

Farm Dwellers: Citizens without Rights, The Unfinished National Question

South African has an estimated 7.5 million people we may categorise as farm dwellers[1]. This paper concerns itself exclusively with this category of people and not all land-hungry citizens. Farm dwellers constitute a significant percentage of rural people trapped in poverty, inadequate land and landlessness. In this paper we argue that the problems of poverty and landlessness for farm dwellers is complicated by and rests within the larger problem of an unresolved national question. As a result of this unfinished national liberation, this category of people is generally exposed to the same treatment and policy practices as in the pre-1994 period. This is partly because the new dispensation of rights as per the constitution is interpreted and implemented through discursive frameworks which recognise and reproduce these inequitable relations. In this connection, we argue that any measures meant to “improve” the conditions of farm dwellers without at the same time addressing this national question are doomed to failure. This is because the accumulated factors describing the identity of farm dwellers in a sense confirm their status within relations which are semi-feudal in character. In this paper we further argue that the resolution of the national question is closely related to the resolution of the Agrarian Question(AQ). We then argue that talk of poverty elimination within these existing relations is not only impossible but it also fails to see the totality of factors causing and describing poverty.

The force of our argument for a thorough-going resolution of the AQ rest on two legs. Firstly, on the redress of historical dispossession and related exploitative relations; secondly on an appreciation of the effects of neo-liberal orthodoxy on the chances of sustained poverty elimination of farm dwellers. Whilst our focus is on farm dwellers, we believe that our argument can be extended to the broader group of land-hungry people.

The structure of the paper is thus; we start by discussing the national question and its relation to the agrarian question. This is done in a historical perspective, by way of relating to some actions on the part of successive apartheid governments and pointing out how these actions created the conditions we describe as semi-feudal. We then briefly look at some measures placed by the new South Africa to attempt a resolution of the question. We locate that discussion within the current political economy, being critical of the conceptual framework which essentially fails to take into account the national question. We also allude by way of passing how interventions of NGOs have also been shaped by the state framework. The third

section deals closely with the relationship between the national question and the agrarian question. In this section we shall review some successful projects that have been tried in other parts of the world and extrapolate some lessons for South Africa. The last section deals more closely with recommendations.

Caveat

We see this paper as a work in progress, and it may therefore contain some incoherencies. We hope, however, that this paper will represent the beginning of a thought process which may re-articulate the whole discursive plane which has come to dominate the South African land reform and rural development paradigm, both of which are by and large trapped within the increasingly questioned neo-liberal models of development.

Poverty Reduction and Land Reform

The relationship between poverty reduction and even elimination, and access to land has been established by many studies (Sachs 1987, May 2000, Deininger and May 2000, Rosset 2001, DLA, 2000). In general, communities which have access to land measure positively on the poverty scales. Access to land has also the positive spin off of improving on the rehabilitation of the environment (Vandemeer and Perfecto 1995). It is also generally accepted that particular kinds of land and support form the basis of success (Rosset 2001). In this connection we can also identify failures in land reform and by extension failure to deal with poverty. The trouble has always been how one understands the meaning of poverty. Is poverty just the absence of food, or is it more? Here we take the UNDP's[2] definition of poverty to show that more than just provision of food is required to deal with poverty in the farm lands of South Africa.

The general line taken by government interventions on poverty have been what one may call "feeding schemes". They are devoid of a holistic nature of human needs. This again is based on a narrow conception of a transformed society, and people as actors and shapers of their history. It is also based on the acceptance of the colonial-created target of poverty reduction interventions. Hence these interventions are less to do with the re-articulation of the settler colonial and apartheid inherited inequalities, but in many ways they serve to confirm them. One of these measures is South Africa's National Special Programme for Food Security (SPFS), which is

envisaged to culminate in the Integrated Special Programme for the FAO-UN. It sees the answer to the food shortage in these terms “although South Africa has abundant food supplies nationally, a large number of people do not share in this abundance. They suffer from insecurity mainly due to lack of purchasing power” (Deputy Minister Department of Agriculture and Land Affairs, 2001). Interventions in this regard do not attempt to redress the historical questions which led to the situation where poverty is a black and primarily a rural problem. It is assumed that if certain things are carried out within the inherited reality, poverty can be reduced and eliminated. But this is based on the acceptance of the needs of “beneficiaries” created by conquest and subsequent exploitation. In the farming sector these are the farm dwellers – a people without security of tenure or a place they can call home. It is interesting that this programme does not raise the issue of land reform at all.

Profile of Farm Dwellers

Farm dwellers account for 45,8 % of the population classified as rural. Deininger and May (2000) define the extent of rural poverty thus:

Approximately half of South Africa’s total population is poor, but the headcount in rural areas is 71 percent compared to 29 percent in urban area. Thus most of South Africa’s poor, about 13,7 million people, live in rural areas.

It is not unreasonable to infer that of the 13,7 million people living in abject poverty, well over 50% of them are farm dwellers. Statistics South Africa recorded that, in 1997, 33.5% of households in the former homelands earned between R401 and R800 a month, while 42,9% earned between R801 and R1500 per month. Farm dwellers, by contrast, earned between R350 and R591. Whilst it is difficult to give accurate levels of income for both farm dwellers and former homelands, it is agreed that both categories constitute the poorest sections of South African society.

Access to Land

The generally accepted distribution of land in South Africa resulting from colonial conquest is 87% white-owned as opposed to 13% black-held. Deininger and May (2000) show that, on average, the amount of land held by black people is 1.3 hectares compared with 1 570 hectares by whites. There is also a disparity in terms of the quality of land held by both blacks and whites. Husy (2001) shows that of the 82 million hectares of white-owned farmland, 14.3 million hectares are arable. By contrast, of the 15 million hectares of the former homelands, only 2.3 million hectares are arable.

The combined fact of landlessness and poverty are a historical creation which needs closer analysis. In analysing the creation of farm dwellers, we shall have to look not only at the dispossession process but also at how a battery of laws and state interventions created the situation now obtaining in the farming sector.

The subject called farm dweller in South Africa today is a person without substantive rights of which to speak. Farm dwellers rely on the farmer for all basic necessities. Despite laws which purport to protect them, farm dwellers suffer continuous evictions, human rights abuses, a biased criminal justice system, and lack of tenure security. A farm dweller's relationship with the farmer is one of master and slave. Unlike the industrial worker, a farm dweller is tied to the farmer in many ways. Provision of labour also defines access to housing, food, schooling and to health care. If a farm dweller enters into a labour dispute with his employer this does not only affect him and the production sphere it definitely enters the reproduction sphere as well.

Primitive accumulation thesis directs that post dispossession of any means of production results in a separation being created which defines work and home. This is not so in the farming sphere. Labour supply is directly linked to the access to the most basic of human needs. Should a dispute arise, as it often does, farmers have just to exercise their common law rights to property. Many a farm dweller family is found along the road to day "illegally evicted". The historically created relations are just too unequal for justice to be done.

These laws created to protect farm dwellers were not calculated to break the power of the rural elite created by colonialism and apartheid. They simply seek to improve the relations within the context of semi-feudal relations. But what is more is the acceptance of the absolute right to hold property by the landowners. We discuss these laws later in some detail.

The Creation of Farm Dwellers

The dispossession process which has bequeathed unto South Africa one of the most unequal distributions of land is well documented (Husy 2001, Hendrickse 2001, Wildschut and Hulbert 1998, Delius 1983). However, what is often not looked into is the effects on the social relations obtaining in the country, which were created by a battery of legislation meant to control the movement of labour between the two main factions of capital in South Africa.

So any discussion which seeks to understand the creation of farm dwellers must of necessity link their creation to colonial dispossession and the satisfaction of labour needs of the main factions of capital in South Africa in the early 20th century. This then forms the basis of the national question - the denial of both land rights and citizenship rights. To satisfy the labour needs of the factions of capital a landless and dependent mass of people was created.

Different measures were used to "proletarianise" the Africans, the main being land dispossession and the second taxation (Lebert 1996, Delius 1983). The main piece of legislation which sought to control the movement of labour was the Glen Grey Act of 1894. followed later by the Cape Private Locations Act of 1899. The stated aims of these Acts were to bring administrative order

to the overcrowded Glen Grey district. But as Beinart, Delius and Trapido (1986) show these were measures to force African peasants into wage labour. Husy (2001) shows that the land measures were far more successful than their twin sister, the labour tax. The Glen Grey Act was to set the stage for later land and labour practices by settler governments.

The formation of the Union of South Africa was to see further attempts to curtail the growth of the African peasantry, as well as the further dispersal of those who still clung to land through various forms of tenancy arrangements with the settler farmer. The 1913 Land Act was also introduced at this time, a law which in many ways completed the long history of dispossession.

Important pieces of legislation which fortified relations in the countryside were the 1926 Masters and Servants Act and the 1932 Native Services Act. Husy (2001, 45) is instructive here:

The 1932 Act drew all Africans outside of the reserves into the agricultural economy, while extending existing controls over labour tenancy... This meant that a farmer could expel the entire tenant family if any one member defaulted on his or her labour obligation. The Act had additional elements allowing for farmers to whip tenants, as well as compel tenants to carry passes.

It is instructive to note the slavery discourse in these acts and their actual effect of creating master-servant relationships between the African and the settler farmer. The violence of dispossession is accompanied with the constant physical violence permissible by law. The psychological status thus established the total defeat of the African in the countryside. This remains the prevailing culture in the countryside of South Africa today. Without the fundamental transformations needed to correct this historically established psychology and practices its not surprising that farmers find it permissible to torture, kill and generally abuse farm dwellers. The criminal justice system, which also inherited the very same power dynamics, is proving hopelessly inadequate to treating farm dwellers and farmers equally.

This brings us to the whole debate about the national question. But before we do so, it is worth mentioning some established "truths" about the death of the African peasantry and therefore the resolution of the AQ. Bundy was the first to write the obituary of the African peasantry. Others have also followed suit. There are implications for accepting this position. Firstly it questions any talk of far-reaching land reform as part of the resolution of the national question. There is something totalising and ahistorical about this position as we shall show later.

Hendrickse (2001; 5 forthcoming) provides an adequate picture of the supposed death of the peasantry:

Colonialism and apartheid both constrained African access to land and smothered independent rural production amongst Africans... Africans were systematically dispossessed of their land, confined to small reserves or bound on white farms in various tenant relationships, their competitiveness virtually annihilated, and prospects of commercialising their agriculture brutally suppressed ... in effect, colonialism and apartheid successfully wretched African agriculture. One of the questions, which this

legacy compellingly poses in the post apartheid South Africa, is whether it can be rehabilitated.

The primary assumption of this death of the peasantry school is that this question was settled in favour of white farmers in 1910. The troubling inference here is that a colonising force possesses the total capacity to destroy. It is amazing how proponents of this theory do not see the continued relationship between this “decimated” peasantry and the truth of who actually works the soil in South Africa. In one sense we could say that the relationship between the peasantry and the land was never really broken, it just took another form. Peasants were made subjects, often working the very land of which they were dispossessed, but now as semi-slaves of settler farmers.

The question raised by Frederick needs to be assessed in the context of history. Has there been successful experimentation with reversing the process of proletarianisation? We deal with this question later in relation to the East Asian and Latin American experiences.

In light of our discussion above on how farm dwellers were created, we clearly raised issue with their citizenship. It appears that to deal effectively with the historical problem two things become critically important. Firstly, correcting the historical dispossession and, secondly, breaking down the power of the settler elite in the countryside. This requires an understanding of the totality of the settler elite’s influence in the army, police and even the judiciary. In South Africa today, there is a very poor understanding of how these factors generally work together.

The National Question and Land Reform

The National Question (NQ) is described variously. Here we are concerned with the question in as far as it explains the inadequacies of the post-1994 interventions in the critical area of relations created explicitly by the settler regimes.

The one clearer conceptualisation of the national question is provided by the Communist Party of Vietnam. Le Duan stated the question thus:

... to liberate the nation means first and foremost and in the main, democracy for the peasantry.... To bring land, is the essence of the democratic revolution. (quoted in Turok 1991; 155).

Whilst South Africa cannot strictly speaking be described as a peasant country, there is a sufficient number of people whose very social existence is anchored in relations which are not only semi- feudal but also have elements of slavery. An answer to the national question which does not recognise this will only serve to perpetuate the status quo. To some extent this explains why it is possible for some farmers to refuse to allow their labourers to exercise their voting rights on election days in South Africa[3].

The relationship between the AQ and the NQ is evident when one considers the fact that at the heart of the resolution of the national question is the land question and the relations resting on it. Critical to the resolution of these questions is the forging of a new national identity and

consensus devoid of the colonial inherited inequalities, whether these express themselves in cultural, political or economic terms.

However, the path to building the new national consensus has been disputed. Sobha (1993) gives a framework of analysing successful and failures in addressing the national question in the context of land reform. The basic prerequisite according to Sobha (1993;4) is that such a land reform programme should have the capability of “eroding the power of the dominant class in the rural society”. Related to such transformation of class power is the release of the productive capacity of those who have been excluded through access to land and all related productive elements to make success of land accessed. Such a process does not only lead to economic recovery of the historically marginalised but has the added positive result of re-affirming and re-humanising the same.

Two main contending ideas for the attainment of the national consensus could be characterised as the “pro-market” land reform approach on the one hand and the non- market, radical approach on the other. Today the main protagonists for the “market” approach is the World Bank and pro-neoliberal governments, such as South Africa, Brazil, Mexico and Philippines. The non market oriented approach is best represented at the international level by social movements such as the Zapatista movement in the Chiapas, Mexico and, most importantly, the Brazilian Movement of Landless Workers (MST). We shall come back to the MST in particular.

The South African land reform programme as an attempt to resolve the national question has opted for the market-based approach under the aegis of the World Bank. The limits of the approach are apparent if one takes the Sobha approach in understanding the minimum requirement for a successful land reform project.

Non-Market vs. Market Land Reform

Non-Market Reform

Rosset (2001, 4) asserts the non-market position as:

When significant proportions of quality land was really distributed to a majority of rural poor, with policies favorable to successfully family farming in place and the power of rural elites to distort and “capture” policies broken, the results have been real, measurable poverty reduction and improvement in human welfare. The economic success of Japan, South Korea and Taiwan and China resulted from such reforms.

On the other hand, the failure to observe some of the conditions for successful models, such as the redistribution of good quality land, the breaking of elites, power and the provisions of inputs, has been to consign the “beneficiaries” to even more poverty. Again Rosset (ibid) is instructive here:

In contrast when “reforms” gave only poor quality land to poor families and failed to support them with favorable policies, credits, and access to markets or failed to alter the

rural power structures that work against the poor, land reform failed. Mexico, and the Philippines are typical cases of such failure.

Most of the failed land reforms projects have been associated with the World Bank's "willing seller willing buyer" approach. For one, this approach does not seek to break the power of the rural elites, instead it seeks to bribe them into participating in the land reform project.

Market-Led Reform ("Willing buyer Willing Seller")

A description of market-based programmes has been posed by Rosset (2001, 6):

Market-led redistribution – the current favorite land reform policy of the Bank - seeks to overcome elite resistance to agrarian reform by offering credit to landless or land poor farmers to buy land at market rates from wealthy landowners. This is fraught with risks. Landowners often choose to sell only most marginal, most remote, and most ecologically fragile plots that they may own(steep slopes, rain-forests, deserts margins etc), many of which may not be presently in production, and they are often sold at exorbitant prices.

When South Africa's new Minister of Agriculture and Land Affairs addressed Parliament in February 2000 she outlined the key problems facing land reform. But, interestingly enough, the solutions offered in the form of ILRAD had no bearing on the analysis. Some of the key limitations of the redistribution process identified by the Minister are as follows: (see February Document):

1. That the current approach had not realised the objectives of the RDP.
2. The market forces "as core redistributive factor have not produced the desired effects and impact"
3. The land prices have been affected by the programme in the sense that inflated prices have been paid for marginal land.
4. The programme has not made a significant contribution to the development of semi-commercial and commercial farmers.

It is significant that there is nothing in ILRAD [4] - the programme which was unfolded by the DALA after a long period of discussion on how best to deal with the challenges of lack of delivery or bad delivery by the redistribution programme. These challenges were identified by the Minister. The slant of the new policy is towards the perceived lack of commitment of the beneficiaries, hence the overemphasis on the need to "own contribution". What has happened to dealing with the "willing seller willing buyer" problems and related issues? The disjunction between the analysis and the recommendations is too wide to be a mere coincidence.

Related problems with the market approach are said to be that market-assisted reforms involve

granting loans and credits to the landless to buy land at market rates from wealthy landowners and to acquire fertilisers and technical assistance for new, marketable crops. They are often viewed as an instrument for rewarding landlords rather than for improving the livelihoods of the landless poor.

Food First says market-assisted reforms are bound to fail because they place a heavy burden on poor people to repay expensive loans, often from harvests from poor soils. Landowners often choose to sell the most marginal and ecologically fragile plots that they own (Mutume, 2001).

Another problem which plagues the market programme is that titling and registering of land to facilitate the land market leads to a mass sell-off of land, causing increased landlessness, land concentration, and rural and urban migration, (Deere, and Leon, 1999).

The East Asian and Latin American Experiences

Having discussed market-related reform it may be useful to return to the non-market experiment. Two main experiences in the world are helpful in unpacking what are considered to be successful and unsuccessful land reform projects. Here we look at the East Asian model and the Latin American experience. Development literature has always alluded to the economic success of Japan, Korea and Taiwan on the basis of the success of their land reform programmes. The success of these Asian models has been shown to rest on the successful elimination of large-scale and inefficient farming, paving the way for modern and productive farming through fairly small-scale farm units, (Plant, 1993).

To achieve results in terms of the East Asian model, state intervention is critical. Tools used to access land included “land ceilings”, “land to the tiller programmes”, compulsory sale of land to tenants, and expropriation with or without compensation (Plant, 1993). The East Asian model was grafted under special political circumstances of the Cold War and as a measure to block communist influence in these areas by the USA. However, they do present an interesting model of success, which speaks to the non-market approach.

The Latin American experience has not been very successful, except where social revolutions occurred, such as in Bolivia after the 1952 revolution, Chile during the Allende government between 1970 and 1973, Cuba after the Cuban revolution, Mexico between 1920 and 1940, and Nicaragua during the Sandinista government (Plant 1993, Bello and Guzman 2000). The significance of the Latin American model rests on the Mexican land laws promulgated after the early twentieth century revolution. These laws inspired the conception of land as a “social resource”, which led to most Latin American governments introducing land laws which stipulate that “land that is left idle, or inefficiently cultivated, is liable to expropriation with or without compensation, depending on the circumstances” (Plant 1993; 43)

Consequences of Reform

Guzman and Bello (2000; 6) outline the benefits of the social, political and economic reforms of the East Asia models thus:

Aside from promoting rural equality and stabilising the countryside socially, land reform in all three societies had profound economic consequences. Most important was the elimination of a backward and grossly inequitable system of land tenure that had restricted the development of a domestic market, siphoned off to unproductive consumption resources that would otherwise have gone into investment in industry and served as a social base for authoritarianism. Most important was the way reform created a vibrant domestic market that stimulated vigorous industrial growth. This is most evident in the case of Taiwan, where the income of owner-cultivators rose 62% in the 15 years following the reform. This rural purchasing power was what triggered the growth of a variety of industries, including food processing, light manufacturing, agri chemicals, machine industries and metal working enterprises. Farmers' purchases of goods from outside the agricultural sector rose 56% from 1950-1955. Underlying this link between rural demand and industrial vigor was the birth of the light machine sector: there were only seven power tillers in the whole of Taiwan in 1954; six years later there were over 3,000 of which about half were manufactured locally.

We rest our case.

The remaining question is whether these models are replicable. What they do show is that success depends on a more radical approach informed by political imperatives. They also illustrate that successful models are not dependent on the goodwill of landowners but, on the contrary, on the ability of the political powers to smash these land-owning elites. The results for settling the national and agrarian question are impressive, plus the bonus of unleashing the productive capacity of formerly marginalised communities. In discussing South Africa's land reform project we must ask whether the programme is up to the task, and to locate it within the present configuration of global and national power dynamics.

South Africa and the Land Question

In this section we look at the South African land reform project, not so much in terms of the details of policy but in terms of the underlying principles which inform it and how this ups the stakes of resolving the national question.

South Africa entered the second phase of its democratic "transition" from apartheid with the successful completion of peaceful national and local government elections in 1999 and 2000, respectively. More than six years have now passed since the dawn of democracy, which promised to reverse the legacy of racial capitalism and a sharply divided society and economy. But South Africa's liberation from apartheid occurred against a backdrop of a changing world economy, especially the rise of "globalisation", and this helped ensure that the country's new leaders would adopt, in 1996, a "home-grown" version of the World Bank's notorious Structural Adjustment Programmes (SAPs). Known as the Growth, Employment and Redistribution (Gear) Strategy,

this policy promised economic redistribution predicated on tight fiscal discipline and high national growth rates.

Five years later, Gear has failed to meet any of its social development promises, and many of its fiscal promises as well. While Gear promised to create 1.3-million new “formal, non-agricultural” jobs by 2000, the formal economy has shed more than 500,000 jobs, driving more people into the already flooded informal economy for a net five-year job loss of 228,000 (Stats SA OHS 2000). At the same time, the poverty gap has grown, with the richest 20% of all South Africans earning 52.5% of income while the poorest 20% earn only 3.1% of total household income (Unisa BMR 2000). State-led black empowerment efforts have ensured that a small black elite has joined the upper income ranks, but black South Africans – especially those in rural areas - still disproportionately dominate the ranks of the poor and ultra-poor.

Shifting from RDP to GEAR

The first official policy which emerged as a guide to the new government’s economic transformation plans was the “pro-poor” Reconstruction and Development Programme (RDP), which set delivery targets for all key socio-economic portfolios. Although the government still claims to be guided by the RDP, it is widely accepted both within and outside of government that this policy was abandoned in 1996, following the adoption of the neo-liberal Gear strategy. Gear replaced the emphasis on state-led development with a focus on market liberalisation (including the gradual removal of agricultural subsidies), the privatisation of state assets, debt reduction and stringent fiscal deficit reduction targets, and flexible labour market policies aimed at attracting foreign investment. The government promised that Gear would create macro-economic stability and fiscal discipline. These would, in turn, attract private sector investment in social infrastructure and create jobs, thus allowing the market to correct the imbalances created by colonialism and apartheid.

Land Reform: Promises and Pitfalls

Two main constraints are discernible in the South African land reform fiasco. Firstly, as we have already shown, is the developmental paradigm chosen by government, which is essentially neo-liberal. Secondly it is the theoretical cul de sac of policy makers on the issue. This we alluded to when dealing with the so-called “death of the peasantry” or the end of the AQ. We deal with both in turn.

Home-Grown Structural Adjustment Programme and Land Reform

In 1994 the government introduced a three-pronged land reform programme, including land restitution (to those who could prove that apartheid policies stole their land); land redistribution (to reverse the skewed land ownership pattern of apartheid through the market); and tenure reform (to give stronger rights to people occupying land they do not own). Nearly seven years

later, these policies have barely managed to redistribute 1% of land to black people, despite an RDP promise to redistribute 30% of agricultural land by 1999. A key obstacle to real land redistribution has been the government's dedication to the market-led policies prescribed by the World Bank and IMF, and which have been tried and failed in other countries, most notably Zimbabwe. Tenure reform has not made much better progress, with new laws drafted to protect the rights of farm dwellers (farm workers and labour tenants) bogged down in compromises made to white landowners proving unable to change the semi-slavery conditions of farm dwellers, or to stop the arbitrary evictions which contribute to rural poverty and urban migration.

The two farm-dweller-specific interventions, that is the Extension of Security of Tenure Act (ESTA) and the Labour Tenants Act (LTA), are trapped in the oppressive identities of farm dwellers created by colonial conquest. They do not provide for the breaking down of property and power relations or a fundamental redistribution of land ownership, nor do they pretend to deal with historical legacy. For instance the LTA provides rights to be claimed for land used only for both cultivation and grazing by the labour tenants from about 1995. This confines labour tenants to the smallest pieces of land and usually the most unproductive. It must be remembered that where labour tenants could farm or graze is a decision made by the owner of the land, and generally it is bad land. As if this is not enough, the LTA's strict definition of who a labour tenant is has effectively rendered the programme unworkable. A related matter has been the amount of state support labour tenants have been receiving. The point though here is that the LTA and ESTA are not meant to usher in a new era of relations in the countryside.

ESTA is even more stringent in terms of what it offers farm workers. The so-called security of tenure applies to accessing the homestead and not land for cultivation. So unequal are the provisions of ESTA that it has been interpreted by the Land Claims Court as not giving burial rights to dead farm dwellers. Many a farm dweller family has had to bury their family members along the road. This is not only an insult to the African belief system but indicates the power that landowners still wield. It has also led to the criminalisation of farm dwellers, who undermine the law and bury their dead ones by force. Indeed the force of law is always brought to bear with its full might in such instances.

In essence the new land policies perpetuate the dual agricultural systems, one white, commercial, modernised but highly ineffective the other African and marginal due to structural constraints inherited from history. The South African land reform model falls within the generally failed experiments. It has neither elements of the progressive Latin American land laws nor of the East Asian land policy provisions.

What explains the South African Model and can the problems be overcome?

As we have shown, the South African government chose the development path of neo-liberalism. This places a heavy burden on transformation since the impetus to satisfy local needs is premised on foreign investment. As a result it is not so much the internal voting constituencies to which government is likely to listen, but the money holders in the west. The entire South African macro economic framework is based on the idea that foreign investors must be attracted to this country. Among the key requirements for such attraction are guarantees of profits and property rights as well as the shrinking of the state's role in transformation, deregulation and privatisation. This model clearly makes it impossible for the state to discharge its transformatory responsibilities. On the other hand it is being increasingly faced with an impatient and expectant populace.

This challenge is in fact facing most developing countries where land reform has not yet happened, such as Brazil, Mexico and the Philippines. The state responds by either creating illusions of success, aided and abetted by the World Bank, or by simply refusing to enter into dialogue which may lead to fundamental changes in policy. So some tinkering and high-profile sermonising when some land is returned become the order of the day. This serves to placate and legitimate the claims of governments that land reform is happening and therefore there is no need for impatience and land occupations.

The South African government is under considerable strain from the Zimbabwean "crisis" that every time issues are raised around its programme the initial response is that "we shall not allow Zimbabwean lawlessness here". This message is meant not so much for the supposed land occupiers as it is to reassure the west that we are still on course.

Since South Africa has chosen the globalisation route, this places constraints on what it can achieve in the area of radical land reform. Globalisation is best described as:

The inalienable right that finance capital has reserved for itself to tear down anything that might be an obstacle to its objective of super exploitation. The term designates, in particular, the right to lower "labour costs" by any means necessary, and in the course of that effort to dismantle existing social relations and the very national frameworks that have assured their existence (Gluckstein 2000;1).

So in many ways South Africa has boxed itself into a corner, which it can not abandon without abandoning its Western friends à la Robert Mugabe. This plainly shows that a thorough-going land reform is not possible in South Africa at the present juncture. The need of global finance for stability and assurances dovetails with those of local agricultural capital.

This to some extent explains the government's protracted negotiations with the Mpumalanga farmer, the folly of threatening an expropriation and withdrawing and finally paying the farmer what he demanded.

On the other hand, demand for land is increasing and becoming ever more vociferous. With jobs constantly being lost, and poverty worsening, the situation is becoming increasingly untenable

and unsustainable.

The “Death of Peasant” Theory

In discussing the successful models, we have alluded to the extension of land rights to the tenants, the peasant, the landless urban dweller (in the case of Brazil). Under conditions of globalisation, where the reality of job losses cannot be escaped and the downward pressure on wages in flexible labour markets are defining features, access to land and inputs is worth seriously considering as a means to end poverty. So there is also an economic imperative to conduct land reform. We have seen that smaller-scale farmers have been more efficient and able to harness the economic potential of nations.

But there is also the social good imperative resting on the resolution of the national question. It seems that national development, peace and nationhood is not possible outside of a thorough-going land reform project. Most South African farm dwellers remain subjects in the new democracy. It is only when countryside relations have been altered that we can speak of them as part of the nation.

So can the dead peasantry be revived?

In attempting to answer this, we accidentally stumbled on what we thought an import footnote in Marx’s Capital Volume 1, chapter 26; 876. his footnote in many ways belies the belief that once a social phenomena has been established it cannot be reversed or modified.

In Italy, where capitalist production developed earliest, the dissolution of serfdom also took place earlier than elsewhere. There the serf was emancipated before he had acquired any prescriptive right to the soil. His emancipation had at once transformed him into a “free” proletarian, without any legal rights, and he found a master ready and waiting for him in towns, which had been for the , most part of handed down from Roman times. When the revolution which took place in the world marker at about the end of the fifteenth century had annihilated northern Italy’s commercial supremacy, a movement in the reverse direction set in. the urban workers were driven en masse into the country side, and gave a previously unheard-of impulse to small-scale cultivation, carried in the form of market gardening.

Generally to argue hard for the end of the AQ on the basis of the supposed settlement of the issue in the interests of white settler farmers requires a very teleological conception of history. You need to be a believer in the totality of historical development and have no problems with questions of unevenness of the development of historical phenomena. Such a position seems to us not only ahistorical but very poor in helping to understand how the future may be embedded in the past.

What is to be done?

If we accept the analysis that the general developmental path taken by South Africa makes it unable to deliver land in any significant scale, then we need to ask the question what is to be done? The dilemma of the South African government, we have shown, rests on the “willing buyer willing seller” model of land reform, which must articulate within a macro-economic framework which is antithetical to social expenditure and state interventions in the area of transformation. In other words South Africa does not have the enabling tools necessary to undertake a successful land reform project. This scenario is complicated by what can be seen as lack of political will as demonstrated by the inability to prioritise land reform as a budgetary concern. The Land Affairs budget continues to be less than one percent of the national budget.

South Africa is not alone, and landless people elsewhere are beginning to show the way. It is clear that neo-liberal governments are inherently incapable of satisfying both the land and agrarian reforms. It seems that the answer lies in the self activity of the landless the world over.

MST and people-centred land reform

The Brazilian landless workers movement (MST) has increasingly been put forward as a successful example of land reform from below. Taking advantage of the Brazilian constitutional provisions that state that idle land can be occupied productively and such an occupation can be legalised, the MST has been involved in land occupations since its formation in 1985. To date the MST has been able to redistribute 15 million acres of land through land occupations, benefiting 250 000 families (see www.mstbrazil.org).

It has also been shown that where MST has assisted people to access land their general annual income levels has increased in comparison to the landless labourers by the margin of 3,7 and 0,7 respectively. Further, it has been shown that towns surrounded by occupations have experienced economic recovery, with the result that some mayors have begun inviting occupations to their towns. This is because once occupations have been legalised the state has to spend some money on compensation, legalisation and extension of credit to new farmers (Rosset, 2001).

The successes of the MST do not come without cost. So much cost that some may wonder whether the benefits are worth it. The EFE news agency report has this to say about the cost of the land occupations:

The number of Brazilians who have died fighting for land reform since the country returned to democracy 15 years ago is four times the number of people who were officially disappeared during the two-decade-long authoritarian military regime (1964-1985) (quoted in Rosset 2001).

The cost becomes understandable when one considers the fact that lack of access to secured land is tantamount to uprooting people and denying them human rights. Mittal, the co-Director of Food First, is articulate on this matter:

When faced with unequal and unjust distribution of farm land, the call for redistribution through true land reforms is a call for the human rights to feed oneself. It is not a call for charity or for benevolence from people in power, (see foodfirst.org/progs/humanrts/udhr.htm).

The same kind of movements are emerging in the Philippines, India, Bangladesh and on a small scale in South Africa. The foundations of these movements, as we have seen, is the neo-liberal political economy. These movements provide the most lacking pressure from below as governments in developing world are increasingly emasculated by multinationals and the combined force of the World Bank, and IMF.

The Prospects for South Africa

If one takes the story we have told here seriously, then one must come to the conclusion that the answer lies in the landless and poor themselves. Questions which needs to asked is whether there are any legal spaces to be taken advantage of in South Africa. It is clear that in Brazil the most import aspect of the constitutional provision for occupation of idle land is not so much protection from physical harm but the window of opportunity to compel the state to provide services and legitimisation once land has been occupied.

In South Africa the question has to be asked what are the social forces which can lead and sustain such a movement. Who will support it amongst the civil society organisations. All this has implications for how interventions have happened to date, and will demand a thorough re-conceptualisation of the role of NGOs and their relationship to government. There should be no doubt as to the reaction of government to such a movement.

There are embryonic initiatives and acts of banditry which may be interpreted as the energy points for such a movement in South Africa. No doubt, events North of the Limpopo have contributed to the resurgence of these initiatives.

The energy and direction of those movements, if ever they appear in the South African landscape, will not be because petty bourgeois elements within government and in the NGOs sector so wishes it, it will not be as a result of conferences such as this one. These movements will grow despite and in spite of us.

With this in mind, it is perhaps in order to conclude by allowing Rosset (2001;7) to speak once more:

Unfortunately, if we just write papers, even with facts on our side, we will wait a long time for policy makers to act. That is why its is so important that movements and

organisations of the poor and landless take matters in to their own hands, both to achieve concrete results for their members in the short term, and to push the policy process along

Conclusion

It is clear from our discussion that the resolution of the national question is no longer the sole business of government and perhaps political parties, but the prerogative of the oppressed, marginalised and landless people themselves. In conditions of neo-liberalism, the prospects of governments voluntarily resolving the Agrarian Question remain highly questionable. It is clear that the answer lies more with the affected people themselves. The interventions of these movements, may be met with resistance by dominant landholding classes, criminalisation and suppression by governments. However, what each player's action may lead to is not predictable and may be determined by the alignment of social forces and national sentiment. Such movements will certainly test and expand the boundaries of legality and morality in situations like South Africa.

The key discursive contribution of such movements will be on the understanding of rights, citizenship and questions of limitations on property based on a different logic than that of the market.

Notes

[1] For the purposes of this paper, farm dwellers describes both farm workers and labour tenants and their associates. The difference between the two is that the latter still have some access to farming and cultivation land through the exchange of labour. The former, in most instances, are remunerated in cash and have no farming rights on the land. The conservative estimation of the total number of farm workers is 4 million, based on the limited 4-5 persons per household (In KwaZulu-Natal it was shown that about 54% of people living on farms did not provide employment (Stats SA, 2000). This number excludes the number of persons living on farms but who are not employed. It has been shown that 53% of farms had 10 or more people living on the farm who are not dependents and not working on the farm. The number of labour tenants nationally varies from a high of 500 000 to a low of 1000 (Centre for Adult Education of the University of Natal, 1998, Lumphondwana, 1998).

[2] The UNDP defines poverty as “poverty can mean more than lack of what is necessary for material well being. It can also mean the denial of opportunities and choices most basic to human development... to enjoy decent standard of living, freedom, dignity, self esteem and the respect of others”.

[3] It was reported that, during the last local elections, some farmers refused their labourers permission to go and vote.

[4] The Land Reform for Agricultural Development is a sub-programme for land redistribution, and is targeted at creating African commercial farmers.

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