

**‘Politics of Land Reform in the ‘New’ South Africa’**  
held at the London School of Economics (LSE) on Wednesday 7<sup>th</sup> June 2000.  
Organised by Gavin Capps and Simon Batterbury

This workshop was hosted by the Development Studies Institute, funded by the UK Economic and Social Research Council, as a discrete session within a broader seminar series on ‘[Transformations in African Agriculture: Natural Resources, Livelihoods and Markets](#)’. Its purpose was to explore the wider (national and regional) politics behind recent shifts in land reform policy in South Africa and to provide a forum for land analysts and activists, with South and Southern African connections, to make sense of, and respond to, those changes. A full outline of the background, aims and objectives and structure of the workshop has been included below, along with discussion notes, a workshop report, and an independent view of the issues.

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## Participants

Ainslie, Andrew Range and Forage Institute, Agricultural Research Council [andrewainslie@hotmail.com](mailto:andrewainslie@hotmail.com);  
Simon Batterbury, LSE, [s.batterbury@lse.ac.uk](mailto:s.batterbury@lse.ac.uk);  
Prof. William Beinart, University of Oxford, [william.beinart@st-antony.oxford.ac.uk](mailto:william.beinart@st-antony.oxford.ac.uk);  
Teddy Brett, LSE, [e.a.brett@lse.ac.uk](mailto:e.a.brett@lse.ac.uk);  
Gavin Capps, LSE, [g.j.capps@lse.ac.uk](mailto:g.j.capps@lse.ac.uk);  
Prof. Lionel Cliffe, Leeds University, [pol6lrc@lucs-01.novell.leeds.ac.uk](mailto:pol6lrc@lucs-01.novell.leeds.ac.uk);  
Prof. Ben Cousins, Programme for Land and Agrarian Studies, UWC, [bcousins@uwc.ac.uk](mailto:bcousins@uwc.ac.uk);  
Abie Dithlake, South African National NGO Coalition [abie@sangoco.org.za](mailto:abie@sangoco.org.za);  
Prof. Ben Fine, SOAS, [bf@soas.ac.uk](mailto:bf@soas.ac.uk);  
Liz Francis, LSE, [e.m.francis@lse.ac.uk](mailto:e.m.francis@lse.ac.uk);  
Ruth Hall, Centre for Rural Legal Studies (Stellenbosch), [ruth@crls.org.za](mailto:ruth@crls.org.za);  
Zakes Hlatshwayo, National Land Committee (Braamfontein) [zakes@nlc.co.za](mailto:zakes@nlc.co.za);  
Susie Jacobs, Manchester Metropolitan University, [s.jacobs@mmu.ac.uk](mailto:s.jacobs@mmu.ac.uk);  
Deborah James, LSE, [d.a.james@lse.ac.uk](mailto:d.a.james@lse.ac.uk) ;  
Gareth Jones, LSE, [g.a.jones@lse.ac.uk](mailto:g.a.jones@lse.ac.uk) ;  
Wayne Jordaan, Transvaal Rural Action Committee and NLC, [trac@wn.apc.org](mailto:trac@wn.apc.org) ;  
Moses Jumo, Environment and Development Agency [edahrdp@wn.apc.org](mailto:edahrdp@wn.apc.org);  
Rosalie Kingwill, Border Rural Committee (Eastern Cape) [rak@intekom.co.za](mailto:rak@intekom.co.za) ;  
Najma Mohamed, Programme for Land and Agrarian Studies, UWC, [nmohamed@uwc.ac.za](mailto:nmohamed@uwc.ac.za);  
Prof. Colin Murray, Manchester University, [msrssc@fs1.ec.man.ac.uk](mailto:msrssc@fs1.ec.man.ac.uk);  
Debbie Newton, Former Free State DLA, [newtondebbie@hotmail.com](mailto:newtondebbie@hotmail.com);  
Robert van Niekerk, Oxford University, [robert.vanniekerk@applied-social-studies-oxford.ac.uk](mailto:robert.vanniekerk@applied-social-studies-oxford.ac.uk);  
Lungisile Ntsebeza, Programme for Land and Agrarian Studies, UWC, [lungisile.ntsebeza@st-antony.oxford.ac.uk](mailto:lungisile.ntsebeza@st-antony.oxford.ac.uk);  
Zolile Ntshona, Programme for Land and Agrarian Studies, UWC, [zntshona@iafrica.com](mailto:zntshona@iafrica.com);  
Prof. Bridget O’Laughlin, Institute of Social Studies, [olaughli@iss.nl](mailto:olaughli@iss.nl);  
Palmer, Robin, Oxfam, [rpalmer@oxfam.org](mailto:rpalmer@oxfam.org);  
Potts, Debbie, SOAS, [dp6@soas.ac.uk](mailto:dp6@soas.ac.uk);  
James Putzel, LSE, [j.putzel@lse.ac.uk](mailto:j.putzel@lse.ac.uk);  
Ian Scoones, IDS, [i.scoones@ids.ac.uk](mailto:i.scoones@ids.ac.uk);  
Dan Taylor, Find Your Feet, London /UCL, [fyf@gn.apc.org](mailto:fyf@gn.apc.org);  
Gavin Williams, University of Oxford [gavin.williams@st-peters.oxford.ac.uk](mailto:gavin.williams@st-peters.oxford.ac.uk);  
Prof. Ben Wisner, Oberlin College, USA [bwisner@igc.org](mailto:bwisner@igc.org);  
Phil Woodhouse, Manchester University [mzdpjw@mail1.mcc.ac.uk](mailto:mzdpjw@mail1.mcc.ac.uk);  
Rachel Wrangham, [r.p.wrangham@lse.ac.uk](mailto:r.p.wrangham@lse.ac.uk);  
Ingrid Yngstrom, Oxford University, [ingrid.yngstrom@lineone.net](mailto:ingrid.yngstrom@lineone.net)

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## Three documents follow below:

- 1) Discussion notes prepared by Gavin Capps, 21<sup>st</sup> April 2000
  - 2) Workshop report, prepared by Simon Batterbury, July 2000.
  - 3) Remarks by Abie Dithlake, Director of the South African Non Governmental Organisation Coalition (SANGOCO)
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# 1) Outline of Workshop and Discussion Notes

## Gavin Capps

### Background

The election of South Africa's first majority government in 1994 appeared to present a historic opportunity to place equitable and pro-poor policies at the centre of the land reform agenda. The process of South African land policy making also held the promise of being uniquely innovative and participatory, in line with the state's early commitment to place the energy and vision of 'civil society' at the heart of its programme for reconstruction and development. For progressive land activists and policy analysts both within and outside of South Africa, the victory of the ANC thus seemed to offer the chance of playing a key role in an internationally significant process of social and political transformation.

The track record of South Africa's land reform programme since 1994, however, has been mixed. The World Bank's model of market-assisted land reform has dominated key parts of the policy agenda and it is debatable how far many of the programme's original equity objectives have, or will be, met. Furthermore, the appointment of Thoko Didiza as Minister for Agriculture and Land Affairs seems to have marked a further shift in land policy, with the official commitment to the bottom-up empowerment of the poor being superseded by an approach that more forthrightly bets on the 'strong'. Symptoms include uncertainty over the long-awaited Land Rights Bill; a new policy of transferring state-land to 'tribes'; and a new strategy of targeting resources at 'commercial black farmers', at the likely expense of the rural poor. There have also been significant personnel changes at the Department of Land Affairs, with former policy advisors side-lined.

This shift in land policy occurred in the context of the state's increasingly conservative macroeconomic policy stance, the apparent downplaying of its social welfare goals, and the alleged centralisation of political power around its ruling elite. Fundamental and difficult questions are were posed in 2000 about the future direction of land policy formation in South Africa and of the role that analysts and activists can and should play within it.

### Aims

The workshop aimed to generate debate over the extent and significance of recent changes in South African land reform policy, with particular reference to the wider politics of land policy formation in South Africa. The objectives of the workshop were to:

- grasp the political determinants of recent changes in South African land policy, through an analysis of the diverse coalitions who opposed previous policy directions - inside and outside of government - which necessarily raises questions about the character and balance of power in the new dispensation, and of the nature of the 'transition' itself
- enable activists, advisors and analysts involved in land reform policy in South Africa (previously and currently) to take stock of these changes, share their experiences and discuss possible responses to the new policy environment;
- bring in comparative perspectives from the Southern African region and more widely, which are relevant to these aims and objectives.

### Discussion Notes

This short set of notes suggests a range of issues for consideration at the workshop and signals some of the connections between them. It does not aim to be a complete statement of the current condition of land reform in South Africa, but rather raises a number of points for fuller discussion.

In the context of the problems currently facing land reform in South Africa, and the changes seemingly underway in the policy arena, it seems that there are at least four sets of inter-related issues that we need to consider, each of which relates to different ways of thinking about 'development policy' itself. These are:

**1. The 'technical' issue of institutional capacity and inertia.** A whole series of commissioned studies and reports have pointed to the fact that South Africa's varied land reform institutions and departments are struggling to respond to tasks set by policy planners. There are insufficient (and declining) resources in the context of GEAR (South Africa's neo-liberal macro-economic strategy); national and provincial state structures have inherited many of the problems, habits and prejudices of the former apartheid civil service; local government is weak; and new managers often lack the necessary experience or skills to turn key institutions or departments around. Fieldstaff are also often inexperienced and inadequately supported, and tensions have emerged around an alleged ongoing white, male managerial culture in the DLA. In the current climate of cutbacks, everything points to these problems getting worse.

**2. The 'policy as process' issue** of technocratic, top-down policy making coming up against messy and contradictory social realities. Much policy planning is compromised by, on the one hand, political pressures for quick, quantifiable results; and, on the other, social forces and processes which resist, subvert or even co-opt poorly conceived and under-resourced interventions for their own ends. This is as true of black 'commercial farmers' being best placed to take the lion's share of new rural development packages, as it is of 'traditional authorities' who have been able to strengthen their local powers through the tenure reform process, or of white farmers reaping new subsidies to labour via housing grants, etc. There is also limited emphasis on building the rural political organisation and capacity to ensure that new legislative rights 'are made real' in practice. Policy itself is thus often undermined by the very terms on which it is understood and conducted.

**3. The issue of 'wider politics'**, which both links and goes beyond points 1 and 2, by connecting shifts in land policy to broader changes in the balance of power within the state and in the South African political economy as a whole. This issue has four related elements. First, there is the distinct rightward shift within the ANC leadership, that has accelerated throughout the process of the 'transition' and culminated in a deeply conservative macro-economic policy stance. The result is a closing down of the spaces that were opened up by the varied social movements that propelled the ANC to power, as the pro-market position is replicated in all policy areas, including land reform. The powerful influence of the World Bank over South African land reform policy has been notable from the onset and the recent, senior personnel changes at the DLA may well reflect a hardening of this trend. Second, there is the related issue of the varied points of resistance to redistributionist and pro-poor land reform policy. These emanate both from sections of the state and various blocs of economic and political power, such as white farmers, 'traditional leaders' and the huge industrial concerns that are linked to, and interested in, maintaining existing patterns of agri-business under conditions of 'liberalisation'. Coalitions between these interest groups, whether ad hoc or organised, not only shape the outcomes of land reform policy on the ground, but also decisively influence the state, thus setting the parameters within which land policy is formulated and conducted. It would appear that the influence of these lobbies over the current government has become stronger (or at least more open) in recent years, casting doubts on whether the 'political will' exists to meaningfully transform the existing pattern of agrarian relations.

Third, there is the question of popular support for land reform and its expression in social movements, which have the potential to pressure the state for change and to ensure that new opportunities from above are realised and defended from below. It is notable that there has been a tailing off of 'civil society' activism in rural and urban areas since 1994, although an alliance of land based NGOs has been seeking to counter this trend by organizing rural people and their demands through the Rural Development Initiative. What impact this type of 'rural centred' mobilisation, as well as other forms of action, such as land occupations, can have on policy formation is posed all the more sharply by unfolding events in Zimbabwe, which are themselves, of course, much bigger than the land question alone.

Finally, there is the difficult question of the ways in which 'race' has become central to the politics of policy making in South Africa (as well as Zimbabwe). On the one hand, there are conflicts over the very real continuities of racism in key parts of the state, as many of the worst features of the old social and economic order continue to be reproduced in the new. According to internal reports, this includes the Department of Land Affairs, which has a pointedly high turnover of black staff. On the other hand, there is evidence that false allegations of 'racism' or 'corruption' have been levelled against whites with strong liberation movement credentials, in the course of power struggles waged by the new black political elite. The discourse of race thus continues to have material origins and effects as it is appropriated as an idiom through which questions of state and personal power can be contested and secured.

**4. The issue of the role of 'progressive' land policy advisors and activists.** With the official narrowing of the 'desirable' and the 'possible' in land policy, difficult decisions are now being confronted by policy advisors and activists who previously sought to be involved in, or influence, the land reform programme. In many ways, the current marginalisation of such people by the DLA reflects the experience of the 'progressive economists', whose work was increasingly side-lined in favour of neo-liberal orthodoxy as the ANC came closer to power. Thus, as with the 'progressive economists', academics and activists concerned with South Africa's intractably complex land question may have to think more strategically about their relationship to the state and to social movements outside of it, both of which seems to be offering fewer opportunities for promoting radical change at present. The question of 'which way forward' is thus a pertinent one that can only be answered effectively with a shared and objective assessment of the changing terrain on which it is being posed.

(These were discussion notes were prepared by Gavin Capps, 21<sup>st</sup> April 2000).

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## **2) The Politics of Land Reform in the "New" South Africa**

### **Report of a workshop, LSE, 7th June 2000**

#### **Simon Batterbury, DESTIN, LSE.**

[Speaker's initials given in text - they refer to list above]

Post-apartheid South Africa is enacting a national land reform programme that famously includes three axes:

- 1) restitution of land to people dispossessed by apartheid,
- 2) land tenure reform, and
- 3) land redistribution to the poor

Yet the path to land reform (\*) has been far from smooth; the process of restitution has proceeded too slowly; land reform has recently seen significant and disturbing changes of emphasis; and redistribution is mired in controversy. Arguably a policy vacuum now exists in the light of new legislation announced by the new Minister in February 2000. A meeting held in London in June involved some 35 land rights activists, policy advisors, consultants to and former members of the DLA (Department for Land Affairs) at national and provincial level, and academics in a lively and productive debate about the origins, present shape, and future direction of land reform in RSA.

Gavin Williams (paper available from author above) outlined the complex institutional changes that have occurred since the ANC came to power in 1994. He contrasted the relative speed at which the NDA (National Department of Agriculture) has gone about liberalizing agricultural markets since 1994 (through subsidies terminated in the late 1980s, the end of government agriculture boards, and leaving commercial farmers to float in marketplace), with the substantial delays and derailments that have affected the DLA (Department for Land Affairs) responsible for land reform and redistribution. The adoption of a neoliberal macro-economic policy, GEAR (Growth Employment and Distribution) by the ANC soon placed the focus on RSA's agricultural sector on market led growth rather than redistribution to dispossessed farmers. This trend has been cemented with the merger of the DLA and NDS in 1996 and, importantly, the replacement of Derek Hanekom by Thoko Didiza as Minister for Agriculture in 2000. Didiza's statements since taking office indicate a strong concern to push commercial agriculture, and the needs of the emergent black commercial farmers, over the calls for land rights for the rural poor. A draft Land Rights Bill has been suspended pending revisions, and this move has been greeted with resignation by its authors and supporters, but with seeming indifference by the DLA management. Williams argued that one vision of modernity in the whole 'actor network' of land reform players was rapidly replacing another, with market liberalization and privatization currently much higher on the agenda than the former egalitarian commitments to redistributing resources. Several new initiatives for land reform and the restitution of land to black farmers date from the early 1990s, but by the mid 1990s the World Bank's proposals to promote commercial agriculture had watered down the welfare objective of land reform as supported by progressive NGOs like the NLC (National Land Commission). The ANC's Reconstruction and Development Plan called for the transfer of 30% of the medium to high-quality white-owned farms to 600,000 people, but this proved an unrealistic hope, and the policy was soon abandoned. The DLA programme attempted to implement redistribution to the poor, by means of Settlement /Land Acquisition Grants of R15000 (£1500) for those falling under an earnings ceiling. Land Reform Pilot Projects went ahead in the 9 provinces since 1994, employing a variety of mechanisms, each with different implementation procedures and personnel. In terms of Land Tenure reform, a major thrust has been to recognize de-facto rights to land, through the formation of Community Trusts and Communal Property Associations. These have been open to abuse by traditional authorities and entrepreneurs, however.

By the early 1999 some 35,000 households had acquired rural land in the former white areas by means of government subsidies. The government has introduced tenure reform primarily on privately held land. Land tenure reform in the communal areas of RSA has lagged behind, partly because of poor administrative capacities and legal/operational confusions. Grants offered are too small for new farmers to make a livelihood in the absence of other income generating opportunities. There is currently (late 2000) a review of the DLA ongoing that recommends a supply-side approach to land allocation, falling back on local authorities to manage the process. This official review would like to see more overall support to medium and some black commercial farmers. Alongside this, grants and payments to new land holders have been restructured. It is envisaged that groups or tribes will now purchase land, using the grant system, and then subdividing blocks for sale to families. Farmers with demonstrable commercial experience will get more assistance, up to R100,000 (£10,000). Williams concluded that these new measures are actually old ones, replicating methods that have tried and failed elsewhere to distinguish between larger scale commercial and smaller scale, less commercial black farmers.

### **100 paces back, one step forward?**

To some extent the problems and vigorous discussions occurring around property rights and land access in RSA are not unusual; these debates have always preceded major land reforms elsewhere (JP). But with a substantial bureaucracy associated with land issues, some inherited from the apartheid regime, change has been particularly difficult to implement. CM felt that the political regime has actually retreated from aiding the rural poor over the last few decades.

What have been the drivers of change?

1) Williams' point that the World Bank models have driven the adoption of commercial and market led models of reform, did ring true for some, but it is still the case that as late as the 1980s there was not real discussion of land reform in the Bank, and the models subsequently proposed for RSA by Klaus Deninger, Hans Binswanger and others were at least responsible for a change in policy and the recognition that reforms could usher in greater commercial success in some sectors, by supporting both black and white commercial farmers. The problem again was that the rural poor were marginalised in the mid 1990s WB model and the budget to support them remains small (CM).

2) Several felt that GEAR is the real driver of past and present change in land policy (AD). But 2 caveats; the political left in RSA has yet to develop a really workable set of alternatives that will ensure a modicum of commercial growth coupled to equitable land transfers and reform (GW). Here, BC reminded the meeting of the need to construct such alternatives, actively, possibly through a 'rights-based' approach to land ownership (\*\*). Secondly as BF pointed out, there is nothing in GEAR as presently formulated, despite its neo-liberal discourse, that would prevent a more progressive land reform happening- macroeconomic policy cannot be blamed in this instance. Indeed the MERG (Macro Economic Research Group) document prepared in 1993 was trying to bolster the 'institutional capacity to deliver' land reform under the present economic structure, and this could have held out real ways forward (until it was rejected). But AD felt presently, it is unlikely that the economic growth that GEAR promises will support the entire financial burden of wholesale land reform including restitution on white farms and

widespread distribution for farming and housing. GC added that under GEAR, the urban labor force is largely demobilized as capital has shifted - leading to further pressures for rural land access.

3) Rather we need to see that a particular coalition of forces was responsible for the changes witnessed in land policy after 1994, with 'popular participation' in decision making now slimmed back considerably and present directives and decision making at the national level being, unfortunately, mired in secrecy. Partly this has been driven by the fear that 'land reform may spiral out of control' (BF), although Zimbabwe case should have provided salutary lessons of the consequences of inaction. These moves have to be seen in the broader political context, as JP noted - we should not be surprised that land reform is determined in part by the present coalition of forces in the government coalition, which AD branded as 'partially corrupt' and unable to conceive of delivering decent social reforms in the present 'political package'. Here we need to consider the ongoing support to commercial agriculture by the Ministry of Agriculture (a model of technology transfer and commercialization) which might be threatened by greater restitution.

4) Thus land reform, perhaps challenging Gavin William's analysis further, does not follow entirely its *own* policy discourse but is imbricated with state, financial, and regional concerns (of which the most important at present is land seizures on white farms in Zimbabwe). The key question to understand is "**Who is pressing for land reform?**". If this is asked and understood first, effective responses can be targeted better, and alternative policies then formulated. In the discussion of how to respond to the recent disappointing announcements that land will be vested in 'tribal authorities' rather than restituted to communities or individual black smallholders for houses/farms, we must recognize the vital importance of local or provincial level organs of the DLA and other non governmental groups, who are on the ground trying to implement policies in a situation of uncertainty and fast-changing legislation. Reform and greater capacity is needed at this level too, under the onslaught of claims for land in order to mine the minerals underneath it, and so-on (Bo'L). And de-facto policy is made and interpreted at this level.

5) Institutional capacity and performance will always be a limiting factor in promoting land reform in RSA. We should see that there are significant institutional continuities with the past (AD). We should not see the present policy as any sort of break from the past; neither the present, nor the latter-day apartheid policy really seriously envisaged a radical redistribution of land to the majority of the population. Presently impediments - financial and bureaucratic - disable any widespread land reform. This view was echoed by BO'L, who questioned whether conflicts of personality that have clearly driven some of the recent national level maneuvers and changes really constitute 'policy breaks' or disjunctures and whether they should be analyzed as 'command driven' at all. Rather, as AD noted, we see policies as shaped by politics in which *opposition* politics - not just the politics of those in power (who BC labelled as a black middle class and a bourgeoisie group) - has had an influence. Personality clashes are only one visible facet of power dynamics, but may not be directly related to them.

6) DN, who has experienced local level implementation of DLA policy in the Eastern Cape, echoed AD in suggesting local government in RSA lacks the capacity, the infrastructure and the expertise to implement a complex set of land measures; to deal with claims, to adjudicate, and to orchestrate land transfers when agreed. She went as far as to say that in her experience, local government is 'non viable' at present, dominated by a class of insecure politicians trying to assist poorly trained potential farmers (some of whom want land primarily for housing, rather than agricultural production). BC echoed this - he noted that under the present regime, almost no land transfers had actually occurred in Northern Province, which is an indication of ineffectiveness. Here, political leaders and traditional leaders were in alliance to ensure land was vested in chiefs and local elites or there can even be extortion by 'warlords'. There was little political will in the ANC to tackle this. The rural peasantry only really have the ability to tackle local level jurisdiction through influencing systems of rural patronage (GW). They themselves cannot influence political or legislative changes a great deal at the national level. Retired civil servants, chiefs etc are therefore vital players, and their role always needs to be understood as key actors in local land struggles.

7) Our conclusion from this first session was that we may need to look to civil society in its multiple forms to provide a credible set of goals and policies to occupy the policy vacuum and to press for sustained land reform in the absence of strong central direction from the government at the present time. In so doing, NGOs and other actors needed to exploit opportunities in the media (since denationalization of broadcasting?) to promote equitable and rights based approach to land reform (ZH).

*Elements of this agenda:-*

- rural people need other things than land *per se*. [see also seminar three in this [series](#)]. They need the components of livelihoods - jobs, finance, infrastructure, housing, and healthcare (DN). Land reform or even the DLA, will not provide all of this.

- The chieftaincy should not be allowed to dominate the present land reform system. Need organized campaigns and new coalitions to fight the 'restitution to tribal authorities' policy, if this leads to elite capture of the benefits of land restitution and redistribution.
- Selling off land in former Bantustans is a seriously worrying thing (Liz Francis)
- land reform needs to be swiftly enacted with less prevarication and changes of direction (JP). A lesson from other counties is that *slow land reform is always ineffective*.
- given its enormous financial cost, we need to think of land reform as having goals that lie partially *outside* the market (BW). Common property resource management regimes provide people with security and

resilience to environmental or political-economic shocks, and these cannot be equated with opportunities for substantial financial gain. There is a disjuncture with rest of Africa here. Africans are turning back to traditional forms of CPR management and recognition of customary rights - rangelands, wildlife, communal and part-time farming. RSA need not be so opposed to this, since security of land access cannot ever be equated with private ownership. RSA still has a significant subsistence agriculture sector even if the present DA leadership ranks commercial farming enterprise much more highly. Horticulture is on the rise (GW) and could be combined with land for housing (training needed in production and marketing for new farmers though).

- devolution of powers over land ‘all the way downwards’ is not necessarily a great thing in RSA since local level capacity does not yet exist to manage it adequately. [see also seminar three in this [series](#)].

### Politics of land reform

Ben Cousins (University of the Western Cape) presented a perceptive analysis of the land question in South Africa, stressing the networks of actors and their preoccupations that had created a complex set of policy changes, reversals, and conflicts in recent years prior to 1999. RSA has a set of broad political interests in the state, and in society as a whole. It is networks of actors (eg policy experts, state employees, advisors) who create policy ‘discourses’ about land.

Political interests in the state include The Presidency and Cabinet, Government Departments; old white bureaucrats and new black bureaucrats; provincial government and local government bodies. In society at large, there are differentiated rural communities, constituencies of farm workers who often live on private farms, a set of emerging black entrepreneurs, white commercial farmers, traditional leaders, and a variety of corporate capitalist interests and foreign investors. There are linkages between many organisations in society at large - eg between the NLC and NAFU.

Actor networks formed since 1990 have included the NLC (National Land Commission), the ANC’s Land Commission (LAPC) which was itself advised by the World Bank, and university economists. The conjunction of these three bodies led to the formulation of the RDP and land reform policy. Implementation initially fell to the Department of Land Affairs (DLA) and Derek Hanekom, but under van Niekerk in the Department of Agriculture, Government policy has essentially fallen into three policy arms

- rights based legislation and programmes
- Market assisted redistribution via the 16,000 R grants referred to above
- deregulation of agriculture and the promotion of small scale farming.

NGO pressure throughout the 1990s has been to resist property clauses in new legislation (thus supporting those without property), to assert ‘rights’ based land reform, and to assist in implementation of the new legislation as affiliates of government bodies.

Cousins’ framework for understanding the outcome of three different policy discourses was as follows:

Criteria	Policy Discourses		
<b>EQUITY</b>	<p><i>"State led but community based"</i></p> <ul style="list-style-type: none"> <li>- challenge inherited framework of property rights</li> <li>- popular participation</li> <li>- attack gender bias in land allocation</li> </ul>	<p><i>"Combine state, markets, community and rights"</i></p> <ul style="list-style-type: none"> <li>- rights for dispossessed and vulnerable</li> <li>- justice and redress through restitution and redistribution</li> <li>- target ‘communities’ and the poor</li> </ul>	<p><i>"Market-led but state assisted"</i></p> <ul style="list-style-type: none"> <li>- deracialise agriculture</li> <li>- remove discriminatory legislation and by affirmative action</li> </ul>
<b>EFFICIENCY</b>	<p>Enhance value of multiple rural livelihoods through expanded land-base and support</p>	<p>R16,000 grant for land acquisition via the market/business plans and CPAs</p> <p>Developmental restitution of land</p> <p>Enhance agricultural production at a variety of scales</p> <p>Create a lean but efficient state (outsourcing)</p>	<p>Subsidies/grants/support services for emerging black farmers.</p> <p>Promote efficient operation of markets through deregulation.</p> <p>Attract foreign investment.</p> <p>Target rural development in high-potential zones (SDI’s)</p>
<b>IDENTITY</b>	<p><b>Land - ----- tradition ----- African leadership</b></p>		

Policy shifts in 1999-2000 have resulted in some elements of this wider South African discourse proving more powerful than others.

In 1999 and 2000, the terms of debate and the direction of policy have shifted markedly, with new directives and personnel.

From the NGO side, there has been criticism that the projected restitution of land has been too slow, that redistribution has been badly planned, that there is a lack of political will behind these measures, and that there is a gender bias against women in the way land reform has been handled.

From both internal critics in the DLA and in the Department of Agriculture, came the criticism that the DLA leadership was too 'white' and potentially racist. Groups like CONTRALESA, SSAV/Agrisa, and some Provincial politicians were partially responsible for making the call that emerging commercial farmers have been neglected, traditional leaders undermined, and implementation of reform was too centralised.

It was the combination of these two critical thrusts that swept Didiza into office in 1999. Her response has been to

- Design a 'black commercial farmers programme'
- To declare an intention to 'transfer lands to tribes', where customary law will apply
- To go about restitution using cash payouts
- to support black leadership in government Departments
- to initiate, in Sept 2000, an integrated rural development programme, possibly with links to the FAO, and with unknown operational components.

Given the critiques launched against the DLA in 1999, one can begin to see how these policies have found favour in some quarters (not with the majority at the workshop, largely because of the potential loss of the redistribution agenda for the millions living in former Bantustans or on commercial farms). With major land struggles and seizures now going on in Zimbabwe from April 2000, which many rural South Africans feel are 'justified', the whole situation is now uncertain. RP felt the big white landowners in RSA have not yet made enough concessions, for example to their own farmworkers, to avoid potential calls for land seizures or violence. Nonetheless, Cousins argues, the eight months since the Minister's appointment has seen an improvement in the delivery of restitution (due to the use of cash payouts?), despite the dramatic slowdown and rethink of the redistribution process.

#### **What to do?**

The meeting unified people who feel that the process of policy change on land reform in South Africa has been ineffective, and that 'just' and 'morally right' redistribution of land has effectively been sidelined because it is perceived as too controversial and difficult. We did not successfully identify where organised political pressure for change on land reform could come from, and how linkages/coalitions could be forged. We also were a little unclear about the role of academics in this process. Is their role to come up with better 'plans' for the state to implement, or should we be skeptical about the state's desire to listen to such ideas in the absence of any real political pressure from below to back them up?

The way forward, we believe, lies in

- Facilitating the self-organizing capacities of rural interests – to improve their ability to lobby and to stake claims that are more powerful than those that are currently circulating. This may best be achieved by pilot projects...
- Wider alliances must be forged, for example with trade unions and sympathetic state officials, to re-consider the current tenure reform.
- for Liz Francis, we need to develop an alternative 'discourse' – but also to understand budgetary constraints and the management of money, therefore remaining realist.
- pushing a livelihoods approach, that reminds the powers that be that land is just one component in complex and overlapping livelihood systems, and it is therefore hard to expect a) all farmers to become commercially successful, or 2) that land will always be cared for and productive. Land is used to support livelihoods; not to support established commercial interests.
- understand and support the work of farm workers.
- RH identified that PLASS and NLC has already initiated a campaign voicing concern about present policies. There will be written submission to government on these issues, plus an open letter to all Ministers. Alliances are being forged, for example with SANGOCO (South African Non Governmental Organisation Coalition). A policy summit on these critical concerns will appear at the end of 2000.

#### **Postscript**

Since the workshop was held, there has been increasing pressure on the ANC from organisations like the NLC, to move from 'willing buyer, willing seller' and to exercise its 'expropriation clause' in order to speed up land redistribution on white-owned farms, particularly following the Zimbabwe land crisis. See *The Namibian*, July 5, 2000 : Business Day, 3 Aug 2000 '[Land Reform in Trouble](#)', '[ANC explores Land Expropriation](#)' (Business Day, 15<sup>th</sup> July 2000). In March 2001, the National Land Committee attacked Land and Agriculture Minister Thoko Didiza's about-turn on the first major case - the expropriation of a white-owned farm near Lydenburg, Mpumalanga. The NLC claimed she had "betrayed" those claiming the land when bureaucratic problems halted the expropriation. See '[About-turn on land draws fire](#)' Business Day March 23 2001).

See also Zimmerman FJ. 2000. Barriers to Participation of the Poor in South Africa's Land Redistribution. *World Development* 28(8) 1439-1460 for a strong analysis of the LR programme.

## Footnotes

\*What is land tenure reform? "*Land tenure may be defined as the terms and conditions on which land is held, used and transacted. Land tenure reform refers to a planned change in the terms and conditions (e.g. the adjustment of the terms of contracts between land owners and tenants, or the conversion of more informal tenancy into formal property rights). A fundamental goal is to enhance and to secure people's land rights. This may be necessary to avoid arbitrary evictions and landlessness; it may also be essential if rights holders are to invest in the land and to use it sustainably. In South Africa, tenure reform is a component of a national land reform programme which also embraces the restitution of land, to people dispossessed by racially discriminatory laws or practices, and land redistribution to the poor.*" Martin Adams, Siphosibanda and Stephen Turner (1999) Land Tenure Reform and Rural Livelihoods in Southern Africa. *Natural Resource Perspectives* No.39 (Overseas Development Institute) <http://www.oneworld.org/odi/nrp/39.html>

\*\*Rights based approach includes "...rights to occupy a homestead, to use land for annual and perennial crops, to make permanent improvements, to bury the dead, and to have access for gathering fuel, poles, wild fruit, thatching grass, minerals, etc.; rights to transact, give, mortgage, lease, rent and bequeath areas of exclusive use; rights to exclude others from the above-listed rights, at community and/or individual levels; and linked to the above, rights to enforcement of legal and administrative provisions in order to protect the rights holder." Martin Adams, Siphosibanda and Stephen Turner (1999) Land Tenure Reform and Rural Livelihoods in Southern Africa. *Natural Resource Perspectives* No.39 (Overseas Development Institute) <http://www.oneworld.org/odi/nrp/39.html>

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### 3) Remarks prepared for the meeting.

**Abie Dithlake** [abie@sangoco.org.za](mailto:abie@sangoco.org.za)

**Director of the South African Non Governmental Organisation Coalition (SANGOCO)**

May, 2000

Before analysing the political determinants of recent developments in land reform in South Africa, it is important to highlight some key issues so that my critical observation is understood in context.

It is thus important to acknowledge that some principles underlying the land reform proposals regarding the following are positive and must be supported:

- adoption of a livelihoods approach to development;
- having a gradation between subsistence and commercial farmers with a range of products to cater for each;
- allowing access to more than one land grant over time;
- delinking the food safety net grant from the housing grant, allowing households to access both;
- providing some land to a wide range of people in rural areas;
- the suggested land use grant as a production support grant for people having acquired land through the food safety net programme.

#### Macro-economy

The problem is that the macro-economic framework within which these proposals are made will mean a very limited intervention in reality. This conclusion is supported by the following analysis:

- First, if the entire budget for land reform is well below R1 billion a year (as it is currently, perhaps permanently), only limited/insignificant inroads can be made into a demographically proportionate transfer of land to Africans, whether commercially oriented farmers or the landless and unemployed. Hence the limited objective of 30% transfer of farmland in 20 years. These limited goals are already based on the assumption of a sharp increase in the government's budget allocation to land redistribution (R4.7 bn for this programme alone over the next five years). This possibility is clearly unrealistic/rhetorical as it contradicts the government's stated policy as underpinned by GEAR. Even if the land reform budget is increased as hoped for in the proposals, and if the programme is maintained for the full term and is 100% successful, it is not enough to shift the balance of power in rural areas. The budget for integrated land reform must be increased massively. And this implies fundamental rethinking of the inbuilt constraints of the macro-economic policy framework. Something unthinkable given the resolve of Minister T. Manuel and President Thabo Mbeki to see through its implementation to 'attract' direct foreign investment.
- Second, without tackling the issue of market-driven (or "assisted" - and this merely means market-driven but with the state paying for some of the transactions) land reform, too much money goes into paying for the repurchase of natural resources which are the birthright of all people, with subsequently less money available for developing the necessary social and economic infrastructure required to use the land productively and sustainably. The Food Safety Net programme suggests that households use no less than 70% of the grant on buying the land. This is a waste of resources. A programme of orderly expropriation should be considered, whereby organised rural people identify land they want to use, and the state facilitates negotiations with the land owner for the transfer of the land, or a portion of it. The basic principle would be to say that not all land owned by an individual could be taken from them, and that once they have transferred some of the land under their ownership, claims cannot be made on the remaining land by others. Deeds to the land so exchanged should be given to all concerned. This has begun in Zimbabwe (white farmers negotiating the transfer of some of their land), so why not now in South Africa? I think this approach needs to be developed. The issue of conflict does emerge. The question is whether people are



organised enough, and the state prepared to defend them against attacks by white farmers. The answer, in general, seems to be no to both. But in a few cases it could work and this could also have a ripple effect (when the public and other farmers see that expropriation is not the end of the world, and that they will not lose everything they own). The point is to convince the government that land transfer needs to take place, and that if this is done on the basis of a demand-driven orderly expropriation programme backed up by the law, current obstacles to land transfer could be removed.

### **Race and class**

The food safety net programme represents a significant aspect of the integrated proposals. One million rural households are targeted to receive almost 19 million hectares of land over 20 years, with more than 75% of the overall programme budget being used to achieve this. However, there doesn't appear to be a vision of a fundamentally transformed structure of rural social relations at the end of the 20 years. The poor may be slightly better off, but will still be deeply mired in poverty. A quote from a Richard Levin article in the mid-1990s (talking about BATAT, but equally relevant to the "new" proposals) says: "This programme runs the risk of 'adding on' petty capitalist black farmers to a largely intact core of white farmers with a monopoly control of agricultural productive and marketing activities. While black farming in all its forms must be supported, there needs to be an alternative capable of eroding the monopoly power which white farmers exert over agriculture." In the proposals, the need to de-racialise agriculture is raised as a reason for state support to black commercial farmers. The question needs to be posed, however, as to the value of a de-racialised agriculture which neither fundamentally alters the class balance of forces in rural areas nor transforms structures which centralise power and control in the hands of those who have resources. Structural change is required in South Africa, otherwise you just end up slotting new people into old hierarchies, with the vast majority who are at the bottom of the hierarchy remaining there forever.

### **Integration**

Without integrating land reform with the provision of an adequate water supply, access to cheap inputs or with the development of necessary infrastructure to store and distribute surpluses, even commercial farming is likely to be a failure. Integration of land, water and agricultural interventions is required (DLA/DWAF/NDA). In turn, these need to be linked to programmes that allow for the generation of local economies by supporting the local production of inputs for agriculture and non-farm economic activities, and local distribution and retailing networks (DTI). There should be a concerted effort to develop an understanding and practice of local production for local markets. The IDPs should be built into the centre of development efforts, and popular participation in these plans (with consequent accountability) must be strengthened.

Rural development is a product of access to natural resources (land, water and vegetation) plus the availability of economic infrastructure (production, communication, storage and distribution) plus the deployment of Rural Development Officers (trained in participatory, human-centred and integrated approaches to sustainable development) to stimulate and support the development efforts of the people themselves. (In short, raw materials plus technology plus skills). Currently, access to natural resources is severely restricted for the majority of the African rural population, and is likely to be only slightly less so in the foreseeable future given the proposed policy framework. Even where it exists, economic infrastructure in rural areas is decaying. Where new infrastructure is being put in, it is often inappropriate and inserted on the basis of narrow economic cost-recovery principles on a community-by-community basis. Instead of training and deploying a cadre of rural development officers armed with an integrated and participatory approach to development, the only technical support provided to rural people is a collapsing agricultural extension service based on apartheid models of development.

The foregoing analysis indicate that, even if taken in good faith, the 'new' shift in land reform policy, like its 'predecessor', is doomed to fail. This is surprising given the fact that it emerged after an assessment of the failures of the previous approach. Having 'correctly' noted some of the reasons for its failure, it went on to address different issues. The question is why?

### **Political determinants of the 'new' shifts**

Key political observations are discernible in answering the above question;

Land reform policy in South Africa was never intended, or designed to fundamentally transform the socio-economic relations or change the agrarian structure, nor was it ever pro-poor in its orientation. The property clause in the constitution (market driven and induced compensation; willing seller - willing buyer) have always been in the interests of the historically advantaged, and necessarily disadvantaging the poor. This approach is contradictory in that you cannot protect existing property relations and at the same time hope for equitable distribution of agricultural land. This is attested to by dismal performance of the land reform programme over the past six years. What has happened, instead, is the refining and sharpening of this confusing contradiction. What the 'new' shift signify in reality, is the erasing of the pro-poor rhetoric from the government discourse. This rhetoric - poor of the poor - is seen as sending wrong signal to the potential investors. Therefore, why not use the language that correctly captures the political intention of the Mbeki administration. Here the correct language is that GEAR is here to stay, and has to be consolidated in every important respects, and it should leave no doubt. Coupled with this shift, is the consolidation of the state apparatus to face up to the potential reaction from the public. Consolidating and expanding the office of the President is the most important move in this regard. A sort of imperial presidency, slowly it removes power and initiative from from the parliament, cabinet, ministers and the departments. All policies have to be screened by this empowered office before going to parliament. The objective is to ensure that all policies and acts

are GEAR compliant. Both Labour Tenant's and Extension of the Security of Tenure Act (ESTA), if were to be re-initiated in their current form, would not pass this imperial dragnet.

Therefore, what is happening is what was initially intended, but due to uncertain configuration of social relations of power in the immediate post apartheid period, it was moral to use a language that resemble pro-poor policies, while in fact is not, hence the confusion and erroneous analysis. Because of the unsustainability of the language rhetoric due to 'potential' foreign direct investors, and white farmers, a need has arisen to remove the gloves. In doing this, some obstacles needed to be neutralised. These included, among other things;

- Policy and political clarity: This explains the emergence of the 'new' policy, and the political language accompanying it.
- Unambiguous loyalty to articulate the 'new' discourse: This explains the confusion and restructuring in the DLA, and relates change of staff. This does not mean that those affected are necessarily progressive and pro-poor, but that they cannot be trusted, due to their historical association. It should be noted here that most of them are infect responsible for confusion as to the progressive character of the immediate post-1994 land reform policy. In fact, they have always maintained that the policy framework is correct, the problem is lack of capacity.
- Political justification and consolation: Three issues are discernible here (1) Balance of forces: that the balance of social forces are such that no significant resistance will emerge. There exist no serious organisation or movement of rural people to mount any significant opposition. That the NGOs articulating their interest are not a political force to reckon with. (2) Historical relations to land: That rural people in South Africa are not emotionally attached to land. That there has been an almost complete proletarianisation of the rural people, and that their historical relations to land is such that potential employment is more important compared to access to land. This is a very strange assessment, especially from the President and the former Managing Director of the Land Bank. It is not clear as to whether it is as a result of the developments in Zimbabwe, or whether it has been part of the thinking behind the recent consolidation of the of the conservative/neo-liberal agenda. However, this conclusion link up with the argument that rural people are moving to the urban centres, and that resources should be pumped there, as more electorate that needs to be attracted are located. In this context, the argument/conclusion predate the Zimbabwean crisis. And finally, (3), and this is specifically designed as a political blackmail, advanced as deracialising agriculture. It is presented as bringing more blacks to the mainstream commercial agriculture which is historically saturated by whites. Black intellectuals and activists will find it difficult to agree against this well-coined argument.

### **Conclusion**

Therefore, the implications of either new or old policy framework are almost the same, albeit varying in degrees and pace. What separates them, in practical terms, is a question of language emphasis, motivated by the analysis of the configuration of the social relation of class forces. They are both influenced by perceptions of what the political economy of globalisation expects of South Africa, that is, leading the way in Africa, though voluntarily, in embracing neo-liberal and conservative macro-economic policy framework. At the end of the day, dichotomisation of the countryside through class and gender polarisation and steep capitalist and racial relations will be defining features. Both will create a small African rural landed gentry. Pauperisation of the landless will be consolidated and sustained through the food safety net as this is in reality a welferist strategy to contain hungry rural masses. At the the political end, few 'added on' African commercial farmers will give the appearance of a deracialised agriculture to contain angry (racially motivated as in Zimbabwe) revolt against continued white stranglehold on land.

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