development is easy to be

achieved when local people are involved in decision-making. Building capacity is key to the success of the LRAD programme. Building capacity within the DLA, NDA will strengthen sustainable development in LRAD's projects. NGOs, local sectors, private sectors, community-based organisations and government departments and spheres need to be capacitated in order to promote partnership in development.

The following aspects are essential requirements in order to contribute to sustainability in the LRAD programme:

- The devolution of resources to provincial, district and particularly to local authorities
- The participation of land redistribution beneficiaries in decision-making, implementation and monitoring and evaluation
- The inclusion of land reform in integrated development planning
- Co-operation, co-ordination and integration of efforts between the different sectors
- The budget for land reform needs to be increased
- Technical assistance availability
- Public education and information programmes
- A programme for infrastructure support
- Proper food security mechanism to support people in rural areas
- Financial resources to invest in agricultural production

## **6.2 LRAD and Sustainable development**

In this section LRAD will be compared with a sustainable development approach. Sustainable development can be defined in technical terms as a development path along which the maximisation of human well-being for today's generations will not lead to a decline in the well-being of future generations (OECD 2001:2). Sustainable development stresses the importance of institutions that are willing to integrate economic, social and environmental objectives at each level of policy development and decision-making (*ibid* 2001: 4). Our South African Land Reform Programme presently seems to focus on both social and economic improvement at the expense of the environment. Van Zyl & Others (1996: 3&461) agree that the most obvious motivation for land reform is the un-sustainability- from a political, social, economic and equity point of view- of the present distribution of the ownership of

agricultural land where 86 % of South Africa's agricultural land, which accommodates 5.3 million people, is owned and operated by small number of people, (almost 67 000), or companies as a result of a history of distortion.

In order for sustainable development to be achieved in the Land Reform Programme, integration of economic, social and environmental factors needs to be promoted and incorporated in the programme. Land reform beneficiaries need to be empowered and capacitated and projects should also be economically, socially and environmentally viable.

Participation permits the strengthening and sustainability of the programmes (David 2005: 28-29). Participation by the poor in land reform can ensure sharing of power and ownership, which can lead to the control of natural resources by the poor themselves. Participation of the poor in land reform can also give them a chance to participate in the implementation process. Sustainable land reform programmes need to be discussed with affected people. These affected people (the poor) need to be the main beneficiaries in LRAD programmes. The Department of Land Affairs in theory promotes opportunities for participation of marginalized communities in economic activities that will contribute to improve the poor's quality of livelihoods (DLA, 2005a: 14). The participation of different types of stakeholders in the land reform programme is also necessary to influence the pace of the process.

Sustainable development planning encourages popular participation in development. Popular participation has been identified as a key objective of the land reform programme; however, up to now it has not been adequately achieved in practice (Levin 2000: 72). Empowerment of people, particularly the land reform beneficiaries need to be promoted. The would-be beneficiaries need to be trained before they are given a mandate to farm the land. According to De Beer & Koch (2000: 189), "empowerment requires that communities take an effective part in decision making about their future and the use of their assets".

Empowerment of people can also help the redistribution process to move faster in South Africa. Empowerment requires the creation of institutions and the acquisition of skills, which will allow communities to make sound and independent choices about the management of their resources and

achieve an independent livelihoods (De Beer & Koch 2000: 190). Empowerment of beneficiaries can ensure a holistic approach to land reform. Public education is important in making sure that land reform is sustainable.

The participation of the private sector is also critical. NGO's and the private sector can play a pivotal role in terms of providing education and training to beneficiaries (David 2005: 31). The private sector can also contribute to technology transfer to the inexperienced new farmers (*ibid* 2005). According to the DLA's Strategic Plan (2005a: 14), "we will also improve our level of engagement with the private sector as well as Non-Governmental Organisations operating within the land sector. This is crucial to address the problem relating to the sustainability of land reform projects". To ensure sustainability in land reform, government must be involved and provide leadership and allocate financial resources (OECD 2001:5).

To ensure the success of the reform and productive use of the land, land reform needs to be combined with other programmes at the government's disposal (Deininger 2003: xi). Those benefiting from land reform need to be able to access output markets as well as credit, the selection of beneficiaries needs to be transparent and participatory, and attention needs to be paid to the fiscal viability of land reform efforts. The Land Reform Programme is not doing well in this regard. In order to achieve its own target by 2015, land reform needs to be integrated with other government programmes and policies.

Government is likely to meet these challenges if they use the mechanisms at their disposal in concert and with the objective of maximizing synergies between them. This also implies a need to integrate land reform into the broader context of economic and social policies, aimed at development and poverty reduction, and to implement programmes in a decentralized way with maximum participation by potential beneficiaries and at least some grant element (Deininger 2003: xi). The CDE (2005: 21) contend that, "decentralisation of delivery ensures proper implementation' and can help to pull the many diverse achievements together, so that the government can claim all the changes taking place (through the market, private sector initiatives, and its own efforts) as successes achieved under the new land reform programme".

Delegation of tasks can motivate people on the ground to mobilise themselves so that they can participate in integrated land reform. To make reforms feasible, strong local capacity, an open and broad based policy dialogue, carefully chosen and evaluated pilot projects, and the sharing of experiences across countries will be essential, and can also help build capacity for policy formulation (Deininger 2003: xiv). This is vital for the Land Reform Programme to promote delegation of powers and responsibilities in a sustainable manner that will ensure sustainable results. The Strategic Plan 2005 – 2010 of DLA (2005a: 13) has realised the importance of devolving functions to local government to ensure successful land reform.

In addition, the CDE (2005: 22) states that, “it is clear that effective implementation will require enhanced capacity in both government and the private sector in strategic policy design; urban and rural programme management; problem-solving; information collection and monitoring progress; and ongoing communication to diverse audiences”. The Land Reform Programme so far does not seem to perform adequately in this regard. According to David (2005: 33) a lack of capacity has had a very negative impact on the land reform process. Capacity can also strengthen partnerships between different stakeholders. Effective partnerships will help to ensure successful delivery of enough agricultural land to black people. According to the CDE (2005: 22) successful delivery requires, “an effective public-private partnership in which the roles of both public and private sector actors and market forces should be clearly defined and mutually agreed”. Adequate co-ordination specifically between the National Departments of Agriculture and Department of Land Affairs is crucial for the success of land reform. David (2005: 33) believes that, “the government must empower the local, provincial departments developing on the needs of each region”.

A holistic and integrated approach to the land reform programme, which is prioritising the needs or interests of the poor, landless and women is essential and must take place. The land reform process should be people-driven in order to ensure sustainable development in its projects. For example, Levin (2000: 72) states that, “in order to improve and expand the delivery of land reform, we need to strengthen popular participation in project implementation”. The so-called “beneficiaries” of land reform should not be the passive recipients of services delivered in a top-down way by government (*ibid*). The Land Reform Beneficiaries need to be key drivers of their own projects. The government

must provide sustainable options with which people must match their needs rather than a situation in which the State tries to determine and “manage” people’s needs (Levin 2000: 72). Sustainable land reform must be promoted, which achieves justice, equity and efficiency in both urban and rural sectors. For instance, the White Paper on Land Policy (DLA, 1997) does mention gender equity adequately but the policy has failed to implement this equity in practice so far. However, sustainable land reform considers gender equity in terms of land acquisition.

Long-term secure rights to land by poor and landless are important. Long-term secure rights can also encourage people to take care of their own resources. Since environmentally responsible behaviour is now becoming part of the economic approach toward land, secured long-term access to land by the poor must be promoted in the Land Reform Programme (Dekker 2003: 15). In addition to that environmentally responsible farming can be expected in turn (*ibid* 2003). LRAD is still struggling to ensure that the poor have secured long-term access to land for agricultural purposes.

Monitoring and evaluation of the DLA’s Land Reform Programme is also crucial for the successful of the programme. One issue that needs attention, is the collection of statistics on projects by the Department of Land Affairs. Presently the figures made available by them often contradict previous figures and these figures are usually queried by researchers.

The researcher would like to conclude that if the South African Land Reform Programme is still trying to cope with the same problems that were seen by Minister Didiza in 2000, it might not meet its objectives of redistributing 30 % of commercial agricultural land from white farmers to black South African people by 2015. If there is no equality in terms of land distribution, there will be no need for many South Africans, especially the previously disadvantaged, to celebrate the 11<sup>th</sup> year of democracy. If the poor and landless are excluded from the Land Reform Programme under the present macro-economic framework, sustainable land reform will not be achieved. If the Land Reform Programme wants to achieve its target by 2015, sustainable development principles need to be incorporated in the programme. The resolutions that were agreed upon by different individuals and stakeholders from the Land Summit should be implemented. If they are successfully implemented, land reform may achieve its objectives by 2015.

### **6.3 Proposed Policy Changes**

The key change emphasis came about with the adoption of the new Land Redistribution and Agricultural Development (LRAD) policy in November 2000 in place of the pro-poor Settlement of Land and Acquisition Grant programme (SLAG). Many commentators argued that the policy shift from SLAG to LRAD undermined the needs and interest of the poor and landless people in South Africa and prioritised the needs and interests of the rich people, for example, the People's Budget Campaign (2005: 19) states, "there has been a clear shift away from meeting the needs of the rural poor and landless to creating a new class of commercial farmers".

Under the earlier SLAG redistribution programme, black households with an income below R 1 500 could apply. However, this allowed poor people to access land largely for subsistence purposes. The Land Redistribution for Agricultural Development (LRAD) programme has removed the requirement that applicants must be poor to be eligible for State support and makes available larger grants to individuals able to contribute to the cost of land and investments in production (Kariuki 2004: 27). Ostensibly the LRAD policy provides for a range of commercial and subsistence uses, but in practice the programme has favoured commercial agricultural uses of land by those able to make substantial investments" (*ibid* 2004: 27).

As a consequence of these changes in land policy, programmes specifically aimed at the poor have been severely curtailed, as in the case of the Settlement/Land Acquisition Grant (SLAG) and municipal commonage (People's Budget Campaign 2005: 19). Others, such as the food safety-net programme promised under the LRAD programme have simply failed to materialise (*ibid*). Those who were supposed to benefit from the redistribution programme are no longer a priority under LRAD. The People's Budget Campaign (2005: 19) shows that, "targets for the inclusion of marginalized groups such as women, the youth and the disabled are being widely ignored". In addition, Hall (2004a: 220) asserts that the shift from SLAG redistribution programme to LRAD in 1990s brought land reform in line with GEAR's emphasis on entrepreneurship as a means of building a black middle class, with limited direct involvement in the economy by the State and reliance on partnerships with the private sector. However, this shift from SLAG to LRAD has strengthened inequality in land distribution in

South Africa while the State seemed to have lost its right of involvement in the economy and development.

The many changes in land policy, has in the researcher's opinion failed to address the skewed landownership pattern, which is one of the most pressing problems in South Africa. Peart & Rich (2000: 137) contend that, "a policy shift which occurred in mid-1996 indicates a weakening of commitment to sustainable development in response to the need for more rapid development delivery". To some extent, this shift could ultimately undermine the redressing of social imbalances as the foundations of sustainable development require an approach that integrates social, economic and biophysical action (Patel, 1999, as cited by Peart & Rich 2000: 137). This shift has not served the needs of the poor, landless, homeless, women and the unemployed particularly. Policies that are more pro-poor need to be promoted, to serve the needs and the interest of the previous disadvantaged groups in South Africa.

Therefore, the following proposed policy changes are required if government wants to achieve its targets by 2015.

Strong linkages between land policies and programmes with other government policies or programmes should be promoted to produce positive results. There should be a strong co-operation between all existing land related stakeholders such as government departments, spheres of government, the private sector, NGOs, community organisations, church organisations, the homeless, the landless, the poor people, the unemployed, people with HIV/AIDS, unions, political parties, and academics. Co-ordination between governments departments and spheres of governments must not only be promoted but should be made to happen in practice. Government must intervene and be the driver of the Land Reform Programme.

Land reform policies, especially LRAD, need to be mostly pro-poor in order to prioritise the needs and interests of the poorest of the poor. The plight of the historically disadvantaged people and the marginalized groups such as women, youth and the disabled should be prioritised in the land redistribution policy. Programmes that enhance food security to the poor should be priority number

one. Partnership between the DLA and the private sector and business sector will also be helpful to the success of LRAD. This partnership can ensure adequate allocation of budgets and other technical support to LRAD. There should be strong recognition of local and district authority's responsibilities to the implementation of land reform, and their engagement in land reform can be very important for the success and sustainability of LRAD and other government programmes. More resources, such as money, highly qualified people and infrastructure should be required to ensure the success of land reform. Although programmes such as AgriBEE, CASP and MAFISA have been implemented by the DLA and DoA, more programmes that will promote agricultural empowerment opportunities needs to be expanded and implemented.

More training skills should be provided to the new black farmers in order to achieve sustainable development in LRAD. Transfer of agricultural skills from white farmers to black farmers should be compulsory to strengthen the sustainability of their farms. The government needs to establish programmes or institutions that look after new commercial farmers and make sure that adequate training and support to beneficiaries are provided. There should also be special government programmes that assist new black farmers to gain financial aid to achieve sustainable development on their farms. These programmes need to be aligned with other government and private sector programmes to ensure the availability of more resources in the programme. Bank institutions should be part and parcel of these programmes so that they can assist with technical support. Inclusiveness and integration of the LRAD's projects to other government's anti-poverty programmes can assist our land reform to meet its target by 2015.

To conclude, the original main purpose of land redistribution in South Africa has changed drastically away from the original intention to promote equity. There is an urgent need to move back to the original purpose through the policy changes mentioned above.

## 6.4 General Conclusion

Since 1994, the South African government has put in place an ambitious and potentially far-reaching programme of land reform, in order to meet the requirements of the Constitution (1996) and deal with the legacy of race-based dispossession and oppression. While some progress has been made, all aspects of the programme have suffered from major delays in delivering land and securing rights for the previously dispossessed (Lahiff & Rugege 2002a: 10). The Land Reform Programme has been blamed for its limited impact on the racially skewed distribution of land in South Africa.

According to Lahiff & Rugege (2002a: 10), this situation raises questions about the design of the Land Reform Programme, the resources allocated to it, the mechanism used and the ability of the State to implement it. In addition, this raises question about the commitment of the government and the wider society to land reform (*ibid*). More work needs to be done to overcome the shortcomings of the land reform process.

It has been shown in this study that it is the consensus of most writers that redistribution of large-scale agricultural land under the market-driven method will not happen and LRAD will not meet its well-known target of redistributing 30 % of commercial agricultural land from white landowners to black South Africans by 2015, unless radical steps are taken. Expropriation of land by the State, a land tax, proactive land redistribution and subdivision of commercial and State land are the main alternatives that need to take place in order to speed up the redistribution process.

Many people agree that the “willing-buyer, willing-seller” principle will not solve the land question. Furthermore, they call for the State to intervene in redistribution process to facilitate the land reform process. On the other hand, AgriSA opposes this view and argues that the principle is the best way to handle land reform and it should not be scrapped. Agri-SA complains that lack of enough money in DLA is the core reason for the slow pace of the redistribution programme (Hall 2005:7). It is true but in reality there are also those white farmers who do not want to work together with the government to accelerate the pace of delivery of land to black people.

Post-transfer support to land reform beneficiaries is seen as the essential components for the success of LRAD. Since the introduction of the new LRAD policy in 2001, the DLA has taken it very seriously.

The implementation of the Comprehensive Agricultural Support Programme (CASP) started during 2004 to provide support to new farmers in South Africa. Lahiff (2005b: 4) points out that, "...the budget for redistribution has been allowed to stagnate and, regardless of the methods of land acquisition to be used in future, will need to be increased", and the promises to increase the budget allocation for land reform is therefore a positive change, but strong co-ordination between DLA and NDA to enhance support to beneficiaries is also important. Co-operation between government departments and spheres of government in land reform is imperative in order to achieve sustainability in LRAD's projects. The study also found that the lack of capacity has had a negative effect on the Land Reform Programme. An increased budget will also require more capacity.

The inclusion of planning for land reform in the municipal integrated development planning process is another important factor that can contribute to the success of the land reform process. Since 1994, redistribution delivered about 1,7 million hectares, and tenure reform contributed 171 554.72 hectares, while 772 626 hectares of State land was delivered (DLA 2005). This delivery, according to various authors, is not appropriate as it symbolises that our Land Reform Programme still face chronic problems. On the other hand, the land that was delivered through the redistribution programme is equal to about 2 % of commercial agricultural land (CDE 2005). David (2005) maintains that only 4, 2 % of land has been redistributed in terms of all other land reform programmes. This lack of achievement, according to David (2005: 11), demonstrates that the land reform process still has a large number of people to benefit. The CDE warn that the delivery will have to be increased fivefold to meet the 2015 target. More steps need to be taken in order to fast track the pace of the redistribution process. Broader steps such as, "a quite extraordinary increase in budget, official capacity, interdepartmental co-ordination, and political consensus will be required to achieve government targets" (CDE 2005: 11).

According to the draft recommendation on the principle of "willing seller-willing buyer" and government's approach to land reform (DLA 2005c: 1), the international experience of land reform programmes demonstrates that the market on its own is unable to effectively alter the pattern of ownership in favour of equity for the targeted beneficiaries of land reform, as well as in favour of broader goals of job creation and poverty reduction. South Africa's own experience over the last eleven years confirms this international experience in that the pace of redistribution to the targeted groups has

not been sufficient to realise the 2015 objective (*ibid* 2005c). The effective engagement between government departments and spheres, NGOs, farm workers, Agricultural Unions (NAFU and Agri-SA), the landless, unemployed, women, youth and civil society organisations will also be essential in the implementation of land reform strategies.

In addition, the Land Summit, adopted a wide range of resolutions that will, if implemented, create a dramatically different and improved Land Reform Programme in South Africa. According to the Alliance of Land and Agrarian Reform Movements (ALARM), the Land Summit adopted, despite opposition from such organisations as Agri-SA, a wide range of resolutions that civil society organisations have called for, including:

- “The rejection of the willing-buyer, willing-seller principle as the basis for land reform;
- The proactive acquisition of land that is required using expropriation when necessary;
- A moratorium on the eviction of farmers dwellers;
- The insertion of a “social obligations clause” in the Constitution to protect those who occupy underutilised land;
- A needs-based people-centred approach to land needs identification and land acquisition;
- and
- A pro-active role for the State in driving land reform and providing the other support services that will enable people to succeed on the land (ALARM 2005: 1).

The government also needs to ensure that these resolutions are implemented in a sustainable manner in order to achieve its targets. Participation of all sectors in land reform issues, inclusivity, transparency, monitoring and evaluation of LRAD also need to be considered and promoted

These resolutions, if they are implemented effectively, may contribute to land redistribution meeting its target by 2015. In addition, effective and well-designed land reform policies and strategies are essential to avoid the disruption of the country’s economy, conflict among classes, communities and huge inequalities in society (David 2005: 1). David further points out that effective land reform policies will not only promote agricultural development but other sectors of the economy as well.

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