

# **‘Redistributionist’ versus ‘Productionist’ Land Reform: Contested Priorities in Donor Funded Land Reform in South Africa with Comparisons to Zimbabwe**

Blessing J. Karumbidza

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## **Abstract**

There is consensus among stakeholders in land reform (the state, conglomerate and individual landowners and the landless, bi-lateral and multilateral donors and development agencies, NGOs and other interested parties) that land reform is very central to political stability as well as economic development. However, there are differences regarding how the process should proceed. The South Africa and Zimbabwe governments are aware of the pressure on them to transform land ownership to reflect the democratic realities in their countries and redress the history of dispossession and exclusion suffered by the African masses. In this they face the stark reality of financial shortages, a deficit that is normally filled by capital inflow from foreign countries and development agencies in the form of loans and aid, sometimes referred to as ‘foreign assistance’. Those who show interest and willingness to support often demand that their funds be utilised within specific policy frameworks as preconditions for receiving the funds. In the negotiations (and lobbying) between the donors and the recipient country, donors end up playing a huge role in the policy direction and implementation processes of the programme. This paper intends to highlight the specific contested areas and conflicting priorities between recipient countries and donors funding in the land reform process in both South Africa and Zimbabwe. For example, donor funding in land reform tends to make very strong linkages to macro-economic reform, land and agrarian reform as well as rural development. In many instances, the pursuance of land reform within a specific macro-economic regime becomes a precondition for funding.

## **Introduction**

This paper is concerned with the role of donors and the possible influence they exert by funding land reform in the context of societies in transition. This will be looked at from the point of view that foreign aid in development usually leads to the donor countries to have leverage on the policy direction and discourse of the recipient countries, and much of the time, with deleterious effects. Bond (2001) suggests that “even in its declining amounts, aid remains a vital determinant of many recipient countries’ political and economic conditions” and that “relations between aid and development also reveal a great deal about international and local power structures and struggles.” In South Africa, donor aid for development has always been below 5 percent of national budget making it very minimal in proportion. This compares very differently with Zimbabwe, where donor aid for development fluctuated between 20 and 40 percent of national budget (with the land reform budget being highly dominated by donors). It is difficult to account for the land reform policy choice of the ANC government outside the macroeconomic policy and alleged donor influence as South Africa could actually do without donor funds, given its inability to exhaust its budget allocation

since 1994 owing to lack of capacity and experience. Unlike in Zimbabwe, where land reform was negotiated as part of the Lancaster package, South African negotiations were held with internal political and economic interest groups and focussed on the economy in general. However, sectoral policies had to be in line with the general macro-economic policy.

The thesis that underpins the paper is that land reform in the context of societies in transition provides the opportunity for completing the national question through the achievement of social justice, growth with equity, deracialising the rural landscape and addressing the dualistic nature of the agricultural sector. Current land reforms have attempted towards modernisation of agriculture rather than the redistribution of land. The settler colonial and racial hegemonic influences on the transition discourse in South Africa resulted in a general policy direction that is not supportive of large-scale land redistribution. Moyo (1999) argues that the dominant conceptual frameworks on the land question evolve from settler ideology and are based on three myths. First, that there is a social and political legitimacy in the land rights held by white minorities over the land they expropriated. Second, that the large-scale farmlands held by whites are efficiently utilised both in terms of the scale of area used and yields per unit of land. Finally, freehold landholding and the existing private land market system is effective and absolutely superior to other forms of tenure such as leasehold and customary tenure (Moyo, 1999). The arguments and programmes for land redistribution unveiled by the largely liberation-state led land reform in post-independence (read post-apartheid for South Africa) countries in the region have been branded by those afraid of loosing their land holdings as populist, antithetical and therefore, destructive to the goal of economic growth. The interests of this class of local conservative landholders were however, protected by the neo-liberal market-driven land reforms supported by donors which despite supporting smaller units of land make the transfer very difficult.

Neo-liberal land reform prescriptions restrain both state-led land redistribution programmes and popular land occupations with market mechanisms laced with patronizing concept such as “community participation and poverty-alleviation” as promoted by various donors led by the World Bank (Moyo, 2000: 53). The effect of these strategies in former settler colonies such as Zimbabwe, South Africa and Namibia has been to delay radical campaigns for land reform. According to Moyo:

Indeed, (donor assisted) land reforms are preoccupied with ensuring adequate financial compensation for current land owners if and when they transfer land, either as whole or subdivided farms to resettlement programmes. These land reform programmes tend to reconcentrate land among new black and foreign elite. In Zimbabwe, donor funded NGOs have emerged as large owners of land

through the Communal Areas Management Programme for Indigenous Resources (CAMPFIRE). These programmes were initiated in the guise of promoting sustainable land use, environmental protection and tourism, in the process alienating large tracts of land. It is not surprising therefore, that recently, wildlife and safari landholders have become the fastest land use growth sector in Zimbabwe and South Africa, as well as in the drylands of Namibia, Mozambique and Botswana (2000: 54).

Rather than facilitating a speedy land reform, donors in cahoots with vested local (social, economic and political) interests have effectively reduced the pace of land reform. This seems also to be supported by an unfortunate and persistent settler ideology that view land reform and the loss of land to reform by white farmers would eventually lead to economic collapse. A columnist of the *Farmers Weekly*, Carl Havinga represent the notion held by many white land owners when he argue for a reform process that has a sifting mechanism so that land reform does not become a question of dumping people, but holds the promise of improving our agricultural capacity. Donors want to see the commercial farm settlement being made fully commercial, at the same time not negatively impacting on the poverty alleviation focus. To achieve this, donors emphasize that targets should not reflect political imperatives only, but also: firstly, capacity within Government and other development agents to implement the programs, recognizing the urgent need for measures to enhance capacity to support an accelerated programme; secondly, level and phasing of infrastructure and other support needed, and the cost-effectiveness of the various approaches; thirdly, effect on level of production of exportables and thus on macro-economic stability; fourth, the need to contain environmental degradation in opening up new lands and ensure the sustainable exploitation of natural resources; and five, availability of finance. The result of this has been that the pace at which government delivers on land reform becomes very slow.

### **Donors in South Africa's Land Reform**

The South African government prefers that donor funds be centrally managed through its own structures and utilised within the context of national economic policy. Donors however, have maintained links with the Land-based NGOs, while the government is also dealing with them creating a very complex relationship between donors, the government and civil society. Donor involvement in South African land reform was motivated by the need to facilitate and secure a peaceful and long lasting transition from apartheid to democracy through supporting programmes that would enhance political stability and economic development. Some observers have argued that, it is the realization that access to productive assets was a more effective means to break out from the vicious circle of poverty rather than simple human capacity building *per se* that saw international development finance being poured into South

Africa after 1994 (van Zyl, 1995: 22). Thus donor funding of land reform proceeded from the understanding that:

... land reform is an instrument for change. Social development can be promoted and economic opportunities created by opening access to land, and changing ways in which people and institutions deal with land (McIntosh, et. al., 1999: iii).

The state and the donors agree that land reform is critical to achieving overall political and macro-economic stability. On the one hand, the state is under pressure from the masses of landless people for a radical land reform thus emphasising the resettlement of as many people as possible. While on the other, donors representing the interest of capital help to maintaining the status *quo* by demanding that land reform should emphasise on providing enabling conditions for the settlers. They insist that redistribution should prioritise the provision of support programmes for the settlers to become productive. The facilitation of resettlement, the acquisitions/purchase of the land, the redistribution exercise and support programmes for settlers are all very expensive and need proper planning. Funding in the land reform is directed and divided into three main areas namely, personnel expenditure (salaries), total expenditure of Land Reform Support Programmes (including funding of NGOs, workshops and training) and the Actual expenditure on Land transfers. States often forward to donors and international development aid agencies to assist in facilitating these.

Land reform funding is a major component of rural development in transition societies. Out of South Africa's 18 major donors, half of them are involved in rural development and related activities. The major donors include the United Nations Development Programme (UNDP), Irish Aid, Australia, Switzerland, Germany, Denmark (DANIDA), UK (DFID), the European Union (EU) and USA (USAID) as the key players in funding land reform as well as the World Bank<sup>1</sup> (CIDA, 1999: 8). Their claimed focus in land reform funding is towards the "elimination of world poverty." According to DfID their focus in international development was a moral duty to help the poor and the needy and to protect British interests arguing that:

Global warming, polluted oceans, disappearing forests, shortage of fresh water, more and more mouths to feed and not enough land on which to grow food - these things affect us all, rich or poor, wherever we live ... We shall refocus our international development efforts to eliminate poverty. We shall support policies that create sustainable livelihoods for poor people, promote human development and conserve the environment (DFID, 1999: 1-2).

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<sup>1</sup> The World Bank is a lender for development finance. Its role in South African land reform process has been more in terms of research and policy formulation facilitation rather than direct financial injection.

The donors indirectly wield a lot of influence in designing the macro-economic policy of recipient countries as a precondition for funding. According to Bond (2001), even in declining amounts, aid remains a vital determination of many recipient countries' political and economic conditions. Relations between aid and development also reveal a great deal about international and local power structures and struggles. However, the donor funding situation in South Africa is not as simple as this. When compared to other countries in the region such as Zimbabwe, South Africa's land reform program was not a specific area of discussion during the negotiations that ushered in democratic transition. Also South Africa is not a funds starved nation with its own Development Bank of Southern Africa involved in regional development financing and having substantial financial resources at its disposal. For instance between 1994-1999 South Africa was pledged approximately \$5 billion in foreign development-related aid, which according to Bond (2001) was an enormous sum compared to other (more desperate) African countries. However, this accounts for less than 10 percent of its budget for this period. Thus, where South African policies for transformation and development coincide with donor policy preferences it could be a coincidence resulting from the ANC's policy interests and ideological alignment as opposed to direct donor pressure.

With the transition to democracy, expectations were high that the ANC led government would effect a fundamental transition of property rights that would address the history of dispossession and lay the foundations for the social and economic upliftment of the rural and urban poor (Lahiff, 2001). This hope was fuelled by the 1994 Reconstruction and Development Programme (RDP), which included a commitment to redistribute 30 percent of agricultural land within five years and make land reform the central and driving force of a programme of rural development (ANC, 1995). Contrary to this, the ANC-led government abandoned the RDP in favor of the Growth, Employment and Redistribution (GEAR) strategy negotiated by the IMF and World Bank. GEAR was hailed as the 'best framework within which the struggle to alleviate poverty and improve access to basic needs to ensure sustainable livelihoods could be funded' (Makinta & Schwabe, 2000: 1).

### **The World Bank and Land Reform**

The World Bank as a lender for development finance has been very influential in terms of policy formulation other than in terms of its monetary input into South Africa's land reform process. The World Bank pushed its way into ANC political circles from the beginning of the

negotiation period until its agenda dominated the whole land reform process. At a meeting in November 1992 between South African policy makers, the World Bank and the UNDP among others, Hans Binswanger and Karl Deininger, (both consultants with the World Bank) argued for a “rapid and large-scale land reform programme,” arguing that:

Based on international experience, South Africa seems to have two options: rapid and massive redistribution of land to black and coloured groups, which would involve substantial resettlement from the homelands onto land now in the commercial sector; or decades of peasant insurrection, possible civil war, combined with capital flight and economic decline (Binswanger & Deininger, 1993: 1451).

It is easy however to recognise that these sentiments were meant to pacify those that were skeptical of World Bank intentions in South Africa. While espousing the need for a rapid and massive redistribution, the World Bank was quick to point out that:

More money could be accessed under more advantageous conditions for land reform such as a favorable macro-economic environment. The land reform and resettlement programme should also be seen in the context of an evolving and credible government strategy for poverty alleviation, including companion programmes in Communal Areas. The need for subsidies for resettlement need to be explicitly identified (World Bank, 1993: 11).

Development aid agencies and donors consider poverty reduction as the principal objective of land reform and resettlement, through which political stabilization and economic development could be achieved (UNDP, 1999). They argue that the poor and disadvantaged rural dwellers should benefit with the aim of involving them in the creation of income earning opportunities, presupposing that land should only be provided to those who need to produce for the market. Donor perspectives tend to clash with the government objective of indigenisation and de-racialising commercial agriculture through land reform. While the donor community agrees that there is need to include local people in the economic mainstream, they insist however, that this should be integrated within a properly worked out agrarian reform programme.

For the donor community, the principle thrust in land acquisition should be based on negotiated sales at the individual and macro levels. The criteria for land suitable for macro-level negotiated sales would include under-utilized productive land, near communal areas, and/or involves an owner with multiple holdings or located overseas. Compulsory acquisition, also based on these criteria, would supplement this approach where necessary to achieve acceptable land acquisitions targets; where used, fair market based compensation for

land and improvements will be paid in a reasonable time, with the process allowing for the possibility of appeal against selection according to law. While the initial emphasis may be on negotiated sales at the macro level, supplemented by compulsory acquisition, it is expected that as the programme progresses, negotiated sales at the individual level will become the dominant mode of land acquisition. This will be encouraged through supportive policies including sub-division and land tax regulations. However, intense lobbying by landed property and organised agriculture effectively ruled out the possibility of using land taxes to release under-utilised land for the market.

Sunstein (1997:7) argues that while free markets can be used as tools to economic growth, they should only be used in areas where they promote human purposes, and need be abandoned where they fail to do so. He further argues that contrary to the claims by orthodox economists, free markets can produce economic inefficiency as well as perpetuate injustice. Free market systems depend on a range of coercive legal interventions, including the law of property rights, which can be a serious intrusion on the freedom of people who lack ownership rights. In areas where resource distribution was racially divided and there is a legacy of poverty, invoking of property rights and free markets simply means the fueling of racial discrimination (Sunstein, 1997:4). Donors also insist on accountability, demanding a fair and transparent criteria and procedure for land acquisition, beneficiary selection and resource allocation to underpin the programme. A project that qualifies for donor funding is expected to encompass among other things, beneficiary participation (including women and farm workers) in decision making and management; and public disclosure of criteria and procedures. Government is also expected to put in place a continuously verifiable and open system for monitoring and evaluation of land and resource allocation.

### **ANC Land Policy and the Free-Market Ideology**

The current land reform policy in South Africa is a product of intense rather hasty consultation in the period following the un-banning of the ANC and other liberation organisations. In July 1990 the ANC established a Land Commission to deal with the land question in post-apartheid South Africa. According to the background report prepared for the United Nations Institute for Social Research (UNRISD) by Cheryl Walker, a former Lands Commissioner for KwaZulu Natal:

From the late 1980s, gathering momentum in the early 1990s, a series of policy conferences, research projects, workshops and publications began to engage with the issue of land reform in the new, democratic dispensation and to set the broad terms of reference within which land reform would develop after 1994 (Walker, 2000a: 38).

The ANC for instance, aimed that after the end of apartheid land would be restored to its owners and some white owned commercial farms would be acquired to resettle masses of landless Africans from over-crowded communal lands (ANC, 1990: 11). Levin and Weiner (1996: 254) state that internal debate on land reform among ANC cadres centered on land nationalisation. At the time of transition in 1994, the ANC-led Government of National Unity (GNU) adopted the Reconstruction and Development Programme (RDP) as its programme of action for socio-economic transformation, which promised radical transfer of resources. The landless and previously displaced communities expected the new government to consider land reform as part of the unfinished business of the nation state (Mngxitana, 2001). One of the main objectives of the RDP was meeting basic needs of the people for which land was central, particularly for communal dwellers and farm labours. It stated:

An enormous proportion of very basic needs are presently unmet. In attacking poverty and deprivation, the RDP aims to set South Africa firmly on the road to eliminating hunger, **providing land and housing** to all our people, providing access to safer water and sanitation for all, ensuring the availability of affordable and sustainable energy resources, eliminating literacy, raising the quality of education and training for children and adults, protecting the environment, and improving our health services and making them accessible to all (ANC, 1994: 14).

The RDP-inclined land policy aimed at transferring about 30 percent of prime land to the African community by the end of the first five years. This was going to be achieved through a three-pronged land reform programme whose main pillars were; land redistribution, land restitution and land tenure reform. A plethora of legislation was also put in place to drive the radical land reform process. The state resorted to a number of legal instruments<sup>2</sup> to facilitate the speedy redistribution and restitution as well as security of tenure. However, this was to become a 'mission impossible' as soon as the market was 'ordained' the primary mechanism for accessing land after a joint World Bank-South Africa policy formulation exercise. The ANC shifted in orientation from a land reform strategy emphasising redistribution to a one that emphasize production

Even if the South African government did not initially take all the World Bank proposals aboard there is evidence that there were forces within its ranks that favoured a cautious approach to land redistribution. Walker (2000a) acknowledges the role and influence of the World Bank towards the policy debate outcome of the 1990s. The World Bank engineered its way in the formulation of post-apartheid land policy through the financing of various

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<sup>2</sup> This includes a plethora of Acts of parliament such as the Restitution of Land Rights Act (22 of 1994), and the Extension of Tenure Act (62 of 1997), as well as the Land Reform (Labour Tenants) Act (3 of 1996),



research initiatives by land experts including those of the ANC-backed think-tank, the Land and Agricultural Policy Centre (LAPC) and other organisations. The role and influence of the World Bank and the donor community can be clearly demonstrated by considering the changing emphasis and language in land policy in South Africa. The Department of Land Affairs' (DLA) land policy under Minister Dereck Hanekom within the context of RDP 1995/1996 ignored the commercialisation focus and attempted to address the subsistence land needs of the poor. The subsequent Minister, Thoko Didiza, reversed on this framework, choosing to co-opt World Bank commercialisation proposal aiming to advance full time black commercial farmers (albeit in a modified/truncated form). Thus Walker (2000a: 38) correctly puts it that the World Bank was able to influence the intensity and direction of policy thinking in South Africa's land reform process. This it achieved through its patronage, by:

... its significant role in initiating and funding much of the research around land reform in the early 1990s and providing a number of key conceptual reference points from its international repertoire for the internal debate: deregulation, market, small farmer, family farming, basic grant (Walker, 2000: 39).

The '*Aide Memoire*' of a 1992 joint mission on South African land reform involving the World Bank, FAO, UNDP, DBSA and South African experts listed the possible options for land reform as:

(i) willing-buyer willing-seller basis; (ii) land market controls imposed on the commercial sector (restrictions on number of farms, farm size, or the land prices); (iii) state acquisition of insolvent farms; (iv) imposition of a land tax; and (v) nationalization of land. The options were evaluated within the broader context of the dynamics of the agricultural sector, and the objectives of achieving a more equal land distribution, while preserving a highly productive and growth-oriented agricultural sector (*Aide Memoire*, 1992).

Of these proposals, the ANC adopted the "willing-buyer, willing-seller" option for land reform as it was consistent with its market-driven economic policy.

One of the major research product from the land reform debate of the early 1990s was a book very clear on its advocacy for a market-assisted approach to land reform (Van Zyl et al., 1996: iii). The contributors to this volume either have a very direct relationship with the World Bank or were associated with institutions sponsored by it, therefore possibly biased to its theoretical framework. For instance, of the three editors two were attached to the World Bank. Hans Binswanger, for example, is the Senior Policy Adviser in the Agriculture and Natural Resources Department of the World Bank. Johan Van Zyl, a professor in Agricultural

Economics was in Washington D. C. on sabbatical with the Agricultural and Natural Resources Department of the World Bank, at the time when he edited the volume. Among the contributors, Robert Christiansen was an economist in the Agricultural Division of the Southern Africa Department of the World Bank, while Klaus Deininger a Young Professional, was an agricultural economist with the Policy Research department of the World Bank. The rest of the contributors came from the Development Bank of Southern Africa (DBSA) which according to Patrick Bond (2000a: 109) claimed to be allegedly 'self-transformed' during the late 1980s from designer of 'bantustans' to self-styled World Bank junior partner and vanguard. The DBSA has not been able to articulate its own locally developed development policies other than funding projects together initiated by the World Bank and the IMF. Others came from the World Bank funded LAPC, a policy think-tank positioned to have close links to the DLA as well as the ANC-led GNU.

The key World Bank report that called for a Rural Restructuring Programme (RRP) was presented at an LAPC policy conference "Land Redistribution Options" in October 1993. In this paper the World Bank (1993: 11) was worried about what it envisaged as a "conflict between addressing welfare objectives of the poor and promoting the productive use of land." The RRP states that:

The problem with those individuals who qualify for land or assistance under welfare objectives of a program is that they often have little experience in agriculture. In contrast, the most experienced and well-qualified farmers typically do not qualify to receive land under welfare objectives (World Bank, 1993: 11).

The World Bank was supportive of large scale commercial agriculture and skeptical of the ability of black small-holder farmers to produce for the market, thus entering into alliance the largely white local bourgeois class as well as the up to 75 000 strong white commercial farmers in the country. The ANC government did not challenge this thinking. In fact, feeding into this trajectory, it sought to create space for entry to a class of black full time commercial farmers.

### The South African Land Reform Experience

Land reform in South Africa is divided into three categories namely; land redistribution, land restitution and tenure reform.

## **Land Redistribution**

The land redistribution programme was considered as the principle means of transferring large areas of land from the privileged minority to the historically oppressed. The original purpose of the redistribution programme, according to the 1997 White Paper was “the distribution of land to the landless poor, labour tenants, farm workers and emerging farmers for residential and productive use, to improve their livelihoods and quality of life” (DLA, 1997: 36). However, instead of the redistribution of more land to the former homelands, World Bank advice to South Africa has been towards investment in land husbandry. It has argued for a land reform programme that concentrates on investment in the former homelands and the redistribution of land through markets mechanisms. The redistribution process has been designed to create a class of emerging black capitalist farmers through the downsizing of large farms with the aim of creating a more dynamic rural economy and to greater employment and income creation expected to stimulate the economy as a whole. In this policy designed on the basis of a willing seller – willing buyer, expropriation of land is considered only as a last resort. Redistribution can be considered the slowest of all the three tiers of the land reform process in South Africa.

Rural land (commercial farming land) in SA is estimated at more than 84.6 million hectares. Since the government implemented the land redistribution programme in 1994, only 450 redistribution projects have been approved involving 3.2 million hectares. Almost 79% of the 3.2 million hectares approved for land redistribution are situated in the Eastern Cape. Only 0.5% of land approved for redistribution in the Eastern Cape had been transferred up to the end of May 1998. The number of projects approved increased from only 12 projects (69 308ha) in 1994 to 238 projects (2 731 171ha) in 1997. The transfer of projects also increased from only 2 (8 085 ha) in 1994 to 58 (107 050ha) in 1997. The RDP targets of redistributing 30 percent of rural land within the first five years were not achieved.

The lack of implementation capacity within the Land Affairs department is one major constraint to delivery in redistribution. By mid-1997 the land Reform Pilot Programme of the Department of Land Affairs had spent less than R20 million of its R314 million budget. Subsequently, the 1998/99 budget of the national Department of Land Affairs was reduced to bring the land reform budget into line with its delivering and implementation capacity. From that time on, land reform was no longer driven by demand but rather by the budget allocated to the department of Land Affairs.

NGOs and other civil society organisations, as well as partners in the tripartite alliance (COSATU and SACP) argued that the state cannot achieve its land reform targets within the

existing legislation, which is often misconceived. In addition there are numerous resource constraints, market based restrictions, narrow legal definitions and a lack of co-ordination between different government departments, which tends to undermine real land reform initiatives. A market-based approach, it is argued, is inappropriate for South Africa due to the large historical imbalances created by the past – land dispossession and high inequality of incomes/income distribution. Ironically, it could even be argued that additional demand created by the land reform process may in itself drive up the price of land. In some instances this is proven by the fact that land prices have risen a few percentage points after 1994 in stark contrast to the period prior to 1994. This can however also be due to increased confidence by commercial farmers in the government and the declining threat of nationalization. High prices made it difficult for rural communities to access land with their R15 000 grants. In order to secure land beneficiaries have often clubbed together and although this may ensure continuity of communities it is not always ideal in terms of commercial production due to varied and occasionally incompatible interests. There is a great sense among NGOs that instead several non-market measures need to be considered.

The land reform process in South Africa has been very slow with so far less than 1 percent of privately owned land having been transferred. This is far short of the 30 percent target demanded by the Community Land Conference for the first five years, ending 1999. The National Rural Convention of April 1999 re-endorsed the demand of 30 percent of land transfer for the next five-year period (Eveleth, 1999). In a parliamentary address in May 2000, Minister Didiza, admitted that progress had been slow and that R1.4 billion of the budget allocated for land reform had not been spent with only 4 923 of the 87 200 restitution applications having been passed (Streek, 2000). The main criticisms to South Africa's land reform process is that its procedures are too bureaucratic, complicated and legalistic. This further compounded by the lack in the capacity for implementation and suffering from ideological infighting between the Department of Agriculture and Land Affairs which has seen many experienced senior officials resigning.

### **Land Restitution**

Restitution in the South African land reform process was meant to serve the purpose of redressing the injustices of apartheid, foster national reconciliation and political stability (Adams, 2001: 7). The restitution component of the land reform process is therefore probably the most high profile and emotionally charged. Restitution of Land Rights Act of 1994 – those who lost their lands after 1913 or other Acts such as the Group Areas Act and who were not adequately compensated. The latest figures on the claims lodged with the Land Claims Commission and the extent of restitution to date are given in table 2 below. More than 84

percent of all these restitution claims are urban and just about 16 percent are rural. This reflects upon the dynamics of land needs in South Africa and President Mbeki has recently used this to argue that there is higher demand for land to meet housing needs in urban areas than for agriculture in rural areas. Most of the urban claims (33.1%) have been lodged in the Western Cape, most of the rural claims (31.4%) are in KZN. From the number of Claims submitted to date, it would seem that the restitution process is seriously hampered by capacity and other delivery related problems.

<b>Region</b>	<b>Total Claims</b>	<b>Settled</b>	<b>% Settled</b>
E. Cape	9 292	2 901	31.0%
N. Cape	4 715	814	17.2%
W. Cape	11 938	3 866	32.4%
KwaZulu-Natal	14 808	419	2.8%
Gaut/N. West	15 843	3 979	25.1%
Mpumalanga	6 473	5	0.07%
N. Province	5 809	330	5.7%
<b>TOTAL</b>	<b>68 878</b>	<b>12 314</b>	<b>17.9%</b>

**Source: DLA, June 2001**

There is another lesson to be learnt from the distribution of the settled claims. More than 80 percent of settled claims are urban while only less than 20 percent are rural. The implication is that either rural land-holders are not keen to relinquish their hold on land or that it is too expensive for the government to buy for restitution. On the overall, restitution has faced serious delays both in establishing the validity of claims, lack of cadastral information and the post-restitution confirmation restitution challenges.

### **Land Tenure Reform**

Land tenure reform is a highly contested area. The donors prefer private tenure, which they argue to have a direct effect on productivity and farm investment. However, government is cautious about moving fast on tenure reform, bringing it on a collision course with traditional leaders who were in charge of land allocation under the former homeland system. The need for tenure reform has been key to donor interests. However, the emphasis on tenure reform ignores research findings that indicate that farm investment and access to farm credit is also possible even where tenure is secured through various titles including leases, permits and customary rights (Blackie, 1994). Others have also argued that, while freehold is useful for

loans, farm developments and movable assets are equally important for farm credit and title deeds do not guarantee optimal farm investment (Moyo, 2001: forthcoming).

Black people hold land under a number of different tenure dispensations and many people have insecure tenure whether as labour tenants, renters, squatters or in the modified versions of communal tenure. It is intended to effect real rights for the rural and urban poor allowing individuals a greater degree of choice. The Extension of Security of Tenure Act (ESTA), 62 of 1997 was gazetted after much deliberation inside and outside parliament. The ESTA seeks to protect the interests of labour tenants of private owned land. This has also been bolstered by the Labour Tenants Act. There is a school of thought arguing that, contrary to the expectations of the policy makers, these pieces of legislation have in fact contributed towards greater insecurity for rural dwellers (AFRA, Interview). Most labour tenants who contacted government agencies for help did so because they were threatened with eviction or faced efforts to impound their cattle or reduce their ploughing space by farm owners. Often this took place in areas where farmers felt threatened yet in some areas conditions were more complex and as a result of drought or mechanization. It is debatable whether an underlying intention of the Act was to actually eradicate labour tenancy. Although labour tenancy is often considered a relic of apartheid it would actually be more accurate to refer to labour tenancy as a relic of a pre-capitalist age. There is also the fear that unfettered land markets would probably lead to increased landlessness and poverty. At present activities are focused on the development of provincial implementation plans and a communication strategy.

The major problem with the funding of tenure reform is that the economic and other benefits flowing from it are difficult to predict, and the necessary administrative costs therefore difficult to justify. It also invariably threatens vested interests: land owners and commercial farmers on private land; and traditional leaders or other structures in the communal areas. The biggest dilemma is finding funding for tenure reform. The funding of an effective system of land rights management is a precondition for securing the land rights of poor citizens, both in the communal areas and on private land (Adams, et al. 1999). Inherent complexities in current tenure systems, coupled with the limited capacity of the state and the costs of tenure reform has led to the questioning of whether tenure reform is in fact necessary for reducing poverty and securing sustainable livelihoods. Questions of appropriate tenure reform and how this should be phased have complicated the debate and delayed the process. The World Bank,

UNDP and the other donors in the rural development sector have argued for tenure systems that affect agrarian and other sources of production and income. The main argument in this area has been centered on how the land tenure system intersect with markets for land, capital, labour, inputs and outputs, as well as the tendency of lack of clarity of land rights in discouraging investment (Cross, 1998).

Government policy was re-aligned towards the creation of commercial black farmers, while the need to take care of those at the bottom and the poorest end of the society was neglected. The talk about 'safety nets' remained as basically lip service as no specific programmes were put in place to improve their lot. The government bought into this argument which is contained and detailed in its Integrated Programme of Land Redistribution and Agricultural Development (ILRAD) document. Addressing the Chatha community of Kieskammahoek in the Eastern Cape Minister Didiza explained that the agreement meant that 50% of the restitution would be used for financial compensation to the rightful claimants and the other half will be used towards community development projects. She clarified the nature of the restitution arrangements stating:

The restitution award is earmarked for community development, about R5.4 million, to be used to leverage funding and other assistance from other government departments and donors. The funds will use for three projects mainly agriculture, infrastructural development and forestry. The amounts will be allocated as follows: Agricultural projects = R2.11 million, Forestry projects = R1.08 million, and Infrastructural = R2.16 million (Sonjika, 2000: 16).

Since Land Affairs adopted the ILRAD as its way towards land and agrarian transformation, even its choice for approved projects has this bias. In total agreement and in conjunction with donor interests the creation of a rural commercial producer oriented towards the market has become the pre-occupation of bureaucrats and technocrats, as well as donor agencies in determining which programmes would be funded. In her address to the Chatha community cited above Minister Didiza expressed this policy desire quite clearly when she said:

I hope that when we come back we will be coming to celebrate your success not your failures. I will want to see green fields and fat animals but not to find a community on the brink of poverty again. Educate your children and improve your quality of life (Sonjika, 2000: 17).

In a review of the Land Reform Support Programme done by McIntosh Xaba and Associates (MXA) and others, it was remarked that the future expenses of the Restitution Programme are largely unknown and therefore warned against undermining other land reform priorities by default (McIntosh, et al. 1999: 81). Budgetary consequences of court awards in the tenure and redistribution process are very high and need to be assessed to ensure availability of funding for other land reform priorities.

Donors are likely to support continued general aid to institutional capacity building at national level, and that prerequisite stage could be deemed to be coming to an end. However, a new programme of support for a post-pilot stage of district-based, partly supply driven approach to land reform as an element in local integrated rural development suggests itself (McIntosh, et al. 1999: 81).

Future donor funding efforts should be in line with expressed needs in the interest of efficient and speedy transfer of land to the needs, and also should ensure efficient use of the land by beneficiaries of the process. Future programmes need to focus on co-operative governance initiatives aimed at promoting Integrated Rural Development at macro (district/local) level. The MXA consultants the following recommendations summarised in Box 1 below.

There is need to fill the major policy gap regarding settlement needs for the very poor, outside of formal housing opportunities and to develop implementation mechanisms, support packages and appropriate regulatory frameworks for implementing such a policy. This needs to be undertaken as a joint initiative between the Department of Land Affairs, Housing and District Councils and would ideally involve testing at a District level. The tenure options developed by the department as a co-operative initiative with District Councils, which aim to release development constraints arising from present insecure tenure arrangements within the former homeland areas should be tested. Important also is the need to further disaggregate and develop the kinds of support packages required by small-holder, medium and large black farmers as a joint initiative between the Department of Land Affairs and the Department of Agriculture. Also to potentially expand support for transfer development, with the Department of Agriculture and District Councils being able to draw on facilities as well as DLA. These should provide appropriate credit and loan facilities both to build in as an element in land purchase and acquisition, off-setting the inadequacies of the Grant, and to provide deferred credit for those projects that have productive potential. This should also involve those with potential for promoting Local Economic Development, but which would not be for loans guaranteed by the Credit Facility; and support for pilot programmes that generate 'best practice' in district IRD planning and promote co-operative governance.

**McIntosh, et al. 1999: 81-82**

### **Civil Society Involvement in Land Reform**

South Africa has a long history of civil society agencies such as Non-Governmental Organisations (NGOs), Community Based Organisations (CBOs) involvement in organised pressure for land redistribution going to as far back as the 1970s and 1980s when compared



to Zimbabwe and other countries in the sub-region. An example is the National Land Committee (NLC) which emerged in the 1970s, the Association for Rural Advancement (AFRA) emerging in the 1980s, the Surplus People's Project (SPP) and the Rural Action Committee (TRAC) to mention a few. Other than those directly involved with land, there is the Legal Resource Centre (LRC) important in its litigation role in legal issues involving poor rural communities. The LRC became very influential as a result of its role in representing victims of forced removals. Moyo argues that CBOs and NGOs are normally weak and lack resources and capacities to articulate their own land reform strategies and end up paralysed in the parameters set by the external development agencies upon whom they are dependent on for funding. The National Land Committee (1997) reported that, while community-driven land reform approaches present the idealistic prospect of community self-organisation, in reality, they do not have the power to negotiate land transfers and finance, functions often driven by private technocratic elite consultants.

Donors have engaged with these NGOs at various levels but were careful to initiate their own research institutes within which to influence research and ultimately the policy framework within which these NGOs had to operate. Thus towards the end of the 1980s, the Land and Agriculture Policy Centre (LAPC) – (funded by the World Bank and DANIDA among other country-based development agencies), emerged as a think-tank for South African land reform. Donor funding was also extended to academic/University-based land and agrarian reform research projects. These include the University of Western Cape's Programme for Land and Agrarian Studies (PLAAS), Wits University's Centre for Legal and Rural Studies, the Centre for Rural Legal Studies at Stellenbosch University and the University of Pretoria's Centre for Land Development, Housing and Construction (CLDHC) largely funded by the French government and CRIAA – a French development agency.

While the donor funding in South Africa is not very significant when compared to the national budget allocations, donor funding undeniably dominates the operational finance used by NGOs. It is important for NGOs to flourish so they can work as watchdogs for government and therefore further transparency, an important pillar of democracy. A study of the funding of one service and activist NGO, the LRC will indicate the importance of donor funding in this sector. Table 3 below, shows proportion of foreign funding as a proportion of the total financial assistance it receives.

Financial Year	Foreign income	Domestic income	Total income	% foreign income
1988-89	4,018,826	1,009,315	5,028,141	80%
1989-1990	6,004,109	1,472,397	7,476,506	80%
1990-1991	4,587,008	1,281,770	5,868,778	78%
1991-1992	7,107,448	1,203,447	8,310,895	86%
1992-1993	8,851,249	1,296,215	10,147,464	87%
1993-1994	9,271,361	1,713,981	10,985,342	84%
<b>1994-1995</b>	<b>11,720,900</b>	<b>2,441,673</b>	<b>14,162,573</b>	<b>83%</b>
<b>1995-1996</b>	<b>12,078,968</b>	<b>1,943,496</b>	<b>14,022,464</b>	<b>86%</b>
1996-1997	12,442,814	1,392,819	13,749,328	90%
1997-1998	16,365,799	2,383,529	18,749,328	87%
1998-1999	13,239,536	2,049,028	15,288,564	95%
1999-2000	14,824,232	825,681	15,649,913	92%
2000-2001	19,260,981	1,693,260	20,954,241	92%
<b>Totals</b>	<b>99,933,230</b>	<b>12,729,486</b>	<b>112,662,716</b>	<b>89%</b>

**Compiled from LRC Annual Reports**

The average foreign income at the end of apartheid was 83 percent, increasing to 89 percent by the end of the 2000 financial year, representing a 6 percent rise in foreign assistance. This shows that foreign assistance has been very important and is still an increasing phenomenon in the sector. Foreign assistance on civil society also increased during a time when Government and local sympathisers were tending to pull out. For instance local income for the 1999-2000 financial year was 825,681.00 when compared to the pick year of 1994-1995 in which local funders contributed 2,441,673.00, representing a 66.2 percent drop in local assistance (LRC, 2001). The role of NGOs in this sector is very invaluable. In some instances it may not directly translate to policy formulation, but it touches communities directly.

Donor funding of the civil society sector is very important in the face of falling Government support of the sector as well increasing adversity between the two. As the NGOs' role is increasingly seen as 'oppositional' Government's funding for it drops. There is also an important shift in the relationship between the Government and the NGOs. The current civil society groups were in support of the ANC during the anti-apartheid struggle but after the

transition there is increasing alienation between the two. This shifting relationship can be demonstrated by the changes in the Land Affairs Department. The first Minister, Dereck Hanekom had an NGO background and many of his officials were former colleagues. His Ministry and officials came under increasing attack as being largely white middle-class and elite elements from the previous NGOs. NGOs have continued to demand for more transparency in the policy formulation process as well as speed in the land reform process. The main area where Government and NGOs have clashed is in the shifting from a poverty alleviation focus to one that promotes commercialisation. A comment and advice to the LRC by Edward Lahiff of PLAAS could help highlight the nature of relationship between Government and NGOs. The PLAAS staff (Ben Cousins in particular) formerly advised Hanekom on important matters of land policy but was sidelined by the new minister.

The LRC needs to be careful it doesn't overexpose itself and be seen to be following a particular narrow sectional interest. It needs to watch its steps politically on that, and have its political antennae well attuned. It could go wrong by demanding more than the state could deliver. There is always a delicate balance between rights and available resources – and politicians are keen to retain this in a conservative way. They need to apply just the right amount of pressure so they bring government with them or they will be seen as 'anti-government'. NGOs in the land sector have already been accused by Ministers and senior government officials as having their own political agenda (which is a bit far-fetched) and of not being representative of the 'real' rural masses (Palmer, 2001: 31).

A number of NGOs have been recently chastised by government for their lobbying for a more radical land reform. The NLC is one such examples which has recently come under pressure to denounce land invasions in Zimbabwe. However, civil society is not worried by the invariably tense and adversarial relationships between them and government. The response of the organisations has been to form coalitions and to unite for a stronger voice. Examples are the Nkunzi Development Association, the Northern province Land Rights Coalition and the Western Cape working alliance of the LRC, PLAAS, CRLS, SPP, and a couple of small CBOs (Palmer, 2001: 32).

### **South African land Policy and Zimbabwean Invasions**

The land invasions in Zimbabwe have also exposed South Africa willingness to sacrifice the land needs of the poor in order to maintain an image of an investor-friendly nation. As a result of the South African government's commitment to maintaining a market-friendly

environment the Land Affairs Minister missed an opportunity for speedy land reform provided by general sense of urgency that arose from the Zimbabwean farm invasions. The invasions of land in Zimbabwe in the past 20 months have raised the stake of land reform in the region and in circles previously opposed to it, unfortunately, without significantly increasing the speed of the process in South Africa. The net result of the Zimbabwean situation has been the renewal of international finance and donor interest in funding land reform and ensuring that it takes place in an orderly fashion. However, in government circles efforts were made in trying to convince local and international capital as well as foreign donors that such invasions would not be repeated in South Africa. This is a missed opportunity by which the South African government should have pressed for a more radical and speedy land reform. The response of the government could be understood in Bernstein's claim that:

land and agrarian reform is politically marginal to the concerns of the ANC and the government" which he sees as having been "shaped by both the 'social facts' of the peculiarities and complexities of South Africa history, and the 'political facts' of leadership, calculation and choice in the moment of transition (1990-1994) and thereafter (1997: 27).

In Zimbabwe it took the Commercial Farmers Union more than two decades (until the recent spate of invasions) to realise that they should actively participate in the land reform process. Its president, Tim Reynolds spelt this hard learnt lesson to South African farmers suggesting to them that "farmers must be leaders in land reform, as they would not be consulted later 'when their land was cut into pieces'" (*Farmer's Weekly* 06/10/00). The net effect of the Zimbabwean invasions in South Africa is that it highlighted the problems that could arise if farmers leave land reform to government alone, and fail to be pro-active. The initial response of landed and agricultural capital to the invasions was to call on government to protect the rights of private property owners. However, when it became clear that the rural chaos in Zimbabwe was not a passing phase and some local groups had begun to identify with the process, there was a dramatic change of heart from this circle. Farmers and agribusiness began to shift gradually towards support for greater government action on land reform (Lahiff & Cousins, 2001). The importance of land reform as a precondition for stability became clear to this class of former hard-liners that the rising incidence of violent crime in rural South Africa is in fact a result of the slow pace of land reform. The president of the KwaZulu-Natal Agricultural Union (Kwanalu) Fred Visser was cited by the *Farmers Weekly* as saying that he believed that:

The real cause of the current situation in Zimbabwe was the lack of a sustainable land reform programme for the country. This allowed land to be used as a political instrument during electioneering. [saying that] South Africa could ill afford to allow this to happen. A well-structured and well managed land reform programme should be a priority for the country (12/05/00).

It is important to highlight though that the support for land reform from organised agriculture does not stem from their conviction in principle that it is good for the economy and country, but simply for their survival and safety (Karumbidza, 2001). This can be seen in the deputy president of AgriSA, Japie Grobler's call on white farmers to support the South African government's land reform efforts in order to avert Zimbabwe-style land invasions. His argument for this call was that it was, "for their own survival, South African farmers have no choice but to help the government with land reform" (*Farmer's Weekly* 26/05/00). It is not surprising therefore, that in spite of this call for a speedy land reform and assistance in the process from many sectors of organised agriculture, nothing has been forthcoming. The calls have not been translated into concrete proposals and generous donations of the financial resources for land transfer, nor has any<sup>3</sup> meaningful amount of land been made available at a sober price for re-allocation to rural communities, let alone farm workers.

However, this was an opportune time for the Land Affairs ministry to take advantage of the conducive environment to move with speed towards the 30 percent redistribution target. Government has not embraced and taken advantage of this availability of financial resources by providing a workable programme for all stakeholders to push the programme. Instead, Minister Didiza maintained the moratorium on all land reform projects which she imposed upon taking office in 1999. This means that since 1999 there has not been any activity in terms of project approval and land transfer and there was no law within which this process would be carried out. It is only recently that the Land and Agriculture minister unveiled her new land reform policy the Integrated Programme for Land and Agricultural Development. It is unfortunate because, not only farmers have softened to the need for land reform, also the donors and international finance reconsidered their earlier plans to withdraw once the transition to democracy was established. It was thought that at the end of the first five years donors would pull out of South Africa to concentrate in areas of global priority (Bond, 2000). The EU has recently approved an extended 10yr period and committed R600 million for rural development projects.

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<sup>3</sup> Very few isolated cases of farmers who have apportioned part of their land to farm workers, and also farmers who have started training programmes for their workers have been noted, particularly wine-farmers in the Western Cape.

The new land reform programme does not change the market context within which land should be sourced and transferred even after admitting that:

market-based land reform had failed to deliver quality land at the right price. Like Zimbabwe, SA had tried market based land reform process, but this had not delivered suitable land when [and probably where]<sup>4</sup> it was needed. [Proposing that] the state wanted to expropriate private farms for land reform (*Business Day*, 16/10/00).

Instead of the Zimbabwe invasions, increasing the stake for land and agrarian reform among the ANC stalwarts, the debate that followed was centered on whether events in Zimbabwe would be repeated in South Africa or not. The question of the negative impact of events in Zimbabwe is neither here nor there. The fact of the matter is that by the Zimbabwean invasions, the pressing need for land reform in South Africa has possibly for the first time, impressed itself on public opinion, to the point where even land owners are calling for an accelerated pace of reform. Local communities, deeply frustrated by the lack of progress with the process have begun to adopt the language of invasions and in isolated instances putting it to practice. Yet in a show of ANC's commitment to protect its emerge as a capital friendly investment destination, they failed the masses of the landless again. The Breddell invasions which had the grace of the SACP were met with apartheid style "bull-doze-burn-and-march-out" heavy-handed military tactics by the ANC government. The fact that these were not really about farming land allowed president Mbeki<sup>5</sup> to add a new spin to the debate, stating that the need for land in Zimbabwe is rural and in SA is for more for housing than land for agriculture. Denying the need for land in rural areas would translate to the fact that there would therefore, be no invasions. In this way, the ANC can instil sense of security among investors and local land owners.

### **The Zimbabwe-Donors' Land Reform Experience**

Zimbabwe has had two decades since independence within which to address the racially skewed imbalances in land ownership with very limited great successes. Although the resettlement programme was aimed at redressing inequalities in the distribution of land, it has effected little change in terms of both the total amount, and the agricultural potential of the land that has been transferred to date. Despite ZANU-PF's claimed commitment to Marxist-Leninism, it never translated this ideology into practical programmes thus remaining at the

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<sup>4</sup> My insert

<sup>5</sup> Who is never new to controversy in many areas of public policy the HIV-AIDS debate being one for record

level of rhetoric that did not deliver. Instead its programmes were characterised by pragmatism and nationalism with an emphasis on moderation and reconciliation. In the 1980s, land reform policies were developed in the context of promoting national self-reliance in food/agricultural production through state interventions in the land markets. Labour-intensive, small-farmer production strategies were preferred, with the belief that this strategy would optimise land productivity, realise better returns to capital invested than large farm systems, while providing the food and basic needs of producers, and encourage a less skewed income distribution. This was largely a populist land reform approach based on a macroeconomic strategy of 'growth with equity', political reconciliation in a racially polarised society, and more broad based participation in the economy (GoZ, 1983).

Land reform proceeded through guidelines agreed upon between the Zimbabwe government and Britain at the Lancaster House Conference leading to the popular Lancaster House Constitution. Thus after independence, the Government of Zimbabwe (GoZ) pursued a rather conservative, market-led land acquisition programme which allowed for the speculative pricing of acquired land in the context of the absence of land taxation. According to Stoneman as cited in Moyo (1990) western powers retained a strong hold and constrained Zimbabwe's policy choice not only by entrenching property rights in the Lancaster House constitution, but by ensuring that the GoZ would not contest the spirit of the agreement and tied with this was the whole complex of aid, trade and investment.

Land redistribution was portrayed as a political imperative central to creating the stability required for economic growth. Casting resettlement as a political imperative left unchallenged the colonial myths of African farmers as subsistence orientated and inefficient, in contrast to market orientated white farmers. This distinction took on a symbolic weight when the former reserves were designated as communal areas and the former white lands as commercial. The implication is that Zimbabwean government failed to transform the colonial view of commercial and communal agriculture and as a result land reform and its funding proceeded within the old and established colonial paradigms. Moyo (1993) argues that, instead of a radical land reform after independence, GoZ continued to provide large white farmers with preferential access to foreign currency for their machinery import requirements, among other subsidies. This choice was informed by the official thinking that saw large-scale farming as the bedrock of Zimbabwe's rural economy at the expense of redirecting resource allocations to a more racially balanced mix of farmers.

Many of the initial recommendations argued for the consolidating of arable land into blocks, fencing grazing areas, registering land with a title, and abolishing labour migration, thus

creating permanent farmer and worker populations. As in colonial times the key inhibiting factor was seen to be land husbandry rather than land shortages. The general emphasis was against anything considered to be traditional which went hand in hand with the economic efficiency debate. Traditional land use patterns were deemed to be static, conservative, and opposed to accumulation and production for the market. Traditional authorities were seen as the conservative guard of an unproductive system. Resettlement was therefore geared exclusively towards productivity and success of the scheme would be measured in increased productivity levels. Resettlement schemes were not to be extensions of communal areas. The contradictions that emerged also contributed to the lack of success of land reform measures.

Zimbabwe's experience with donors in the land reform process was a special one in the sense that financial availability was tied to specific land reform policies and targets. At the centre of this was Britain, the former colonial master, which was to provide the bulky of the land reform funding. British finance in Zimbabwean land reform did not represent donations from a philanthropic country, but reparations for the land acquired through conquest by British nationals or whites of European descent under their charge. It is surprising however, that such money was to be tied to specific policies and targets. British land reform commitments were supposed to be directed to land acquisition, land transfer and resettlement, and technical planning support.

The Lancaster agreement had calculated that the Zimbabwe government would resettle some 18 000 families on approximately 1,1 million hectares of land at a cost of \$60 million between 1980 and 1983 (Kinsey, 1983: 170). Half of this was to be funded by the British government, while Zimbabwe would pay for the remainder (Herbst, 1989: 43). According to A. Blume (1996) from the beginning the financing of the resettlement programme was a critical element of the overall concept, particularly because the willing-buyer, willing-seller principle made long term planning of land acquisition costs impossible. Half the total costs in the first decade were funded by Britain, the then EC, Kuwait and the African Development Community (ADB). However, the major funding bottleneck resulted from a requirement by the foreign donors that the Zimbabwean government should prefund the resettlement projects and then apply for reimbursement later. The EC came to the Zimbabwe government's rescue by agreeing to make a prepayment.

The initial plan of 18 000 families on one million ha proved very minimal in the eyes of the rural land hungry who had been politicised by the Marxist-Leninist rhetoric/propaganda during the war of independence. A squatter movement in the rural areas throughout the country made the government realise that only an intensive resettlement programme would make impact on land demand. Thus the Transitional National Development Plan in 1982



adopted a target of 162 000 families to be settled by 1985, but only succeeded to resettle 35 000. By 1986 the first five year National Development Plan (1986-90) recognised the over-ambitious nature of earlier figures and proposed the resettlement of only 15 000 families per year. However, by the end of 1989, only some 52 000 families had been resettled on nearly 3 million hectares of land under different settlement and land use models. At the end of the Lancaster decade in 1990, the government announced new measures that included the amendment of the Constitution and the Land Acquisition Act. The primary aim of the new policy was to resettle more 110 000 families on 5 million ha of land while retaining 5 million ha for the production of strategic crops by large scale white commercial farmers (Herald, 26/07/90). Britain pledged \$15 million for this resettlement programme (Herald, 1/2/90). However, 10 years later only a net total of about 75 000 people had been settled by February 2000, with only 3.3 million ha of the targeted 8.3m (see Table 4 below) having been acquired and resettled (Moyo, 2000b: 24).

In the first ten years the World Bank and the IMF underplayed its role in the direct sponsorship of Zimbabwean land reform rather focussing on development aid and persuading the Zimbabwe government to move towards market liberalism. In this period, influential bilateral and multi-lateral donors did not accept the rationale of the technical importance of land utilisation in reducing poverty resulting in little material and moral support given to land reform. According to Moyo (1999: 5), the importance of promoting ‘development’, political stability, and deepening of markets for goods into the growing but marginalised (income-wise) population, was not part of the standard development assistance package. He also points out that:

External resources to improve the land policy and implementation capacities of Government, NGO and expertise, even for a “rational and controlled” land reform programme, has been limited compared to experiences in Latin America, Asia and recently South Africa. Instead, greater donor support towards land related development has been provided for various small farm projects and environmental conservation programmes, purported to be as participatory and developmental (Moyo, 1999: 5).

GoZ’s intervention in land acquisition was increasingly restricted by market liberalisation. The post-Lancaster Zimbabwean land reform phase coincided with the adoption of the economic structural adjustment programme (ESAP) amid a growing body of World Bank-sponsored literature favouring market led land reform. This literature suggested that the best practice in land redistribution strategies centres around a more market-assisted and essential private approach using ‘multiple solutions which must be demand-driven such that the poor

themselves using appropriate organisational and technical assistance, should identify the solutions that would fit their situation (Deininger, 1998). This is a patronising approach that expects communities to develop local land reform plans. However, this approach presupposes the prior existence of rural organised rural structured, either through NGOs and CBOs already operating and trusted by the communities. Zimbabwe, unlike South Africa does not have a long history of locally organised pressure for land redistribution by civil society agencies such as NGOs. Traditional authorities were used by the colonial state to allocate land in the designated Tribal Trust Lands and did not challenge the shortage of land and the establishment of reserves. The need for more land was drummed up by the ‘freedom fighters’, who were themselves, agents of the state. In the post-independence period, the GoZ centralised power around its political structure dominating labour and other civil society structures (Moyo, *et al.*, 2000). This effectively delayed the rise of independent NGOs in the land sector.

The World Bank has a deliberate focus on resettling farmers who are already well to do and talk about the poor and needy is only lip service. Here there are parallels in the post-Lancaster focus in Zimbabwean land reform policy as in that of South Africa under Minister Didiza. Since the public and official adoption of free market neo-liberal economic policies in Zimbabwe in 1991, the dovetailed land reform programme changed its focus from the needy to the capable resulting in priority been given to the establishment of a black agricultural class (Moyo, 2000b). The decade of market-led land reform also ended with disappointing results for the landless with fewer people having been resettled when compared to the Lancaster-decade.

Table 4 showing the changing patterns in Zimbabwean Land ownership

<b>Sector</b>	<b>1980 %</b>	<b>1990 %</b>	<b>2000 %</b>	<b>Target %</b>
LSCF	39	33	28	15
Communal Areas	42	42.5	43	42
SSCF	4	4	3	3
National Parks/Urban	15	15	15	15
Resettlement Areas	-	6	9	21
State Farms	-	1	1	4

**Source: GoZ, 2000**

On the whole, the slow progress of the resettlement programme is a result of a variety of factors. The leading factor was the constitutional constraints on land acquisition for the first 10 years imposed by the Lancaster House Agreement. However, at the end of its official

shelf-life, there has not been any significant change in the delivery of land, for which the GoZ blames the lack of money for land purchase and recurring droughts since mid-1980s which have often redirected money to drought relief schemes. Other factors blamed for the poor showing in land redistribution include the war in Matabeleland, world recession; unfavorable balance of payments, rising debt and inflation. It was also claimed that land grew increasingly scarce and expensive as well as being of poor quality as successful farmers rarely sold high quality land. There was also the problem of lack of capacity to deliver due to insufficient trained staff and co-ordination problems between various ministries. However, key reasons include the continuing dominance of settler economic planning ideology; co-optation of newly affluent and influential blacks into the land-owning classes – accumulation by the elite – which reinforces; effective lobbying by the previously white Commercial Farmers Union. By 1986, 300 black farmers had joined the more than 4 000 whites commercial farmers. According to Moyo (1990) there were different interest groups and class interests giving opposing views towards land reform. According to Cliffe (1988) for example, white farmers remained massively influential in the 1980s providing the decisive voice in the day to day running of issues in the agrarian sector, which they dominated in the past century. There were those who argued that land reform was a high-cost, low benefit exercise for the country and therefore supported a down-scaled land reform project. Against these, were the state and various indigenous groups who thought that in fact costs were being deliberately exaggerated and benefits downplayed.

Very little land changed hands between 1990 and 2000, particularly when compared with the 1980 to 1990 period. The main reason was donor withdrawal of assistance in protest of the new acquisition procedures of the GoZ. The main contentious policies were those of the 1992 Compulsory Land Acquisition Act which aimed to acquire land without compensation, except for developments only. This led to a major fall-out between the GoZ and its major donors led by Britain. Thus the decade between 1990 and 2000 was a period of struggle between the GoZ and donors on the level of policy direction and acquisition procedures. This led to the November 1998 conference on land reform between the GoZ and the donor consortium where Britain and the EU promised to renew funding if the GoZ implemented a transparent land reform programme.

None of the promised funding was forthcoming after the 1998 Conference and the GoZ then sought to acquire land without compensating the landholders and proposed a constitutional amendment which was voted against in the February 2000 referendum. Since then, there has been total anarchy and mayhem on the Zimbabwean rural landscape characterised by invasions, displacement of farm workers, destruction of white commercial-farmers property,

physical abuses and political intolerance among other things. The effect of this in the region has been to increase the awareness of leaders and donors in the region of the importance of land reform for the purpose of political stability and ensuring democracy. Its effect in Zimbabwe was a total withdrawal of all donors and donor support of the land reform process citing concerns with government's lack of commitment to rule of law and diminishing macro-economic stability. Donors have demanded that the Zimbabwe government should first demonstrate its commitment to the rule of law and respect of property rights through; (a) steps to end violence and farm invasions, (b) commencement of an orderly movement off occupied farms, and (c) the impartial enforcement of the law. The international community has also demanded that steps be taken to investigate and prosecute those who committed acts of violence and due respect to be paid to the decisions of courts and established procedures.

### **Concluding Remarks: A Brief Comparison of South Africa and Zimbabwe**

Zimbabwe and South Africa share the same circumstances in as far as the racially skewed land inequalities and rural poverty only. Both countries share a history and destiny in that, conquest and subjugation of the natives was followed by the dispossession of their land and cattle (in fact their source of independent livelihood) thus preparing the ground for the annexation of their labour. To augment this process of dispossession Acts of parliament, such as the Land Acts (1913 and 1936) followed by the forced removals from the 1960s led to a highly skewed racial division of land. The result of this process can be summarised in Walker's synopsis that:

As a result of the colonial wars of dispossession and the land policies of successive white supremacist governments, 87 percent of the land came to be owned by 15 percent of the population – by whites (although not all was privately owned); under apartheid some 3.5 million people were forcibly removed from their homes and dumped in relocation camps, closer settlements and apartheid townships; people suffered enormously in the removals – families and communities were destroyed, lives were lost, economic potential squandered; compensation received by those removed was minimal or non-existent; all this was done in order to maintain white supremacy and/or advance capital accumulation in the hands of a white ruling class (Walker, 2000: 2).

By the time of the transition, rural conditions had deteriorated further and poverty was soaring with the urban-rural divide at its highest. In fact the gap between poor and rich in South Africa was recorded as the highest in the world alongside that of Brazil. It is within this background that land reform, which is generally accepted to mean the redistribution and/or confirmation of rights for the benefit of the poor (Adams, 2000: 1) was seen by those

interested in rural development as central to the poverty alleviation and empowerment objectives of South Africa.

The nature of transition from apartheid to a non-racial democratic state in South Africa through negotiations determined the nature of policies to be adopted. Also, the support base for ANC as one of the leading anti-apartheid movement was more urban than rural when compared, for example, to Zimbabwe. Direct rural involvement was more pronounced in Zimbabwe where a guerilla war was fought in the rural areas. There, the direct support of the rural masses was rallied on the issue of land, a fact that became politicised and has remained so until now. Thus for South Africa, the lack of a deep historical interest and involvement in rural issues during apartheid seem to have been continued in the post-apartheid era.

In a country where more than half of the poor people are located in congested rural areas, the political willingness of the ruling government to address this condition can be judged from its success (or lack of it) in this sector. It is a paradox however that, notwithstanding this background, land reform and agrarian transformation has remained marginal to the political debate in the ANC. One may begin to understand this in the context of the decision to drop the Reconstruction and Distribution Programme (RDP) to adopt a Growth, Employment and Redistribution (GEAR) macro-economic strategy. This implied that instead of a 'redistributionist' approach, which would alienate domestic and international capital, a market friendly 'productionist' approach was adopted. Paradoxically, this choice has not raised the ANC's political profile among the owners of capital and the rising black bourgeoisie and neither has it translated into an increase in Foreign Direct Investment and economic development. Whatever choices the government makes, political survival would always be pitted against economic viability because of the inequalities created by apartheid as well as the mounting pressure from globalisation. In South Africa, Bernstein (1997) argues that:

The capitalist landed property/agriculture seeks to expunge or deny the foundations of its historical formation in land expropriation, brutal labour regimes and state support. Its position today, if anything, is strengthened by the confirmation of bourgeoisie property right in general, and, beyond that, by the economic policies and practices of the government. [This] capitalist landed property/agriculture stakes its place in the new South Africa on the claim of its 'efficiency in a non-racial capitalism, while white farmers retain a *de facto*, if no longer *de jure*, near monopoly of resources and institutional, as well as economic, power in the countryside (Bernstein, 1997: 22).

The political and economic significance of land has aroused the interest of all stakeholders in the reform process for which the more powerful of these have wielded more government

support. In South Africa, the interests of organised agriculture have coincided with both government failure to articulate and challenge the predominance of large scale agriculture over the rising evidence of the potential for efficiency for small scale agriculture and also its need to establish a middle class of black bourgeoisie. A good example is the opposition by both the South African Agricultural Union (SAAU) and the National African Farmers' Union (NAFU), to the government's move to impose a land tax so as to release land for redistribution to the poor and needy. This move signaled the convergence of interests of landed property/agriculture, reproduced by its economic and institutional power and its political and ideological repositioning (Bernstein, 1997: 24). In this case, as in other sectors such as labour for example, it is the interests of capital that took precedence over the interests of the poorly organised rural poor.

However, the fact whether the land needs in South Africa are the same as those of Zimbabwe and whether they would be satisfied by the same policy has recently been raised in reaction to the invasions north of the Limpopo. It has been recognised that as a result of the increasing reversal of economic gains in Zimbabwe, demand for land increased (Murombedzi, 1999; Moyo 2000, Karumbidza, 2000) while in South Africa, urban migration is still rampant with people fleeing the ever receding standards of living in the rural areas (Aliber, 2001). Other than that they have very different economic resources and very different political-economic environments within which to respond to donor pressure and make policy choices. South Africa is fairly endowed with resources, giving it an upper hand in terms of ability to negotiate with funders or even to sideline those that have demands that may be retrogressive. Yet because of the size of its economy and its high dependence on foreign assistance, Zimbabwe does not have this leverage. South Africa's post-apartheid government, led by the ANC, has a long history of contacts with donors in its protracted anti-apartheid struggle. The anti-apartheid movement had been fought alongside civil society groups with the support of these donors. These donors came to support the initiative of service and activist NGOs which had their agendas set. However, in Zimbabwe donor involvement in the transition came after independence. Without any preconceived post-independence programme of action, donors could prescribe what projects they preferred their resources to be channelled in. It is surprising to note therefore that South Africa's land transfer since 1994 compares very badly with that of Zimbabwe in its first decade of independence. This main reason could be found in the fact that, South Africa has been very keen to pursue a micro-economic policy that is market-friendly at the expense of redressing the imbalances of the past.

The aim of land reform is to achieve goals of facilitating changes in land ownership and occupation rights with the aim of changing the distribution of income, social status and political power structures. As put by Letsoalo (1994: 203), land reform is an indispensable strategy and instrument of human rights and social justice. The chief constraints faced in implementing land reform include the lack of financial resources, lack of the technical capacity and also the lack of the political will to do so. More for Zimbabwe than South Africa, these financial and skill shortages have been covered by donor funds and donor support programmes. As put by analysts, the net effect of donor funded land reform policy determined by economic liberalism has been further compounding existing social differentiation along racial, class, ethnic and gender lines (Moyo, 200: 63). It can be concluded that donor prescriptions for land redistribution have redefined the role of the state by diminishing it, while shifting financial resources and responsibility towards land reform programmes led by the emerging elite. Indeed, the donor negotiated land reforms have effectively ensured adequate financial compensation for current landowners who transfer whole and subdivided farms to resettlement programmes, at the expense of increasing public debt incurred to finance such transfers, while not compensating the victims of prior historical and current land expropriations. The NLC has argued that the market approach to land reform is a ploy to delay the land reform process (Mngxitana, 2001). The majority of South Africans and Zimbabweans do not have access to resources to participate in the land market and given the widespread poverty they are subjected to, even the option of subsidies offered for the poor is questionable. As a result of the constraints associated with the land reform processes in South Africa and Zimbabwe, the land distribution has remained unbalanced and the agricultural structure largely dualistic. However, it is important to note that the policy direction taken by South Africa were not a result of force by the donor world or lenders such as the World Bank and IMF, but a result of its policy direction towards creating conditions conducive for attracting foreign investment.

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### **Personal Communications and Interviews**

Herbert Schimdt (Co-ordinator) Swiss Country Programme South Africa

Cherryl Walker (Former Land Commissioner- KZN)

Patrick Bond, Jubilee 2000

Helena M Dolny, Former Managing Director Land Bank

Alastair McIntosh of McIntosh and Xaba Associates, a Consultant for the Ministry of Agriculture and Land Affairs.

Sihle Mkhize, Afra

Martin Adams, DfID-Southern Africa Office, by e-mail.

Stephen Turner, PLAAS at UWC

Edward Lahiff, PLAAS at UWC

Ben Cousins, PLAAS at UWC

Ruth Hall, Center for Rural Legal Studies at Stellenbosch University

Robin Palmer, Land Policy Adviser – Oxfam GB